



File No: SP 23-05 Northwest RE LLC Industrial Project

Summary: On February 6, 2024, the Millersburg Planning Commission held a public hearing for the project. The Commission approved the Site Development Review application with the conditions of approval listed in the staff report. The Commission found that all criteria and standards were met based on the accepted facts and the conditions of approval. The Commission relied on facts from the staff report, the applicant's materials, and the City's Comprehensive Plan, Codes, and Ordinances as provisions for the basis of their decision. No changes were made to the proposed conditions of approval and no additional conditions were added.

Matt Straite
Community Development Director

Proposal: The application is for a Site Development Review of a single building with 326,285 SF of manufacturing space, 17,300 SF of office space, and 156,425 SF of warehouse space. The total building size is estimated to be 500,010 SF. The primary purpose of the building is manufacturing with the designated warehouse and office uses being accessory uses. The site also features passenger vehicle and truck parking areas, landscaping, water quality basins, truck maneuvering areas, loading bays, and an undisturbed wetland area. Two new driveways are proposed, one on NE Old Salem Road and one NE Transition Parkway. The warehouse area is scheduled to be built in a future expansion but was fully analyzed.

I. BACKGROUND

- A. Applicant: Northwest RE LLC
- B. Location: Southerly of NE Conser Road, westerly of NE Old Salem Road and West of Transition Parkway, tax lots 10S-3W-28-00100 & 00101.
- C. Review Type:
The proposed Site Development Review is a Type III permit, requiring a hearing before the Planning Commission. The Planning Commission is scheduled to hold a hearing on the application on February 6, 2024. The Planning Commission decision can be appealed to the City Council. Any appeal of the City Council's decision relating to this matter will be considered by the Oregon Land Use Board of Appeals (LUBA).
- D. Review Criteria: Chapter 5.05.060 Site Development Review Criteria
- E. Current Zoning: General Industrial (GI)

F. Proposed Zoning: N/A

G. Property Size:

The site is a portion of two parcels - 59.29 acres and 3.37 acres. The actual site area is 47.84 acres, the disturbed area is 24.74 acres. The City is currently in the process of recording a final plat that will create the lot the applicant plans to purchase from the City under File No. SD 23-01. In the meantime, they are proposing the development on a portion of two existing lots.

H. Background:

The site is currently vacant. It has been zoned for industrial since before the City was formed. The main access road for the project, NE Transition Parkway, has recently been constructed with a new Fire Station, Station 15, which is located across the street from the applicant's site. The City owns the property and is in the process of selling the lot to the applicant.

II. **AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS**

Agencies:

The applicant's Site Development Review materials were transmitted to the following agencies/departments on January 4, 2024: City of Albany, Albany Fire Department, City of Millersburg Engineer, PacifiCorp, Linn County Planning and Building Department, Linn County GIS, and Northwest Natural Gas. To date, the following comments have been received¹:

- Millersburg City Engineer Comments dated January 12, 2024
- Albany Fire Department Comment Letter dated January 4, 2024

Public:

Notice of the February 6, 2024, hearing was mailed to all property owners within 200 feet of the property, posted in City Hall on January 18, 2024, and posted on the City's website here - <http://cityofmillersburg.org/planning-commission/> on January 18, 2024. To date, no written comments from the public have been received by staff.

III. **CRITERION**

All findings and conclusions listed below are in addition to those provided by the applicant in their narrative dated January 10, 2024, which is included here by reference.

5.05.060 Site Development Review Decision Criteria

The review of the Site Plan shall be based upon the following criteria:

¹ The Linn County Road Department has been communicating with the City in a series of email that do not constitute official comments. Staff anticipates a more formal comment letter from them prior to the hearing. Should that happen, it will be provided to the Commission at the hearing.

(1) The proposed use is allowed in the zone and complies with the underlying zone development standards.

ANALYSIS: The proposed project is located in the General Industrial (GI) Zone. Proposed use include 1) manufacturing and assembly, 2) wholesale trade and distribution facilities (warehouse related to the manufacturing), and 3) ancillary office uses. The first two are directly listed as permitted uses in the GI Zone, specifically Sections 2.10.020(1) and (2) pursuant to a Site Development Review. The third use is considered ancillary to the primary use and is permitted under 2.10.020(9) because they are linked to the primary manufacturing use.

The zone contains development standards that include the following:

Regulation	Standard	Application
Minimum Lot Area	Sufficient to meet the use	The site uses 24.1 acres, all of which is needed for the use. This includes the structure, parking and vehicle movement areas, as well as basins and landscaping.
Setbacks <ul style="list-style-type: none"> • Front • Rear • Side • Yard adjacent to NE Old Salem Road 	Zero Zero Zero 10 feet	The proposed building location is more than 160 feet from NE Old Salem Road.
Height	No limit	N/A
Lot Coverage	100%	N/A

The zoning standards include all other development standards listed throughout the Development Code. These are addressed later in this staff report in Section IV.

FINDING: Based on the analysis above, the project meets the required criteria.

(2) The proposed use will not create negative impacts on the surrounding area resulting from traffic flow, noise, dust, glare, odor, potential incompatible adjacent uses such as parking lots, or other impacts identified in the public hearing process.

ANALYSIS: The project will result in an increase to traffic because the site is currently vacant. A traffic study was submitted with the application materials, performed by Kimley Horn. The study reviewed the ability of the existing street network to accommodate the proposed project and the traffic the project would bring. The study found that the streets have the capacity without the need for any mitigation or intersection improvements. Based on the applicant's traffic study, the transportation network will continue to operate at acceptable levels of service.

The City does not anticipate any noise concerns with the proposed use because, as pointed out in the applicant's narrative, all activities other than truck movements will be done inside the building. Further, the project site is surrounded on the east and south by industrial uses. Industrial uses are also planned on the vacant property to the west of the site. To the north of the site is a residential area. The site is separated from the residential area by a planned street and public park. The park is intended to act as a buffer between the two uses. The park includes a berm with trees which will provide visual and noise buffering for any use south of NE Transition Parkway. Therefore, the proposed use should not create any negative effects related to noise.

No dust impacts are anticipated because all traffic areas proposed will be paved. No dust should result from the manufacturing process because all processes are within the building.

Regarding glare, the proposed structure features mostly concrete surfaces with some clerestory windows placed high on the structure facing NE Old Salem Road. Some glass is used on the front (north facing) section of the façade facing NE Transition Parkway (some sections of this street are not yet built). These windows would be the only place that would potentially cause any glare. The windows should not create any negative impacts regarding glare issues; however, because the windows are small and will generally be screened by parking lot trees, street trees and passenger vehicles which are located between the street and the windows on the north side the structure where most of the windows are located.

No odors are anticipated by the proposed use because any activity that could create odors will be within the structure.

FINDING: Based on the analysis above, the project meets the required criteria.

(3) The City may impose conditions of approval intended to mitigate potential impacts including, but not limited to:

a. Provisions for public utilities, including drainage and erosion control needs;

ANALYSIS: The applicant's plans indicate that they propose to connect to an existing 18" water service line in NE Transition Parkway which will loop around the facility connecting to a second point on the same road just north of the facility (northerly of the passenger vehicle driveway). Sewer service will be provided to a manhole fronting NE Transition Parkway which connects to a 12" PVC sewer line in that street. While storm drain lines also exist in NE Transition Parkway, the applicant is tentatively proposing to use storm drains west of the site. A stormwater report has been required by a condition of approval. A tentative basin location and size are provided but these may change depending on the results of the stormwater study. Conditions of approval have been added to assure the eventual design of the water, sewer, stormwater system and other drainage requirements will meet the City standards.

FINDING: Based on the analysis above, with conditions of approval, the project meets the required criteria.

CONDITIONS OF APPROVAL:

- A Private Construction of Public Infrastructure (PCPI) permit is required for all new public infrastructure, including connections to public infrastructure.
- All required public improvements shall be designed in accordance with City of Millersburg adopted standards and plans shall be reviewed and approved by the City with submission of PCPI permit prior to beginning construction. All utilities shall remain uncovered until inspected and approved by the City. All required public improvements shall be completed and approved by the City prior to occupancy of the new building.
- Stormwater facilities shall be designed and constructed in accordance with the City of Millersburg Engineering Standards. Private stormwater quality facilities require the property owner to enter into a maintenance agreement and easement agreement.
- Prior to grading on the site a storm drainage report and grading plan shall be submitted for review and approval. A grading permit is required for earthwork in excess of 50 cubic yards.
- Prior to earth disturbance the applicant must obtain a City of Millersburg Erosion Prevention and Sediment Control Permit (EPSC).
- Prior to earth disturbance, the applicant shall obtain a 1200-C Erosion Control Permit for all the disturbed ground that is in excess of one acre. The applicant shall follow the latest requirements from DEQ for NPDES 1200-C Permit submittals.
- A final grading and stormwater inspection will be required prior to issuance of a certificate of occupancy.

b. Parking, traffic safety, and connectivity of internal circulation to existing and proposed streets, bikeways, and pedestrian facilities;

ANALYSIS: Parking for this use is unique. The Millersburg Development Code, Section 3.03.050(2) allows the City flexibility to interpret uses that are not specifically listed in table 14 of that same section. The specific kind of manufacturing proposed is not listed, therefore, the City met with the applicants to determine the correct amount of parking spaces for the use. The parking provided on the plans is sufficient for the type of manufacturing and ancillary uses planned on the site given the number of staff anticipated to be working on each shift at the new facility and the truck trips planned for the facility, based on information provided by the applicant in the narrative and the traffic study.

All parking standards are met. Parking stall sizes meet the code requirements of 9' x 20'. All aisle widths are proposed to be at least 24 feet in width which provides ample room for cars to back out of parking spaces. Pedestrian sidewalks within the parking

are not required. Sidewalks connecting the building to the parking lot and to the street are not shown. A condition of approval has been added to require the applicant to show these on the final site plan. The site plan shows large truck maneuvering areas that will provide ample room for safe large truck turns internal to the site. The application has shown that it will be safe by meeting the standards in the development code. With the standards met, there should be no issues with traffic safety.² The applicant has also explained in the narrative:

The new access drive on Old Salem Road NE (SIC et all) will be dedicated to heavy trucks to minimize interactions between standard vehicle and semi-trucks, as well as minimizing pedestrian exposure. Another new access drive on Transition Parkway will provide access primarily for the employee parking lot and office entrance, though the road will be paved to handle the weight of emergency vehicles. Heavy-duty asphalt along the perimeter of the facility will allow heavy trucks and trailers to access all loading bays and trailer parking spaces via Old Salem Road NE without interacting with the employee parking lot or Transition Parkway. Circulation will also be present within the employee parking lot along with applicable lighting and pedestrian pathways.

NE Old Salem Road is already built to full standards besides a required trail. The only improvement the applicant will be required to build on NE Old Salem is the trail itself. Conditions of approval have been added for a multi-use trail.

The full street extension of NE Transition Parkway, including bicycle facilities, was planned as a city project prior to the submittal of this land use application. Construction of Transition Parkway is anticipated to be in progress or complete prior to this project. The applicant is required to contribute to the frontage improvements through payment of connection charges, or by enabling the City to obtain equivalent funding through grant programs. If the City's project were to be delayed, the applicant would be required to extend approximately 140 feet of Transition Parkway to accommodate their driveway entrance. Costs associated with this construction would be eligible for SDC credits. All other requirements are met.

FINDING: Based on the analysis above, with conditions of approval, the project meets the required criteria.

CONDITIONS OF APPROVAL:

- Prior to final inspection the applicant shall construct a multi-use trail along the NE Old Salem Road frontage. All plans for the trail shall be approved by the City prior to construction.

² It should be noted that on January 9 the City Council adopted an update to the Code. This application was submitted prior to that change and is therefore not required to comply with the new Code requirements.

- If City does not construct Transition Parkway past applicant's proposed employee driveway entrance, applicant shall construct approximately 140 feet of Transition Parkway, per existing design, under a PCPI permit, and in accordance with the City's engineering standards to accommodate new driveway. Costs associated with this construction would be eligible for SDC credits.
- Prior to the issuance of a building permit, the Applicant shall obtain access permit from Linn County for the access on NE Old Salem Road.
- Prior to the issuance of a building permit the applicant shall provide a revised site plan showing sidewalks connecting the structure to the parking area and to the sidewalks along the street.

c. Provision for adequate noise and/or visual buffering from non-compatible uses including using site and landscaping design to provide needed buffering; and

ANALYSIS: The site is surrounded by uses and zones that are considered highly compatible with the proposed use. These include City Hall to the north, light industrial and commercial uses to the east, vacant property to the south and west, planned for industrial uses. No noise buffering is required for any of these uses. Visual buffering to the east and north is provided through compliance with the landscape requirements of the Code, including the parking lot and streetscape landscape requirements. Some residential uses are also located to the north. As previously discussed, in addition to the project's parking lot landscaping, a street and park system are planned to screen those uses from industrial uses proposed south of NE Transition Parkway. Additional visual buffering is discussed further in Section IV.

FINDING: Based on the analysis above, the project meets the required criteria.

d. Protections from any potential hazards.

ANALYSIS: No hazards are anticipated on or near the property. The proposed project is not located within a FEMA Flood Zone or area of landslide risk. To the west of the proposed project is an area known as the Soil Amendment Area (SAA). This area is currently subject to a consent decree that includes certain restrictions and requirements for construction. This does not include the project site area. The consent decree does not impact the applicant's proposed site. Therefore, no mitigation is needed on the subject property. No additional protections are needed.

FINDING: Based on the analysis above, the project meets the required criteria.

IV. STANDARDS

The proposed design complies with all the specifications and design requirements of Chapter 2, specifically the GI Zone setbacks and siting requirements, and Chapter 3 General Provisions as shown below. The following analysis is a summary of only the applicable standards or items that required additional explanation and/or additional

conditions of approval to show clear consistency. These findings are in addition to those made in the applicant's narrative which is included here by reference.

CHAPTER 3.03 OFF-STREET PARKING AND LOADING

SECTION 3.03.060 OFF STREET VEHICLE AND BICYCLE PARKING REQUIREMENTS

ANALYSIS: The parking areas will be fully paved. All spaces meet the standard dimension requirements of 9 feet by 20 feet. All landscaping provided meets the standards, including the required landscaped islands. As previously mentioned, the number of spaces met the City requirements.

FINDING: Based on the analysis above, the project meets the standards.

SECTION 3.03.070 OFF-STREET LOADING REQUIREMENTS

ANALYSIS: This section requires one loading space for every 25,000 feet of gross floor area. The project structure is proposed to be 500,010 square feet which would equate to a need for 21 loading spaces. The building features 12 rollup doors on the structure and an additional 43 truck parking stalls which could be used as loading spaces. This requirement is met.

FINDING: Based on the analysis above, the project meets the standards.

SECTION 3.03.080 PARKING, DRIVEWAY, AND LOADING AREA DEVELOPMENT REQUIREMENTS.

ANALYSIS: This section includes standards for the design of the parking areas. As previously mentioned, all design features meet the code requirements. Lighting in the parking area is not required, but if lighting is intended it must be designed to remain on the property (no light cast off-site). The applicant's narrative has explained that lighting is planned, but no lighting plan was available at the time of the application. A condition of approval has been added to require a staff review of the plan prior to building permit issuance to assure all requirements are met.

FINDING: Based on the analysis above, with conditions of approval, the project meets the standards.

CONDITION OF APPROVAL:

- Prior to the issuance of a building permit, all lighting plans must be reviewed by staff to assure compliance with the standards found in the Millersburg Development Code Section 3.03.080(4).

CHAPTER 3.04 STORM DRAINAGE AND GRADING

ANALYSIS: The applicant has provided locations for storm water features on the site. Conditions of approval have been added requiring a stormwater report to be submitted that will provide calculations to show that all water quality and storm water storage features are in the correct location and sized to function as required.

FINDING: Based on the analysis above, with conditions of approval, the project meets the standards.

CHAPTER 3.08.060 YARD AND LOT STANDARDS- VISION CLEARANCE

ANALYSIS: The driveway for passenger vehicles is proposed on NE Transition Parkway. The location is at the end of a curve in the road. Landscaping along the street is also proposed. The speed of the road is proposed to be 35 miles per hour and the advisory speed of that curve is proposed to be 25 miles per hour. The requirements for the clear vision areas are based on the speed of the road. Using this information, the City engineer has reviewed the proposed landscape plans and determined that the location of the driveway and the proposed street trees are fully consistent with the vision clearance requirements of this section for both 25 miles per hour and 35 miles per hour speeds. All requirements are met.

FINDING: Based on the analysis above, the project meets the standards.

CHAPTER 3.09 LANDSCAPING REQUIRED- MIXED-USE AND NON-RESIDENTIAL ZONES

SECTION 3.09.030(1)b NON-RESIDENTIAL LANDSCAPING

ANALYSIS: The site does not abut any residential property; no screening is required. No setbacks are required. All proposed landscaping complies with the requirements of this section.

FINDING: Based on the analysis above, the project meets the standards.

V. DECISION

The Planning Commission approved SP 23-05 with the conditions of approval as listed in the staff report.

VI. CONDITIONS OF APPROVAL

General Conditions:

1. Development of this land use approval shall substantially comply with the submitted plans and application materials (attached), specifically:

- Site Plan Sheet C1.00 dated December 22, 2023
- Utility Plan Sheet C2.0 (no date provided)
- Building Elevations Sheet A1.00 dated January 9, 2024
- Preliminary Landscape Plan Sheets L1.1, L1.2, L1.3 and L1.4, dated December 22, 2023
- Traffic Impact Analysis dated January 2024
- Narrative: Delorean Site dated January 10, 2024

Additional development or changes may require a new development application and approval.

2. This approval is valid for a period of two (2) years from the date of the decision notice. Extensions may be granted by the City as afforded by the Millersburg Development Code.
3. Copies of any federal or state permits that may be required shall be filed in the Record File of this application.
4. This approval does not negate the need to obtain permits as appropriate from other local, state, or federal agencies, even if not specifically required by this decision.
5. A Private Construction of Public Infrastructure (PCPI) permit is required for all new public infrastructure, including connections to public infrastructure.
6. All required public improvements shall be designed in accordance with City of Millersburg adopted standards and plans shall be reviewed and approved by the City with submission of PCPI permit prior to beginning construction. All utilities shall remain uncovered until inspected and approved by the City. All required public improvements shall be completed and approved by the City prior to occupancy of the new building.
7. Stormwater facilities shall be designed and constructed in accordance with the City of Millersburg Engineering Standards. Private stormwater quality facilities require the property owner to enter into a maintenance agreement and easement agreement.
8. Clear vision areas shall be provided in accordance with Millersburg's adopted clear vision standards.

Prior to Building Permit Issuance:

9. Prior to building permit issuance, any access and utility easements shown on the proposed plans must be recorded.
10. Prior to building permit issuance, the applicant shall provide evidence to the City that all applicable requirements of the Albany Fire Department letter dated January 4, 2024, have been met to the satisfaction of the Albany Fire Department.
11. Prior to building permit issuance, all applicable System Development Charges (SDCs) shall be paid.

12. Prior to building permit issuance, all lighting plans must be reviewed and approved by staff to assure compliance with the standards found in the Millersburg Development Code Section 3.03.080(4).
13. Prior to the issuance of building permits, subdivision SD 23-01 shall be recorded.
14. Prior to the issuance of a building permit the applicant shall provide a revised site plan showing sidewalks connecting the structure to the parking area and to the sidewalks along the street.
15. Prior to the issuance of a building permit, the Applicant shall obtain access permit from Linn County for the access on NE Old Salem Road.
16. Prior to the issuance of a building permit the applicant shall provide a revised site plan showing sidewalks connecting the structure to the parking area and to the sidewalks along the street.

Prior to Earth Disturbance or Grading:

17. Prior to grading on the site a storm drainage report and grading plan shall be submitted for review and approval. A grading permit is required for earthwork in excess of 50 cubic yards.
18. Prior to earth disturbance the applicant must obtain a City of Millersburg Erosion Prevention and Sediment Control Permit (EPSC).
19. Prior to earth disturbance, the applicant shall obtain a 1200-C Erosion Control Permit for disturbed ground in excess of one acre. The applicant shall follow the latest requirements from DEQ for NPDES 1200-C Permit submittals.

Prior to Final Inspection:

20. A final grading and stormwater inspection will be required prior to issuance of a certificate of occupancy.
21. All required public improvements shall be completed and approved by the City prior to final inspection.
22. Prior to final inspection the applicant shall provide evidence to the City that all applicable requirements of the Albany Fire Department letter dated January 4, 2024, have been met to the satisfaction of the Albany Fire Department.
23. Prior to final inspection, the applicant shall construct all required drainage facilities, or provide bonding (or similar) for all improvements approved by the City.
24. Prior to final inspection the applicant shall construct a multi-use trail along the NE Old Salem Road frontage. All plans for the trail shall be approved by the City prior to construction.

25. If City does not construct Transition Parkway past applicant's proposed employee driveway entrance, applicant shall construct approximately 140 feet of Transition Parkway, per existing design, under a PCPI permit, and in accordance with the City's engineering standards to accommodate new driveway. Costs associated with this construction would be eligible for SDC credits.

IX. NOTICES TO THE APPLICANT

The applicant should also be aware of the following standards and processes that are required for development. These are not part of the decision on this land use case and are provided as a courtesy to the applicant. Please contact City Hall with any questions.

1. All applicable System Development and Connection Charges will be due at the time of building permits.
2. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
3. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
4. The continual operation of the property shall comply with the applicable requirements of the Millersburg Development Code.
5. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.
6. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris includes food and drink waste. All waste shall be contained on-site in proper containers or construction fencing enclosures and shall leave the construction site in proper disposal containers. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the City.

X. EXHIBITS

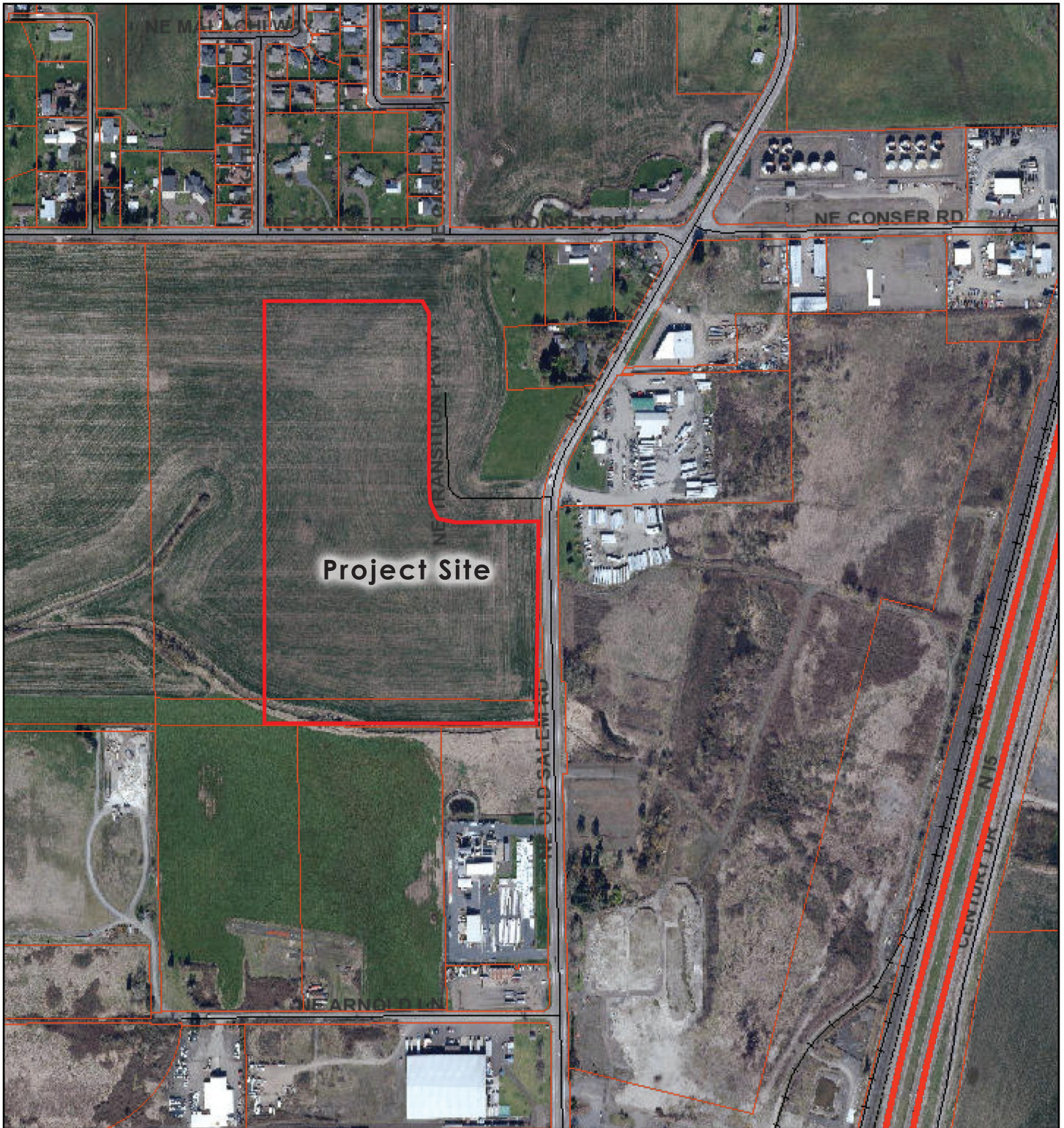
- Vicinity Map
- Zoning Map
- Applicant's Design Review Drawings including:
 - a. Site Plan Sheet C1.00 dated December 22, 2023
 - b. Utility Plan Sheet C2.0 (no date provided)
 - c. Building Elevations Sheet A1.00 dated January 9, 2024
 - d. Preliminary Landscape Plan Sheets L1.1, L1.2, L1.3 and L1.4, dated December 22, 2023
 - e. Traffic Impact Analysis dated January 2024 (not included in the staff report for file size purposes, available upon request)

f. Narrative: Delorean Site dated January 10, 2024

- Millersburg City Engineer Comments dated January 12, 2024
- Albany Fire Department Comment Letter dated January 4, 2024
- Public Hearing Notice
- Memo to the Planning Commission dated February 6, 2024

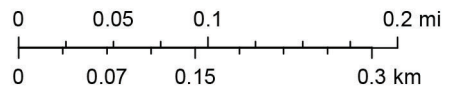
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SP 23-05 Vicinity Map



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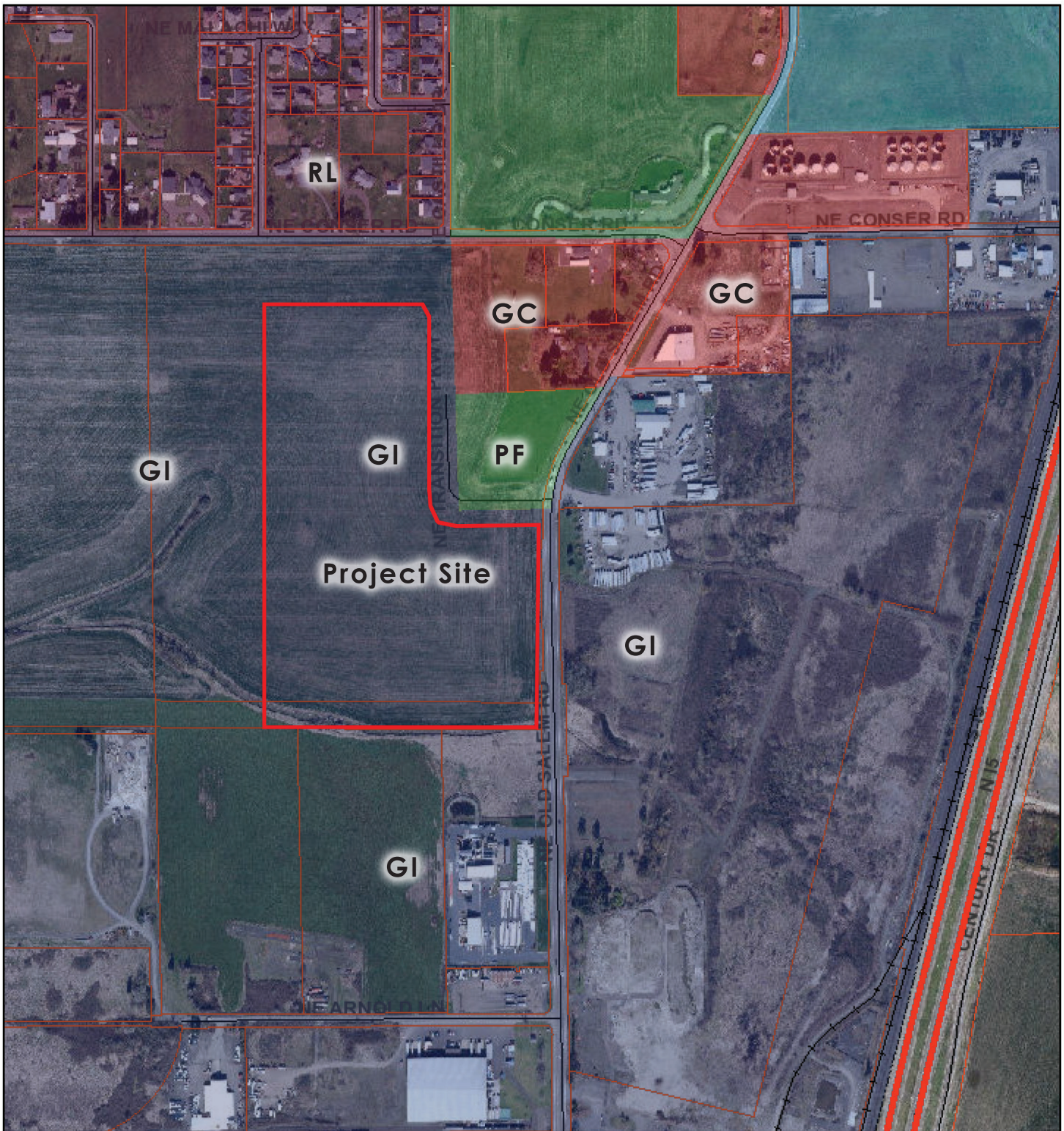
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- Highways
- Roads
- Railroad
- City Boundary
- Tax Lots

Linn County GIS, City of Albany, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/ NASA, EPA, USDA, GeoTerra, 2021

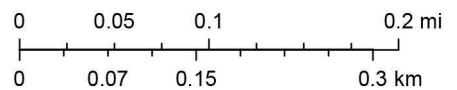
SP 23-05 Zoning



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| Highways | MIXED USE |
| Railroad | PUBLIC FACILITIES |
| Millersburg Zoning | RESIDENTIAL LOW DENSITY |
| COMMERCIAL OFFICE | RESIDENTIAL MIXED DENSITY |
| GENERAL COMMERCIAL | RURAL |
| GENERAL INDUSTRIAL | Tax Lots |
| LIMITED INDUSTRIAL | Roads |



Linn County GIS, City of Albany, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/ NASA, EPA, USDA, GeoTerra, 2021

ArcGIS Web AppBuilder

City of Albany, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/

SITE PLAN

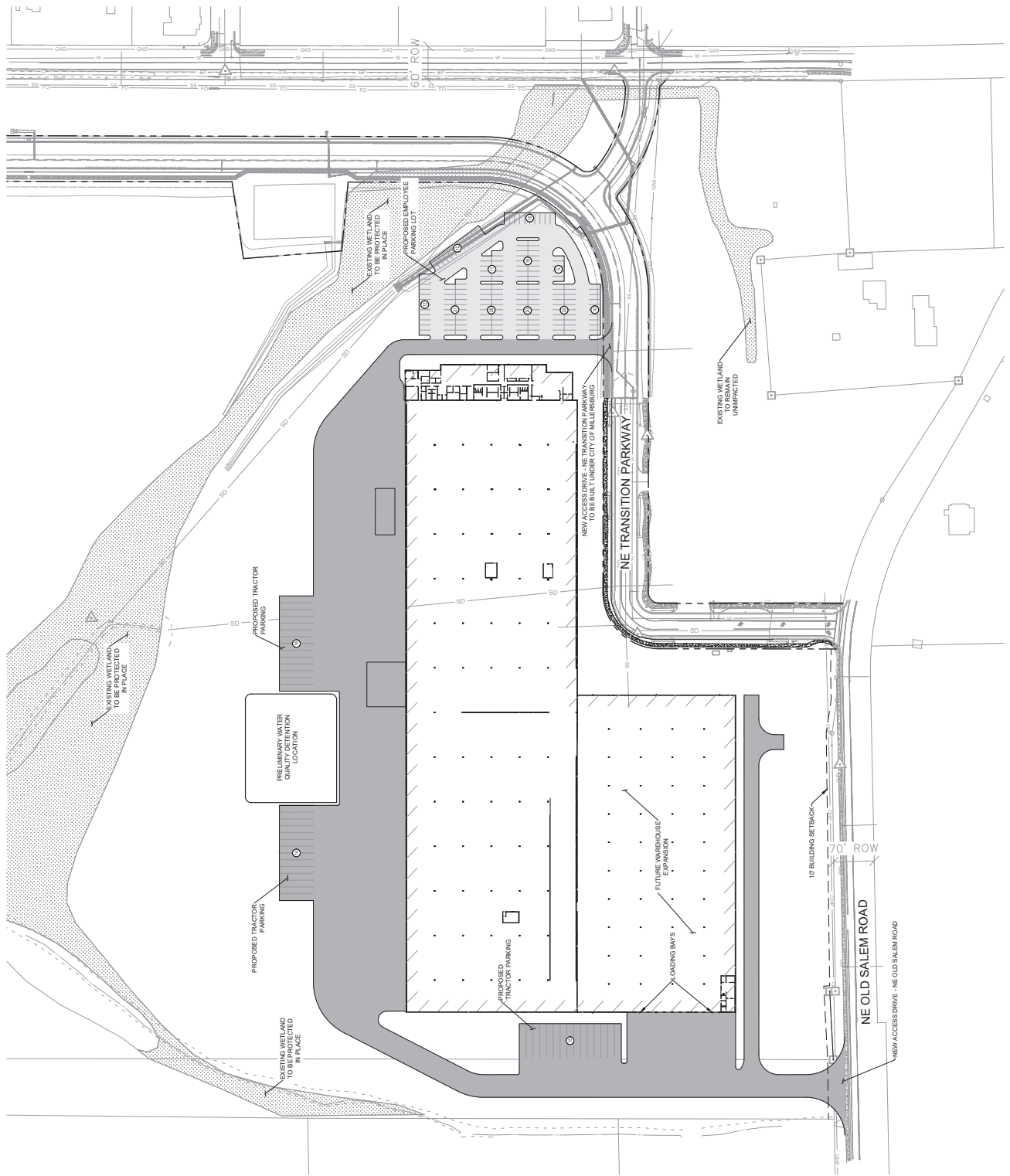
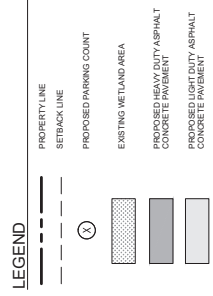
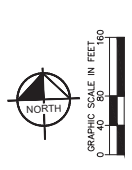
DATE 12/22/23
SCALE AS SHOWN
PROJECT NO. 2023-001
RMA PROJECT NO. 2023-001

PRELIMINARY
NOT FOR
CONSTRUCTION

Kimley-Horn
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1 SW COLUMBIA STREET, SUITE 500, PORTLAND, OR 97204
PHONE: 503-248-3910
WWW.KIMLEY-HORN.COM

REVISIONS table with columns for NO., DATE, and REVISIONS.

PRELIMINARY ZONING INFORMATION table with columns: TOTAL SITE AREA, APPROX. DISTURBED AREA, TOTAL TRACTOR PARKING STALLS, TOTAL BUILDING AREA, OFFICE AREA, MANUFACTURING AREA, WAREHOUSE, ZONING DESIGNATION, REQUIRED SETBACKS.



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MILLERSBURG
SHEET NUMBER
C2.0

DELOREAN
PREPARED FOR
CONFIDENTIAL

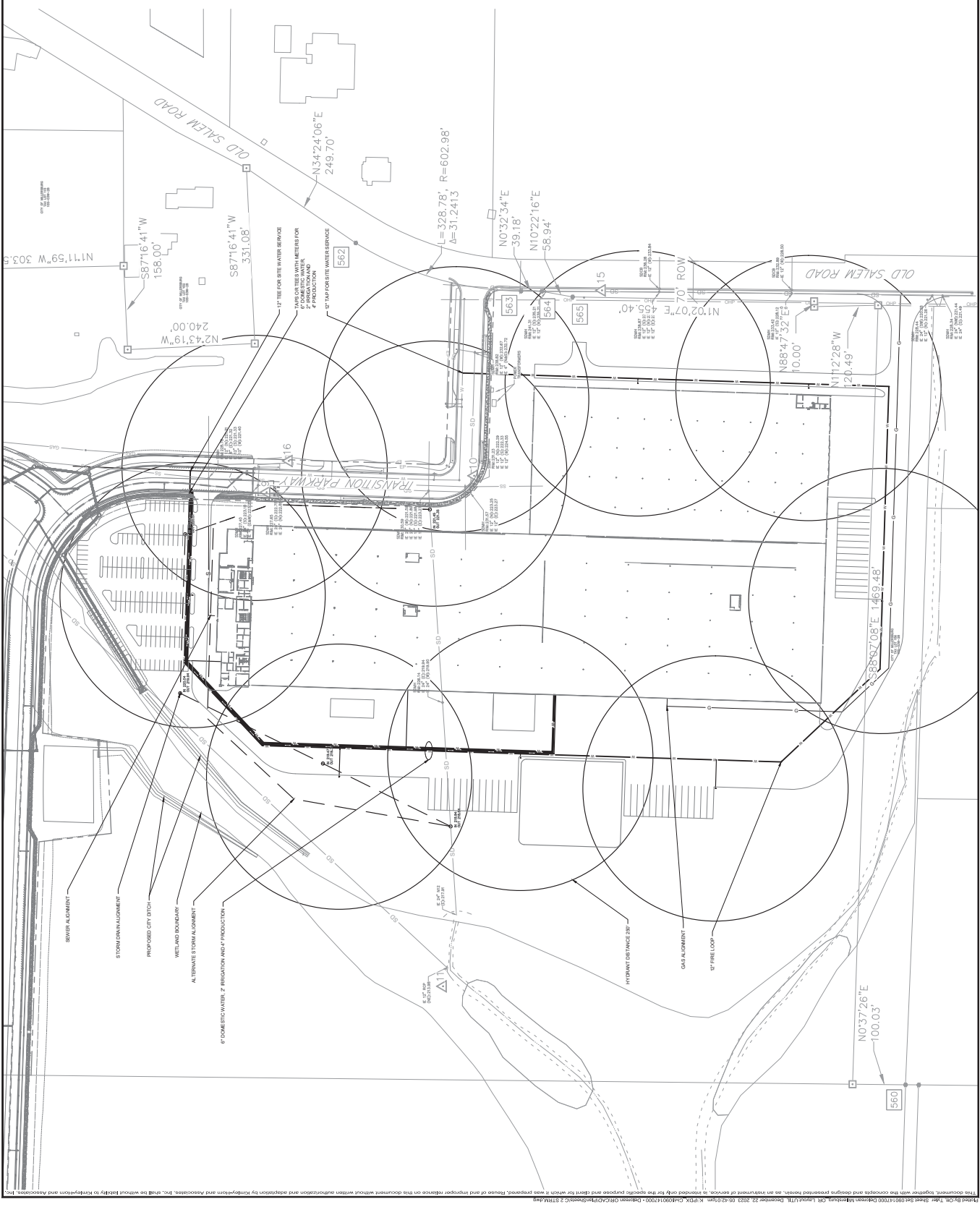
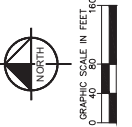
UTILITY PLAN

REA PROJECT
DATE
SCALE AS SHOWN
DESIGNED BY
TO

**PRELIMINARY
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CONSTRUCTION**

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NO.	REVISIONS	DATE	BY



NO.	REVISIONS	DATE	BY

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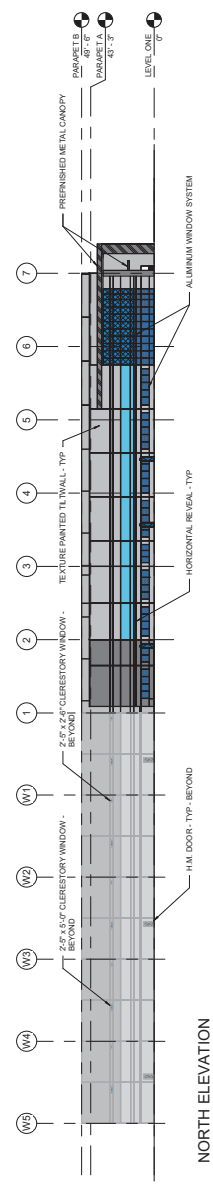
**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

HMA PROJECT
 DATE: 01/09/24
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 SCALE: AS SHOWN
 DEIGNED BY: MF
 DRAWN BY: MF
 CHECKED BY: MF

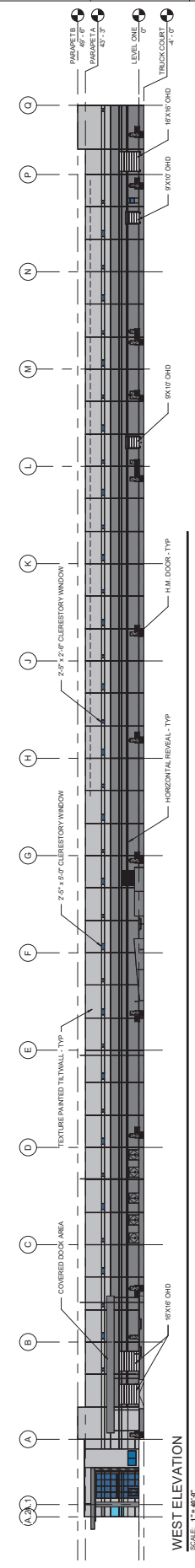
OVERALL ELEVATIONS

DELOREAN
 PREPARED FOR
CONFIDENTIAL
 MILLERSBURG
 OREGON

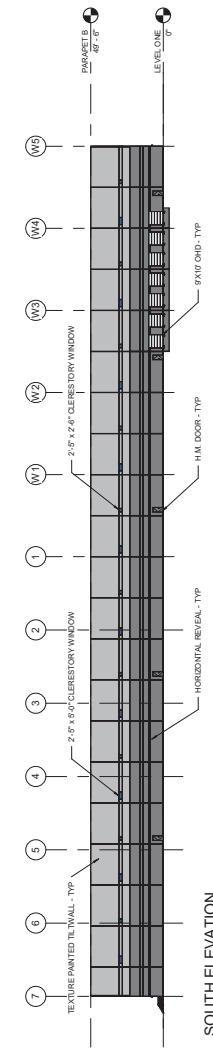
SHEET NUMBER
A1.00



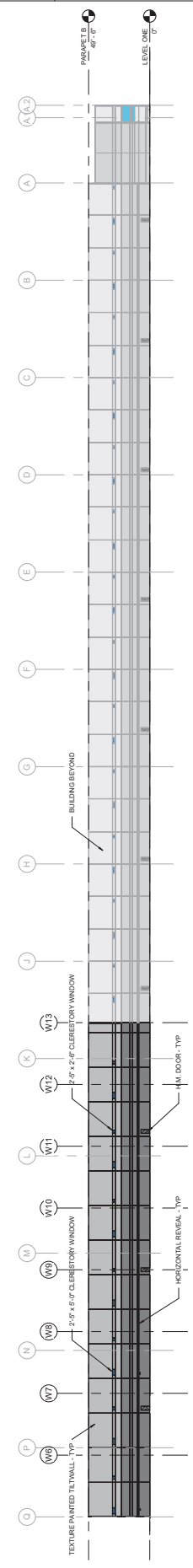
NORTH ELEVATION
 SCALE: 1" = 40' 0"



WEST ELEVATION
 SCALE: 1" = 40' 0"



SOUTH ELEVATION
 SCALE: 1" = 40' 0"



EAST ELEVATION
 SCALE: 1" = 40' 0"

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NO.	DATE	REVISIONS

Kimley»Horn

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 1 SW COLUMBIA STREET, SUITE 600, PORTLAND, OR 97204
 PHONE: 503.604.3910
 WWW.KIMLEY-HORN.COM

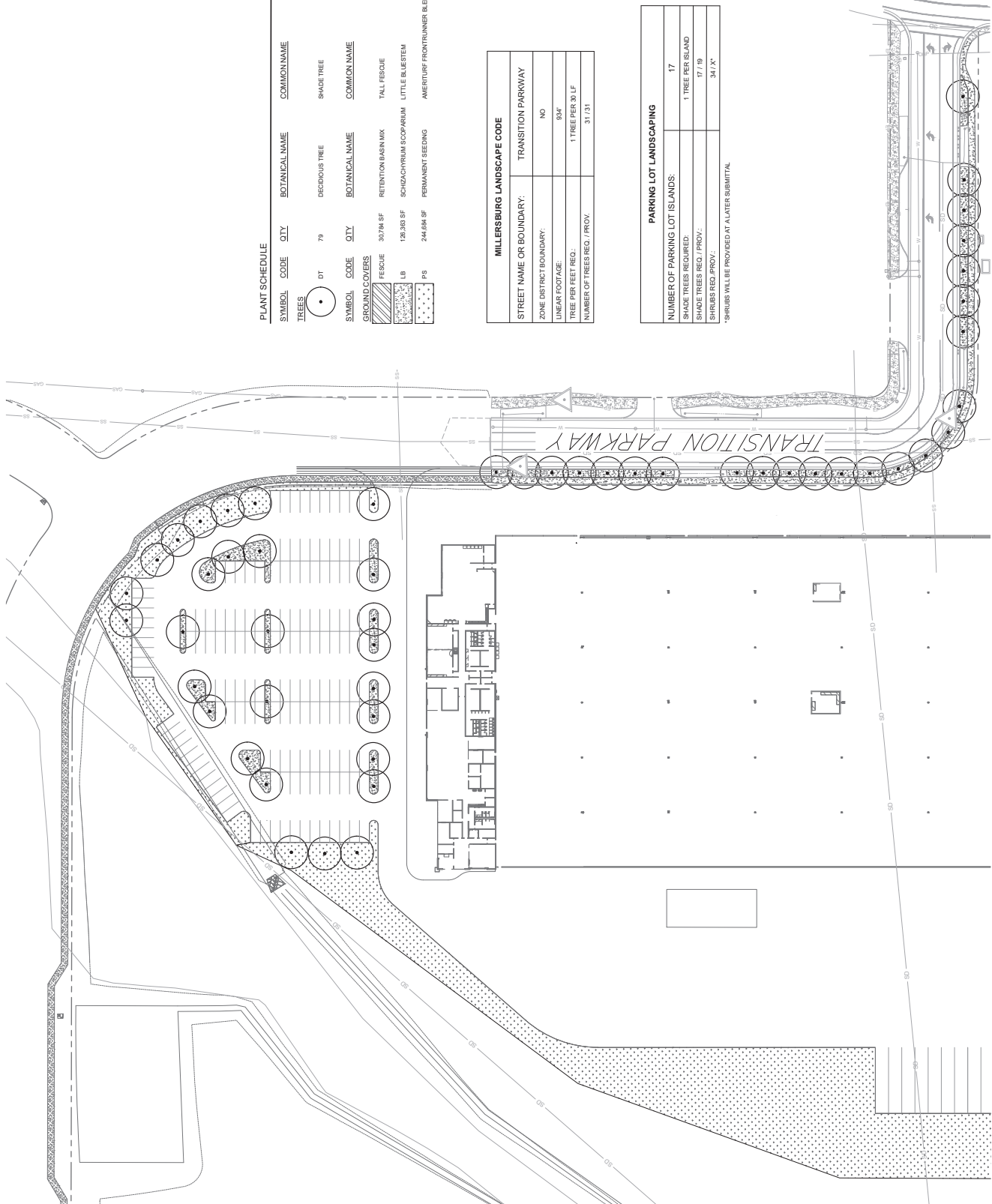
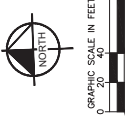
**PRELIMINARY
NOT FOR
CONSTRUCTION**

RMA PROJECT: 098147000
 DATE: 12/22/2023
 DESIGNED BY: JAC
 CHECKED BY: JAC
 SCALE: AS SHOWN

LANDSCAPE PLAN

MILLERSBURG
 DELOREAN
 PREPARED FOR
 CONFIDENTIAL

SHEET NUMBER
L1.1



PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.
	DT	79	DECIDUOUS TREE	SHADE TREE	8.8.8
	LB	30,794 SF	RETENTION BASH MIX	TALL FESCUE	
	PS	126,203 SF	SCHIZACHYRIUM SCOPARIUM	LITTLE BLUESTEM	
	PS	244,684 SF	PERMANENT SEEDING	AMERTURF FRONTRUNNER BLEND TALL FESCUE	

MILLERSBURG LANDSCAPE CODE

STREET NAME OR BOUNDARY:	TRANSITION PARKWAY
ZONE DISTRICT BOUNDARY:	NO
LINEAR FOOTAGE:	934'
TREE PER FEET REQ.:	1 TREE PER 90 LF
NUMBER OF TREES REQ. / PROV.:	31 / 31

PARKING LOT LANDSCAPING

NUMBER OF PARKING LOT ISLANDS:	17
SHADE TREES REQUIRED:	1 TREE PER ISLAND
SHRUBS REQ./PROV.:	17 / 19
*SHRUBS WILL BE PROVIDED AT A LATER SUBMITTAL.	341 K'

This document, together with the concepts and designs presented herein, is an instrument of service as defined only for the specific project and shall remain the property of Kimley-Horn and Associates, Inc. and shall be returned to Kimley-Horn and Associates, Inc. upon completion of the project and shall not be used for any other project without the written authorization and approval of Kimley-Horn and Associates, Inc. (KHA).

NO.	DATE	REVISIONS

Kimley»Horn
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 1 SW COLUMBIA STREET, SUITE 600, PORTLAND, OR 97204
 PHONE: 503.404.3810
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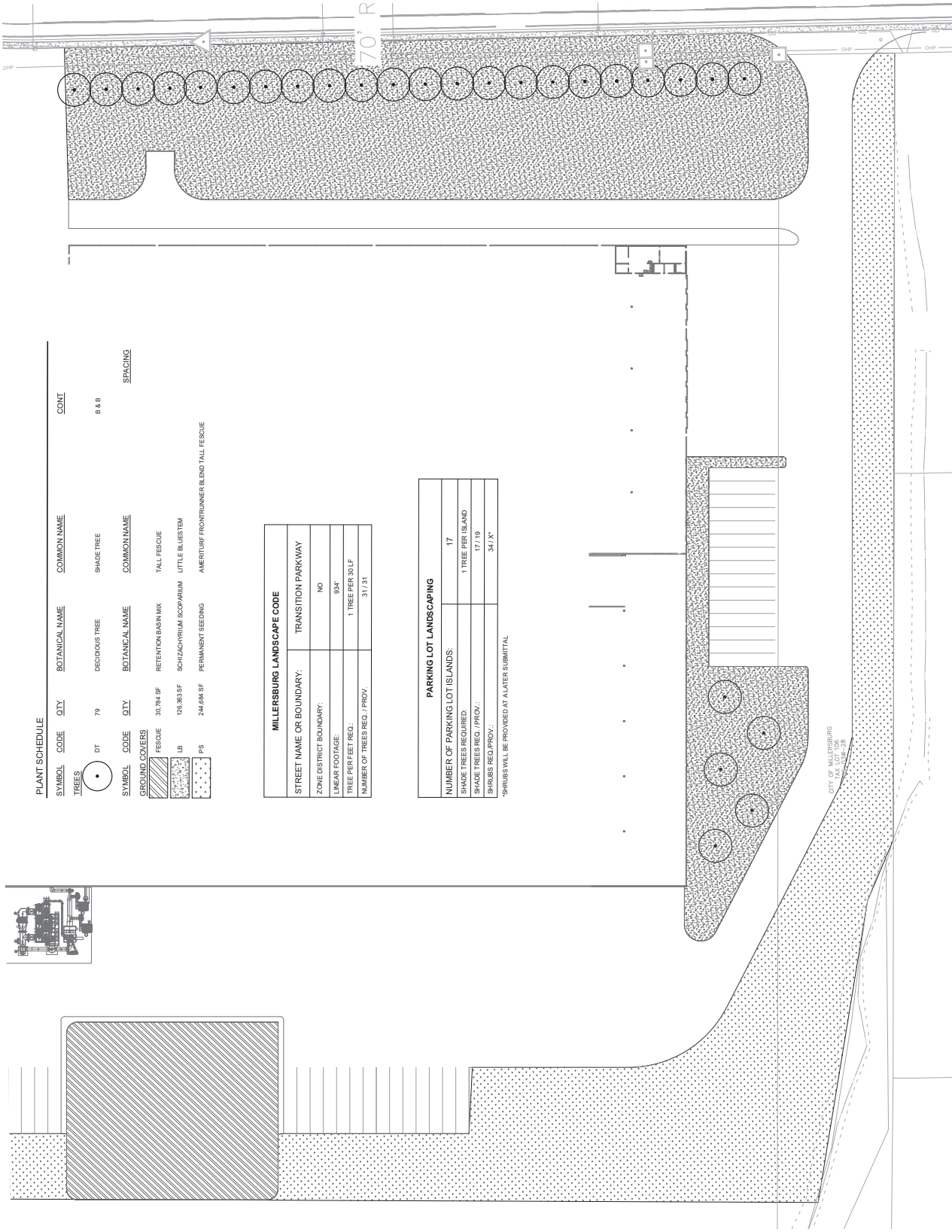
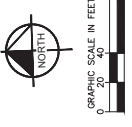
**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

RMA PROJECT
 09041000
 DATE
 12/22/2023
 SCALE AS SHOWN
 DESIGNER BY
 AK
 CHECKED BY
 OC

LANDSCAPE PLAN 2

**DELOREAN
 PREPARED FOR
 CONFIDENTIAL**

MILLERSBURG
 SHEET NUMBER
L1.2



PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT
TREES					
	DT	79	DECIDUOUS TREE	SHADE TREE	B & B
GROUND COVERS					
	FESQIE	30,794 SF	RETENTION BASIN MIX	TALL FESCUE	SPACING
	LB	126,303 SF	SCHIZACHYRIUM SCOPARIUM	LITTLE BLUESTEM	
	PS	244,684 SF	PERMANENT SEEDING	AMERTURF FRONT RUNNER BLEND TALL FESCUE	

MILLERSBURG LANDSCAPE CODE

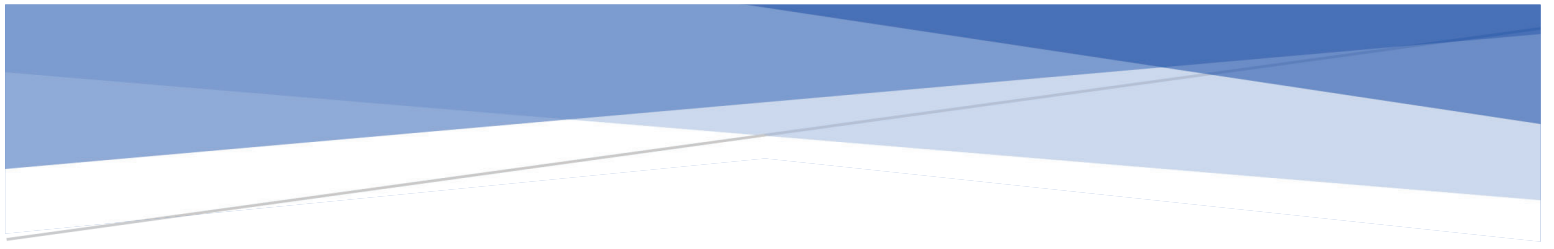
STREET NAME OR BOUNDARY:	TRANSITION PARKWAY
ZONE DISTRICT BOUNDARY:	NO
LINEAR FOOTAGE:	934'
TREE PER FEET REQ.:	1 TREE PER 50 LF
NUMBER OF TREES REQ. / PROV.:	317 / 31

PARKING LOT LANDSCAPING

NUMBER OF PARKING LOT ISLANDS:	17
SHADE TREES REQUIRED:	1 TREE PER ISLAND
SHRUBS REQ./PROV.:	17 / 19
SHRUBS REQ./PROV.:	341' X'

*SHRUBS WILL BE PROVIDED AT ALATER SUBMITTAL

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NARRATIVE: DELOREAN SITE

January 10, 2024

Applicant:

Confidential

Development Location:

3800 NE Old Salem Road
Millersburg, OR 97231

Prepared for:

City of Millersburg
Planning & Zoning
4222 NE Old Salem Road
Millersburg, OR 97321

Prepared by:

Kimley-Horn
1 SW Columbia St, Suite 650
Portland, OR 97204

Architect:

Powers Brown Architecture
2150 W 29th Ave #400
Denver, CO 80211

Development Review Application—Explanation of Intent

Kimley-Horn, in collaboration with Powers Brown Architecture, will be submitting for a Site Development Review (Type III Action). As stated in Section 5.01.020, “A Type III action is a quasi-judicial review in which the Planning Commission applies a mix of objective and subjective standards that allow discretion. Public notice and a public hearing are provided. Appeal of a Type III decision is to the City Council.”

Project Summary

The proposed full development submitted for land use approval will consist of a single building with 17,300 SF (square feet) of office space, 326,285 SF of manufacturing space, and 156,425 SF of warehouse space. The facility will have an adequate number of parking stalls (160) and loading bays as determined by the applicant and agreed upon with the City of Millersburg during previous pre-application conversations. Construction of the building and parking lot will occur in phases, though the precise square footage and number of parking stalls to be completed for each phase will be determined later during the design process. All square footage and parking stall numbers referenced in the land use application assume the completion of all phases, therefore the number of parking stalls and square footage constructed will be less than the given numbers per phase. The facility will have onsite water treatment, with no disturbed land impacting any existing wetlands. Access points will be one truck entrance/exit off of Old Salem Road, with another vehicle entrance off NE Transition Parkway.

Existing Conditions

The project site is located south of Conser Road NE, West of Old Salem Road NE, and north and east of the railroad tracks in Millersburg, Oregon. The site is in an area zoned as General Industrial (GI), with the areas west and south of the site also zoned GI. The site is adjacent to the Albany Fire Department-Millersburg Station 15 to the east, which is on land zoned for Public Facilities (PF). Northeast of the site is land zoned General Commercial (GC), with residential zoning of primarily Residential Low (RL) north of the site across Conser Road NE.

The project site currently includes two tax lots, however, these lots are currently being consolidated by the City. Therefore, the existing tax lot numbers may change prior to final review of the land use application. The northern tax lot is 10S03W28-00-00100 and approximately 59.29 acres, and the southern tax lot is 10S03W28-00-00106 and approximately 3.37 acres. The site is currently undeveloped.

Parcel

Map and Tax Lot ID: 10S03W28-00-00100 (North Tax Lot) and 10S03W28-00-00106 (South Tax Lot)

Site Design

Current Approximate Address: 3800 NE Old Salem Road, Millersburg, OR 97231

Zoning: General Industrial (GI)

Site Area: 2,083,865.25 SF (47.84 acres)

Estimated Disturbed Land Area: 1,077,951.52 SF (24.74 acres)

Proposed Total Building Square Footage:

- 17,300 SF of Office Space
- 326,285 SF of Manufacturing Space
- 156,425 SF of Warehouse Space

Applicable Standards

The following standards from the City of Millersburg Development Code have been addressed within this Narrative:

2.10 General Industrial Zone (GI)

3.02 Street Standards

3.03 Off-Street Parking and Loading

3.06 Signs

3.07 Fencing and Screening

3.08 Yards and Lots

3.09 Landscaping

5.05 Site Development Review

Figure 1 – Aerial View of Site Boundary

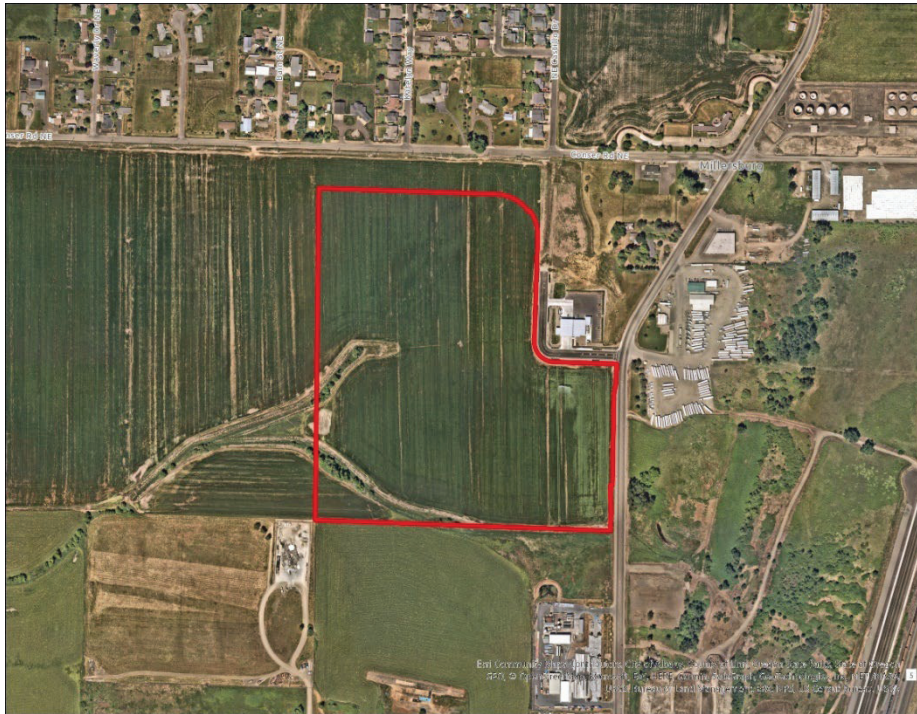


Figure 2 – Existing North Tax Lot from Linn County

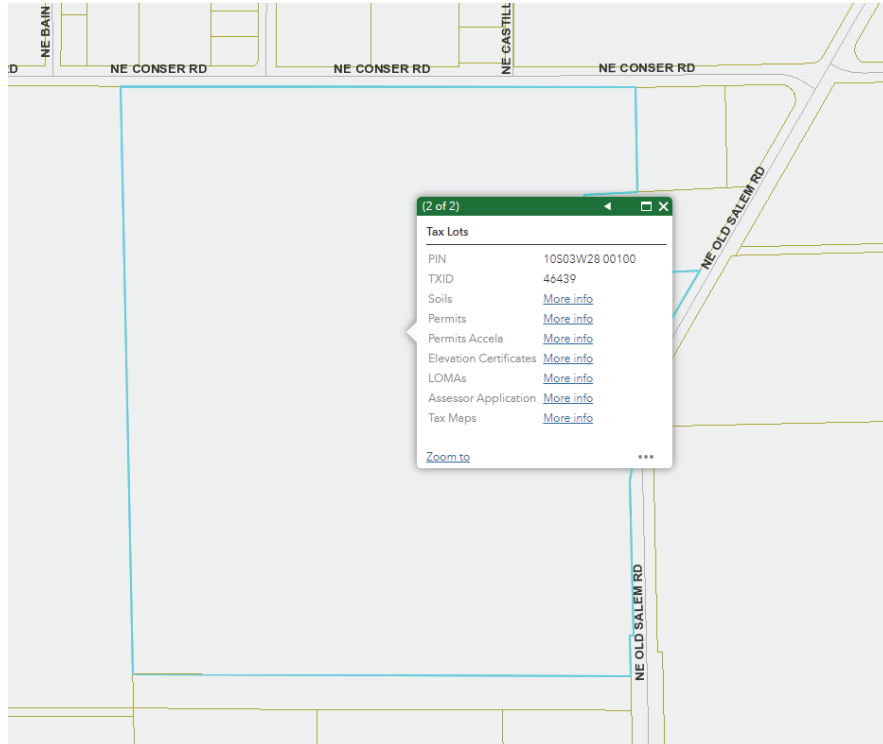


Figure 3 – Existing South Tax Lot from Linn County

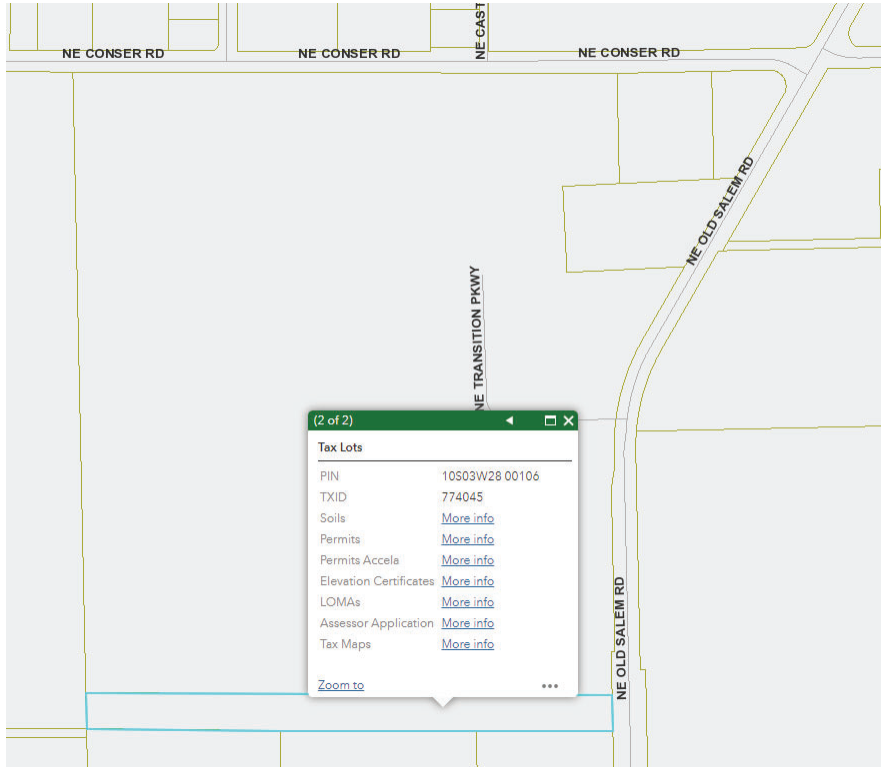


Figure 4 – Soil Analysis Report of Site

 SOIL ANALYSIS REPORT (Parcel Based)

PIN#: 10503W28 00100
 Assessor#: 46439

Series	Class	HV	Acres	Percent	CU	FT/AC	Name
102	I	1	0.16	0.26	130		Willamette silt loam
106A	IIw	1	31.57	53.11	170		Woodburn silt loam, 0 to 3 percent slopes
106C	IIe	1	4.66	7.83	170		Woodburn silt loam, 3 to 12 percent slopes
23	IIIw	1D	0.41	0.70	100		Clackamas gravelly silt loam
3	IIw	1	9.38	15.79	130		Amity silt loam
33	IVw	2	7.38	12.41	40		Dayton silt loam
8	IVw	2	5.79	9.75	0		Bashaw silty clay
85	VIIIw	non	0.09	0.14	0		Riverwash
			59.43	100.00			

Figure 5 – FIRM Panel from FEMA

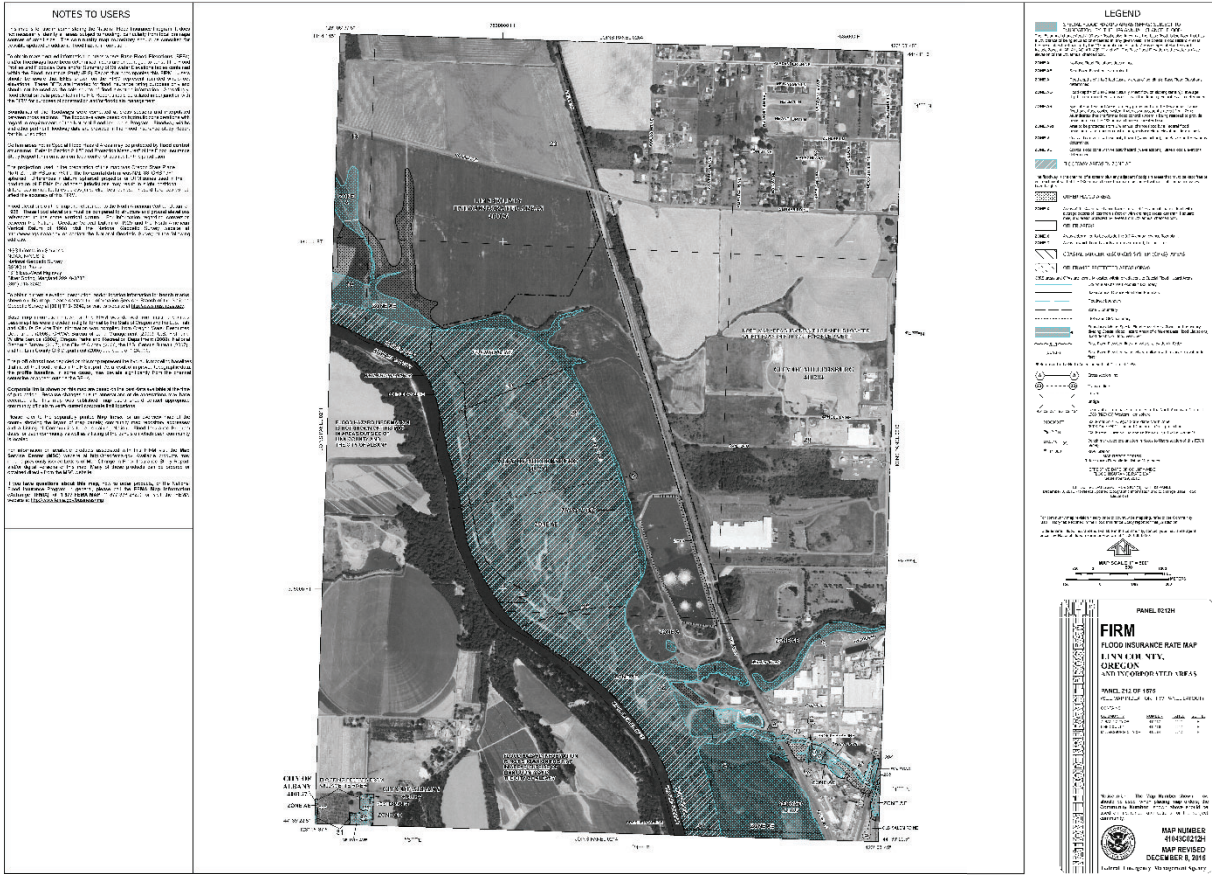
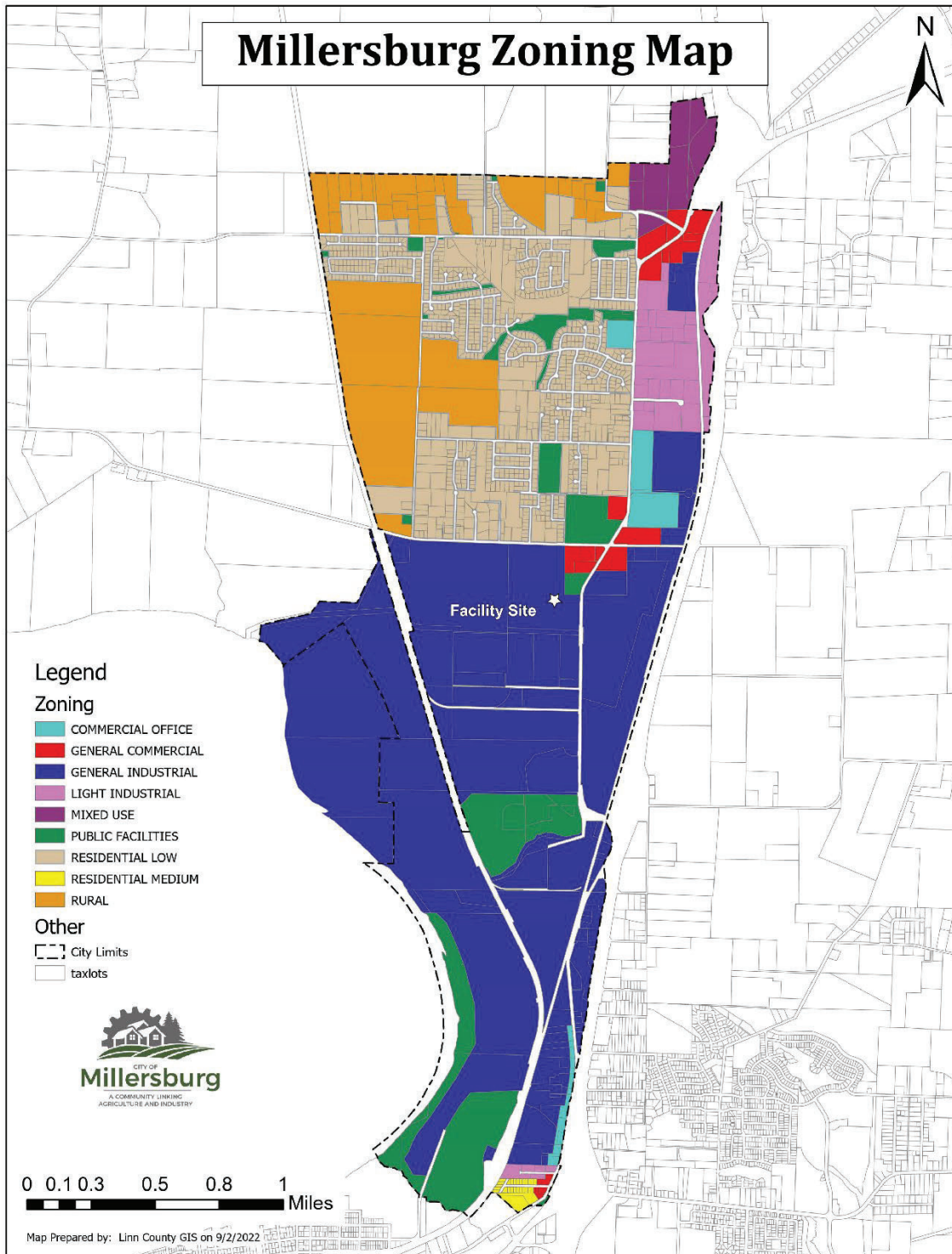


Figure 6 – City of Millersburg Zoning Map with Approximate Site Location



Article II – Zones and Zoning Regulations

2.10 GENERAL INDUSTRIAL ZONE (GI)

2.10.010 Purpose

The General Industrial Zone is applied to areas well suited for all types of industrial development that require excellent highway and rail access and are free from conflict with other non-compatible land uses. The GI zone is intended to protect and preserve these areas for industrial development to assist in supporting the area's economy.

2.10.020 Permitted Uses.

The following uses, when developed under the applicable development standards in the Code, are permitted in the GI zone:

- 1) Manufacturing and Assembly, Secondary Processing
 - a) Food processing, including canning, freezing, drying, dairy products, and similar food processing and preserving, beverage bottling facility, including warehousing and distribution, but excluding processes which involve the slaughter of animals.
 - b) Textile mill products, including apparel and other finished products made from fabrics and similar materials.
 - c) Furniture and fixtures, including retail wood products.
 - d) Printing, publishing, and allied industries.
 - e) Rubber and miscellaneous plastics.
 - f) Leather and leather goods but excluding a tannery.
 - g) Cement, glass, clay, and stone products manufacturing.
 - h) Production, processing, finishing, fabricating, handling, recycling, storage and use of alkali, alkaline earth, metals and their alloys.
 - i) Research and Development facilities.
 - j) Electrical and electronic equipment, machinery and supplies but excluding lead-acid batteries.
 - k) Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks.
 - l) Recycling centers less than 5,000 square feet.
 - m) Freight terminals and rail transfer facilities, including loading docks, storage, warehousing and wholesale distribution, and cold storage.
 - n) Other manufacturing, wholesaling, or distributing activities similar to those listed.
- 2) Wholesale trade and distribution facilities, but excluding trade and distribution involving:
 - a) Metals and minerals.
 - b) Scrap and waste material.
 - c) Farm-product raw materials.
 - d) Chemicals and allied products.
 - e) Petroleum and petroleum products.

- 3) Public and private utility facilities, including fire stations, water and sewage treatment facilities, substations, pumping stations, and similar facilities with outdoor equipment storage permitted.
- 4) Fleet vehicle maintenance and storage.
- 5) Heavy equipment parts and repair, including non-passenger vehicle tires.
- 6) Tractor, farm equipment, heavy construction equipment, and logging equipment, rental, sales, and service.
- 7) Truck dispatch operations.
- 8) Welding, machining, fabrication, blacksmith shop, and similar facilities.
- 9) Uses of a nature that are consistent with the purpose statement of the zone. The intent is to permit flexibility in allowing appropriate uses generated by emerging technologies. For example, server farms or additive manufacturing would be consistent with provision.
- 10) Interim farm use, subject to the provisions in Chapter 3.21.040, except crops may be cultivated for commercial sales or use.
- 11) Construction businesses such as floor laying, building equipment, masonry and stone, plumbing, electrical, metal work, or painting.

Response

The facility will primarily be general manufacturing and warehousing, which is permitted according to the City of Millersburg Code Chapter 2.10 for properties zoned as General Industrial (GI). This is inline with 2.10.020(1)n for “other manufacturing, wholesaling, or distributing activities similar to those listed” and 2.10.020(2) as a wholesale trade and distribution facility that does not involve the trading or distribution of: metals and minerals, scrap and waste material, farm-product raw materials, chemicals and allied products, or petroleum and petroleum products.

2.10.030 Special Uses.

The following uses, when developed under the applicable development standards of this Code and special development requirements, are permitted in the General Industrial zone:

- 1) Partitions, subject to the provisions in Chapter 4.02.050.
- 2) Subdivisions, subject to the applicable provisions of Chapter 4.02.060.
- 3) Temporary uses, subject to provisions in Chapter 3.17.
- 4) Wireless communication facilities, subject to provisions in Section 3.27.

Response

The facility meets the requirements of Permitted Uses and does not involve any uses that would require a Special Use Permit.

2.10.040 Conditional Uses.

The following uses require approval of a Conditional Use Permit:

- 1) Extraction and processing of minerals, rock, or other earth products.

- 2) Recycling centers greater than 5,000 feet of enclosed area, automotive dismantling, wrecking and salvage yard, and refuse transfer facilities.
- 3) Petroleum products storage and distribution, including asphalt plants.
- 4) Manufacturing, processing, storage of explosives, or EPCRA Section 302 - Extremely Hazardous Substances when located within 300 feet of residentially zoned land.
- 5) Feed and seed facilities, grain elevators and storage; including agricultural chemical, fertilizer, insecticide storage and distribution, excluding ammonium nitrate.
- 6) Wholesale and distribution involving these activities.
- 7) A caretaker's residence, either free-standing or incorporated into another building, for an established or concurrently being developed industrial use, subject to the provisions of Chapter 3.28.

Response

The facility meets the requirements of Permitted Uses and does not involve any uses that would require a Conditional Use Permit.

2.10.050 Dimensional Standards.

Unless otherwise permitted in this Code, the following minimum dimensional standards shall be required for all development in the GI zone:

Table 9 GI Zone Dimensional Standards	
GI Zone Dimensional Standards	
Minimum Lot Area	
All Development	Sufficient to meet setbacks and development requirements
Minimum Setbacks	
All Yards	0 feet
Yards Adjacent to RM, RL, and RU Zones	10 feet + 5 feet per story
Yards Adjacent to Conser Road	30 feet + 5 feet per story
Yards Adjacent to Old Salem Road	10 feet south of the Murder Creek undercrossing. North of the Murder Creek undercrossing, 10 feet on the west side and 20 feet on the east side incorporating trail as identified in the most currently adopted Transportation System Plan
Maximum Structure Height	
Principal and Accessory building	No limit
Maximum Lot Coverage	100%

Response

The site meets all applicable Dimensional Standards. The site is more than 150 feet from the Residential Low (RL) zoning on the north side of NE Conser Road and is not adjacent to any other residential zones. The site is also more than 10 feet from Old Salem Road and does not

impact Murder Creek or any planned or existing trail system. No setback requirements have been stated for NE Transition Parkway.

2.10.060 Development Standards.

All development in the GI zone shall comply with the following specific standards:

- 1) Off-Street Parking. Parking, driveway, and loading improvements shall comply with provisions in Chapter 3.03.
- 2) Signs. Signs in the GI zone shall conform to the standards contained in Chapter 3.06.
- 3) Yards and Lots. Yards and lots shall conform to provisions contained in Chapter 3.08.
- 4) Site Development Review. All new development and expansion of an existing structure or use in the General Industrial Zone shall be subject to the site development review procedures of Chapter 5.05.
- 5) Landscaping. Any required or established yard shall be landscaped with trees, shrubs, and groundcover and maintained pursuant to provisions in Chapter 3.09.
- 6) Residential Screening. Property abutting an RL, RU, or RM zone shall be screened with a sight-obscuring fence not less than six feet in height. This requirement shall not include the front yard.

Response

The narrative below addresses the specific standards that apply to developments within the GI zone. See sections 3.03, 3.06, 3.08, 5.05, 3.09, and 3.07.

Article III – Development Requirements

3.02 Street Standards

3.02.010 Purpose.

- 1) To provide for safe, efficient, convenient multi-modal movement in the City of Millersburg.
- 2) To provide adequate access to all proposed developments in the City of Millersburg.
- 3) To provide adequate area in all public rights-of-way for sidewalks, bikeways, sanitary sewers, storm sewers, water lines, natural gas lines, power lines, and other utilities commonly and appropriately placed in such rights-of-way.
- 4) For purposes of this Chapter:
 - a) "Adequate access" means direct routes of travel between destinations; such destinations may include residential neighborhoods, parks, schools, shopping areas, and employment centers.
 - b) "Adequate area" means space sufficient to provide all required public services to standards defined in this Code or the City's most current Engineering Standards.

3.02.020 Scope.

The provisions of this Chapter shall be applicable to:

- 1) The creation, dedication, or construction of all new public or private streets, bikeways, or accessways in all subdivision, partitions, or other developments in the City of Millersburg.
- 2) The extension or widening of existing public or private street rights-of-way, easements, or street improvements including those which may be proposed by an individual or the City, or which may be required by the City in association with other development approvals.
- 3) The construction or modification of any utilities, sidewalks, or bikeways in public rights-of-way or street easements.

3.02.030 General Provisions.

The following provision shall apply to the dedication, construction, improvement, or other development of all public streets in the City of Millersburg. Unless otherwise modified through provisions in this Chapter, all streets shall be designed in conformance with the specific requirements of the City's Transportation System Plan developed in accordance [with] the most current Engineering Standards.

- 1) **Street Layout.** The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets.
- 2) **Continuation.** Development proposals shall provide for the continuation of all streets, bikeways, and accessways within the development and to existing streets, bikeways, and accessways outside the development.
- 3) **Alignment.** All streets other than local streets or cul-de-sacs, shall be in alignment with existing streets by continuation of the centerlines to the maximum extent feasible. The staggering of street alignments resulting in "T" intersections shall be avoided wherever practical. However, when not practical, the staggering of street alignments resulting in "T" intersections shall meet with the approval of the City Engineer and ensure compliance with accepted traffic safety standards.
- 4) **Future Street Extensions.** When it appears possible to continue a street, bicycle path, and/or pedestrian accessway into a future subdivision, adjacent acreage, or area attractors such as schools and shopping centers, these facilities shall be platted to a boundary of the subdivision or development. Further, the street may be platted without a turnaround unless the Public Works Department or local Fire District finds a turnaround is necessary for reasons of traffic safety.
- 5) **Intersection Angles.** Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angles. Intersections of less than 60 degrees shall require approval of the City Engineer. All tangent calculations and curb radii shall comply with the City's most current Engineering Standards.

- 6) Existing Streets. Whenever existing public streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision, partitioning, or development.
- 7) Half-Streets. Half-streets, while generally not acceptable, may be approved where essential to the reasonable development of an area and when the City finds it to be practical to require the dedication of the other half when the adjoining property is developed. Whenever a half-street is adjacent to a tract to be developed, the other half of the street shall be dedicated. Reserve strips and street plugs may be required to preserve the objectives of half-streets. The City Engineer may require additional width beyond the half-street when warranted for safety reasons and accordance with the City's most current Engineering Standards.
- 8) Cul-de-sacs. Cul-de-sacs are not encouraged and allowed only where no other reasonable alternative exists. Where permitted, a cul-de-sac shall have maximum lengths of 800 feet and terminate with a circular turn-around. Cul-de-sacs over 400 feet in length shall provide accessways to provide connectivity to adjacent streets and uses, unless physical constraints preclude a pedestrian/bicycle accessway. The Fire Code may establish additional standards.
- 9) Street Names. Street names and numbers shall conform to the established pattern in the City.
- 10) Grades and Curves. Grades shall conform with the City's most current Engineering Standards.
- 11) Marginal Access Streets. If a development abuts or contains an existing or proposed arterial street, the City may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- 12) Lots Abutting a Partial Street. Development of property abutting an existing public street which does not meet the minimum right-of-way standards, shall include sufficient yard setback equal to the minimum yard requirements of the zoning district, plus, the additional land required to meet the minimum right-of-way width.
- 13) Unimproved Street. Development of property adjacent to an unimproved right-of-way shall require the installation of an improved surface to meet fire code requirements and the payment of connection charges. At the City's option, submittal of a waiver of non-remonstrance to participate in future street improvements may be required in lieu of connection charges.
- 14) Street Cross Section Design Guidelines. Unless modified per Section 3.02.050 the following cross-section design guidelines shall apply:

Street Cross-Section Design Guidelines								
Functional Classification	Right-of-Way ¹	Design Widths						
		Minimum Curb-To-Curb Paving ²	Within Curb-To-Curb Area				Landscape Buffer (Both Sides)	Sidewalks (Both Sides)
			Motor Vehicle Travel Lane	Median and/or Center Turn Lane	Bike Lane (Both Sides)	On-Street Parking		
Arterial								
2 Lanes	60 ft	36 ft	12 ft	N/A	6 ft	N/A	5 ft	5 ft
2 Lanes + Center Turn	80 ft	50 ft	12 ft	14 ft	6 ft	N/A	5 ft	5 ft
Collector – Residential								
No parking	60 ft	36 ft	12 ft	N/A	6 ft	N/A	0-5 ft	5 ft
Parking both sides	60 ft	50 ft	12 ft		6 ft	7 ft	N/A	5 ft
Local – Residential								
Parking one side	50 ft	32 ft	Unstriped	N/A	N/A	Unstriped	4 ft	5 ft
Parking both sides	50 ft	36 ft	Unstriped			Unstriped	None or 4 ft	5 ft
Alley ⁴	20–24 ft	18–20 ft	N/A			N/A	N/A	Optional
Local – Industrial								
Parking both sides	60 ft	40 ft	Unstriped	N/A	N/A	Unstriped	Behind ⁵	5-6 ft
Local – Commercial Service/Alley								
No Parking	30 ft	20 ft	Unstriped	N/A	N/A	N/A	N/A	4 ft ⁶
Parking one side	40 ft	28 ft	Unstriped			Unstriped		
Trails and Shared-Use Path								
Collector with Shared-Use Path ³	60 ft	36 ft	12 ft	N/A	6 ft	N/A	4.5 ft	5 ft one side, 10 ft multi-use path other side
Trails	10–20 ft	10–12 ft	N/A	N/A	N/A	N/A	2–7 ft	N/A
Notes:								
<ol style="list-style-type: none"> Right-of-way may be wider than the suggested cross-section; this limits fences from abutting the sidewalk and allows for flexibility in cases of unforeseen growth or development. Curbs are generally six inches wide. Collector with Shared-Use Path includes sidewalk on one side of street and path on other side of street. Not appropriate standards for commercial streets. Street trees shall be located on the outside edges of the right-of-way. Sidewalk required on one side only. 								

Response

The proposed facility will have no impact to Old Salem Road (Arterial), although there will be an impact to NE Transition Parkway (Local-Industrial). NE Transition Parkway will have a six-foot wide public sidewalk improvement with an applicable landscape buffer meeting the city design standard. These improvements are limited to the existing portion of NE Transition Parkway and will not impact the existing LIDA planters. Future improvements to NE Transition Parkway beyond stated improvements here and in the land use application will be constructed by the City of Millersburg.

3.02.040 Access Standards.

Table 13 Access Spacing			
Street Access Spacing			
Functional Classification	Posted Speed	Minimum Spacing between Driveways ^{1,2}	Minimum Spacing between Intersections ^{1,2}
State Managed Arterial	35-45 mph	ODOT Standard	ODOT Standard
Arterial	35-45 mph	300 feet ³	600 feet
Collector	25-30 mph	50 feet ³	300 feet
Local Residential	25 mph	Access to each lot permitted subject to provisions below	125 feet
Local Industrial	25 mph	Access to each lot permitted	300 feet
Notes:			
1. Desirable design spacing; existing spacing will vary. Each parcel is permitted one driveway regardless of the minimum driveway spacing standard although shared access is encouraged.			
2. Spacing standards are measured centerline to centerline.			
3. Circular driveways are allowed. In this case there shall be no more than two driveways and each driveway width shall not exceed 15 feet.			

Response

The proposed facility's driveways are on Old Salem Road (arterial) and NE Transition Parkway (local industrial). The proposed driveway on Old Salem Road is approximately 806 feet away from the closest intersection of Old Salem Road and NE Transition Parkway, exceeding the minimum 600-foot spacing requirement for arterial roads. The proposed driveway on Old Salem Road is also approximately 450 feet away from an existing driveway south of the site on Old Salem Road, exceeding the 300-foot minimum spacing standard between driveways. The proposed driveway on NE Transition Parkway is approximately 860 feet away from the intersection of NE Transition Parkway and Old Salem Road, exceeding the minimum standard as well. The driveways for the proposed facility will be approximately 1,600 feet apart from each other as well, exceeding the minimum driveway spacing standard onsite.

3.02.070 Sidewalks

Public sidewalk improvements are required for all property development in the City of Millersburg.

- 1) Sidewalks may be deferred:
 - a) At the discretion of the City where future road or utility improvements are planned and expected to be completed within 10 years.
 - b) On property where a new dwelling is being constructed, there are no sidewalks existing on properties on either side, and no elevations or profiles have been established for future street or sidewalk improvements along the adjacent or the subject property's frontage.

- c) The property owner is obligated to provide the sidewalk when requested by the City or is obligated to pay their proportionate share if sidewalks are installed by the City at a later date.
- 2) Sidewalks shall be constructed within the street right-of-way. Sidewalk easements shall only be accepted where the City Engineer determines that full right-of-way acquisition is impractical.
- 3) Sidewalks shall connect to and align with existing sidewalks. Sidewalks may transition to another alignment as part of the approval process.
- 4) Sidewalk width and location, including placement of any landscape strip, shall comply with City of Millersburg Engineering Standards.
- 5) Planter strips and the remaining right-of-way shall be landscaped and maintained as part of the yard of abutting properties. Maintenance of sidewalks and planters shall be the continuing obligation of the abutting property owner.
- 6) Mid-block Sidewalks. The City may require mid-block sidewalks for long blocks or to provide access to schools, parks, shopping centers, public transportation stops, or other community services.
- 7) Internal pedestrian circulation and accessways shall be provided within all commercial, multi-family, and planned unit developments.

Response

The proposed facility's sidewalk will connect and align with existing sidewalks. The proposed sidewalk width of six feet meets the minimum requirements for sidewalks on arterial and local industrial streets. The sidewalk will comply with City of Millersburg Engineering Standards and will be maintained by the property owner. Internal pedestrian circulation is provided throughout the site. See Site Plan.

3.02.120 Traffic Impact Analysis.

The purpose of this subsection is to coordinate the review of land use applications with roadway authorities and to implement Section 660-012-0045(2)(e) of the state Transportation Planning Rule, which requires the City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; the required contents of a Traffic Impact Analysis; and who is qualified to prepare the analysis.

- 1) When a Traffic Impact Analysis is Required. The City or other road authority with jurisdiction may require a Traffic Impact Analysis (TIA) as part of an application for development, a change in use, or a change in access. A TIA shall be required where a change of use or a development would involve one or more of the following:
 - a) A change in zoning or a plan amendment designation;

- b) Operational or safety concerns documented in writing by a road authority;
 - c) An increase in site traffic volume generation by 300 Average Daily Trips (ADT) or more;
 - d) An increase in peak hour volume of a particular movement to and from a street or highway by 20 percent or more;
 - e) An increase in the use of adjacent streets by vehicles exceeding the 20,000-pound gross vehicle weights by 10 vehicles or more per day;
 - f) Existing or proposed approaches or access connections that do not meet minimum spacing or sight distance requirements or are located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, creating a safety hazard;
 - g) A change in internal traffic patterns that may cause safety concerns; or
 - h) A TIA required by ODOT pursuant to OAR 734-051.
- 2) Traffic Impact Analysis Preparation. A professional engineer registered by the State of Oregon, in accordance with the requirements of the road authority, shall prepare the Traffic Impact Analysis.

Response

The proposed development has a Traffic Impact Analysis prepared by Kimley-Horn. The TIA was performed assuming the full buildout of the facility with all phases completed. See the attached Traffic Impact Analysis for more details, with conclusions from the report shown below:

5. CONCLUSIONS

The Development is proposed to include a 500,000 SF manufacturing warehouse. The Development is located west of Old Salem Road NE, south of Conser Road NE. The Development is anticipated to generate approximately 2,375 ADTs with approximately 340 AM peak-hour trips and approximately 370 PM peak-hour trips. The study intersections currently operate acceptably and are anticipated to operate at acceptable levels of service under the 2025 future with development conditions. Additional fees for future improvements should not be a condition of payment for the Development as a means to mitigate future impacts based on discussions with City staff.

3.03 Off-Street Parking and Loading

3.03.010 Purpose.

The purpose of this Chapter is to provide adequate areas for the parking, maneuvering, loading, and unloading of vehicles for all land uses in the City of Millersburg.

3.03.020 Scope.

- 1) Application. Except as modified or restricted elsewhere within this Code, the provisions of this Chapter shall apply to the following types of development:
 - a) Any new building or structure erected after the effective date of this Code.
 - b) The construction or provision of additional floor area, seating capacity, or other expansion of an existing building or structure.

- 2) Change of Use Exception. A change in the use of an existing building or structure to another use identified in the zone shall not require additional parking spaces or off-street loading areas, if according to the parking space requirements, the new use requires 150% of the same amount of parking as the prior use, or less.

3.03.030 Location.

Off-street parking and loading areas shall be provided on the same lot with the main building or structure or use except that:

- 1) Yards. Off-street parking areas may be located in a required yard setback for multi-family residential, commercial, and industrial uses with an approved 10-foot landscaped buffer.
- 2) Residential. In residential zones, automobile parking for dwellings and other uses permitted in a residential zone may be located on another lot if such lot is within 200 feet of the lot containing the main building, structure, or use. In no case shall the parking requirements at the off-site location be reduced, unless otherwise approved as joint-use parking.
- 3) Parking. Driveways may be used for off-street parking for single-family and two-family dwellings. No parking of vehicles, trailers, boats, or recreational vehicles shall be allowed in a front yard except on a driveway.
- 4) Non-Residential. In non-residential zones, parking may be located off the site of the main building, structure or use if it is within 500 feet of such site. In no case shall the parking requirements at the off-site location be reduced, unless otherwise approved as joint-use parking.

3.03.040 Joint Use.

Parking area may be used for a loading area during those times when the parking area is not needed or used. Parking areas may be shared between uses where hours of operation or use are staggered such that peak demand periods do not occur simultaneously. The requirements of this Chapter may be reduced accordingly. Such joint use shall not be approved unless satisfactory evidence is presented which demonstrates the access and parking rights of all parties.

3.03.050 General Provisions Off-Street Parking and Loading.

- 1) Parking Required. The provision and maintenance of off-street parking and loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this Code.
- 2) Interpretation of Parking Requirements. Requirements for types of buildings and uses not specifically listed herein shall be determined by the Planning Director based upon the requirements of comparable uses listed and expectations of parking and loading need.

- 3) Multiple Use Facilities. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the uses computed separately, unless a reduction is approved for shared parking pursuant to Section 3.03.040.
- 4) Storage Prohibited. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for storage of vehicles or materials.

3.03.060 Off-Street Vehicle and Bicycle Parking Requirements.

- 1) Vehicle Parking Spaces. Provisions for Off-Street vehicle and bicycle parking shall comply with the following minimum requirements:

Vehicle and Bicycle Parking Space Requirements				
	Land Use Activity	Vehicle Spaces	Bicycle Spaces	Measurement
A.	1, 2, and 3 family dwellings	2 spaces per dwelling unit	0	None
B.	Multi-family dwellings (4 or more units)	Studio – 1 space/unit 1-2 bedroom – 1.5 spaces/unit 3+ bedroom – 2 spaces/unit	0.25	Per dwelling unit
C.	Hotel, motel, boarding house	1 space per guest room plus 1 space for the owner or manager	1	Per 20 guest rooms
D.	Club, lodge	Spaces sufficient to meet the combined minimum requirements of the uses being conducted, such as hotel, restaurant, auditorium, etc.	2	Per 20 vehicle spaces
E.	Hospital, nursing home	1 space per two beds and 1 space per 2 employees	0.5	Per five beds
F.	Churches, auditorium, stadium, theater	1 space per 4 seats or every 8 feet of bench length, or 36 sq. ft. of area w/o fixed seats	1	Per 20 vehicle spaces
G.	Elementary, junior high school	2 spaces per classroom	2	Per classroom
H.	High school	1 space per classroom and one space per employee	1	Per classroom
I.	Bowling alley, skating rink, community center	1 space per 100 sq. ft. plus 1 space per two employees	1	Per 20 vehicle spaces
J.	Retail store, except as provided in "K"	1 space per 500 sq. ft. plus 1 space per 2 employees	1	Per 20 vehicle spaces
K.	Service or repair shop, retail store handling exclusively bulky merchandise such as automobiles or furniture	1 space per 800 sq. ft. of gross floor area, plus 1 space per 2 employees	1	Per 30 vehicle spaces
L.	Bank; office buildings; medical and dental clinic	1 space per 400 sq. ft. of gross floor area, plus 1 space per 2 employees	1	Per 20 vehicle spaces

Vehicle and Bicycle Parking Space Requirements				
	Land Use Activity	Vehicle Spaces	Bicycle Spaces	Measurement
M.	Eating and drinking establishments including food pods	Greater of 1 space per 4 seats, or, 1 space per 400 sq. ft. of gross floor area	1	Per 20 vehicle spaces
N.	Wholesale establishment	1 space per 1,000 sq. ft. of gross floor area, plus 1 space per 800 sq. ft. of retail area	1	Per 30 vehicle spaces
O.	Municipal and governmental	1 space per 800 sq. ft., plus 1 space per 2 employees	1	Per 20 vehicle spaces
P.	Manufacturing and processing:			
	0-24,900 sq. ft.	1 space per 600 sq. ft.	1	Per 20 vehicle spaces
	25,000-49,999 sq. ft.	1 space per 700 sq. ft.	1	Per 20 vehicle spaces
	50,000-79,999 sq. ft.	1 space per 800 sq. ft.	1	Per 20 vehicle spaces
	80,000-199,999 sq. ft.	1 space per 1,000 sq. ft.	1	Per 20 vehicle spaces
	200,000 sq. ft. and over	1 space per 2,000 sq. ft.	1	Per 20 vehicle spaces
Q.	Warehousing and storage distribution, terminals			
	0-49,999 sq. ft.	1 space per 3,000 sq. ft.	1	Per 30 vehicle spaces
	50,000 sq. ft and over	1 space per 5,000 sq. ft.	1	Per 30 vehicle spaces

- 2) Bicycle Spaces. Bicycle parking development requirements
 - a) Space Size. Each bicycle parking space shall be a minimum of six feet long and two feet wide and be accessible by a minimum five-foot aisle.
 - b) Location. All bicycle parking shall be within 100 feet of a building entrance(s) and located within a well-lit area. Any long-term bicycle parking spaces shall be sheltered from precipitation.
- 3) Maximum Vehicle Parking Spaces. The minimum spaces identified under item (1) in this Section, shall not be increased by more than 30%.

3.03.070 Off-Street Loading Requirements.

Commercial or industrial buildings between 10,000 to 25,000 square feet in area shall require a loading space. One additional space shall be required for each additional 25,000 square feet of gross floor area, or any portion thereof. The minimum loading space dimensions shall be 12 feet wide, 30 feet long, and 14 feet high.

Response

The number of vehicle and bicycle parking spaces were decided and agreed upon by the applicant and the City during pre-application conversations, with the understanding that parking minimum requirements would not be imposed on the facility. This also applies to the number of off-street loading spaces, as the applicant has determined the adequate number of spaces needed for the facility and the City has agreed with their determination. Currently there are 160 employee parking stalls and 43 tractor-trailer parking stalls incorporated in the Site Plan. Bicycle parking will be located on the north side of the site, near the employee parking lot and adjacent to the office space. Based on the planned 160 employee parking spaces, a minimum of eight bicycle parking spaces will be provided.

3.03.080 Parking, Driveway, and Loading Area Development Requirements.

All parking and loading areas shall be developed and maintained as follows:

- 1) Surfacing. All driveways (full length of the driveway), parking, and loading areas, for all uses including single-family residential (except in the RU Zone), shall have a durable hard surface of asphaltic cement, concrete pavers, concrete, or other concrete materials. Surface improvements shall conform to the following:
 - a) Paving Improvements. Paving shall comply with adopted Engineering Standards of the City of Millersburg.
 - b) Timing. Unless modified by a variance or a site development review, or bonded per City requirements, all driveways and off-street parking and loading areas shall be improved prior to occupancy of the primary structure.
 - c) Surfacing Options for Industrial Zone. The City Engineer may allow the use of a graveled parking area in the industrial zones, provided all customer and employee parking areas are paved and provided surface drainage is addressed per Engineering Standards and at least 20-feet of each access driveway connecting with a public street is paved.
- 2) Parking Spaces. Parking spaces shall be a minimum 9-feet wide and 20-feet in length. Up to 20% of the parking area may contain "compact spaces" with dimensions of 8.5-feet in width and 18-feet in length.
- 3) Driveways. The following standards shall apply to all driveways:
 - a) Access spacing shall be in compliance with Section 3.02.040-Access Standards
 - b) Internal Driveways for Multi-Family, Commercial, Industrial, and Public Uses.

Table 15 Internal Driveway Requirements	
Internal Driveways for Multi-family, Industrial, and Public Uses	
Without Adjacent Parking	
Direction	Driveway Width
One-way	12 feet
Two-way	26 feet
With Adjacent Parking	
Parking Angle	Driveway Width
0 to 40	12 feet*
41 to 45	13 feet*
46 to 55	15 feet*
56 to 70	18 feet*
71 to 90	24 feet
*One-way only driveways	

- 4) Lighting. Any light used to illuminate a parking or loading area shall be arranged to be directed entirely onto the loading or parking area, shall be deflected away from any residential use and shall not cast a glare or reflection onto moving vehicles on public rights-of-way.
- 5) Driveway Required. Groups of more than four parking spaces shall be so located and served by a driveway that their use will require no backing movements or maneuvering within a street right-of-way.
- 6) Traffic Safety. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and the maximum safety of pedestrians and vehicular traffic on the site.
- 7) Curbing. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail at least 4" high, located a minimum of three feet from the property line, to prevent a motor vehicle from extending over an adjacent property or a street.
- 8) Landscaping.
 - a) Parking lots abutting residential zones shall be screened from abutting residential zones by a combination of fences, walls, and landscaping adequate to screen lights, provide privacy and provide separation for the abutting residences.
 - b) See Chapter 3.09 for additional landscaping requirements.

Response

The proposed facility's driveways and main circulator road will be made of heavy-duty asphalt concrete pavement. The proposed employee parking lot will be made of light-duty asphalt concrete pavement. The parking spaces in the employee parking lot will be standard 9'x20' parking spaces, with no compact spaces proposed. Tractor-trailer traffic will enter and exit through the access drive off of NE Old Salem Road. Employee parking and other vehicle traffic will be facilitated by the access drive off of NE Transition Parkway. The employee parking lot will utilize two-way, 90 degree parking with a driveway width of 24 feet. Lighting within the proposed parking lot will be finalized in a forthcoming Lighting Plan. More details regarding landscaping and parking lot details can be found in the Site Plan and Landscaping Plan.

3.06 Signs

3.06.010 Purpose.

The purpose of this Chapter is to provide equitable rights, reduce conflicts, promote traffic and pedestrian safety, increase the aesthetic value and economic viability of the City, all by classifying and regulating the location, size, type, and number of signs and related matters, in a content-neutral manner.

3.06.030 Review Procedures.

- 1) Permit Required. Unless otherwise authorized by provisions in this Chapter, sign permits shall be required for all residential, commercial, industrial, and public/semi-public uses. No property owner, lessee, or contractor shall construct or alter any sign without first obtaining a valid sign permit.
- 2) Current Signs. Owners of conforming or nonconforming signs existing as of the date of adoption of this Code are not required to obtain a permit.
- 3) Application Requirements. An application for a sign permit shall be made on a form provided by the City. The application shall include, at a minimum, a sketch drawn to scale indicating the proposed sign, identifying existing signs on the premises, the sign's location and graphic design and other information established by the City to process the request.
- 4) Approval. The City shall issue a permit for a sign unless the sign is in violation of the provisions of these or other provisions of the Millersburg Development Code. Sign permits mistakenly issued in violation of these or other provisions of the Development Code are void. The City may revoke a sign permit if it finds there was a material and misleading false statement of fact in the application for the permit.

3.06.040 General Provisions.

- 1) Conflicting Standards. Signs shall be allowed subject to the provisions of this Chapter, except when these provisions conflict with the specific standards for signs in the subject zone.
- 2) Signs Subject to State Approval. In addition to City sign regulations, all signs visible to the traveling public from State highways are subject to the regulations also permit requirements of the Highway Division of the State of Oregon Department of Transportation. Where the regulations of the State and City differ, the more restrictive regulations shall govern.
- 3) Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained according to the following standards:
 - a) All signs shall comply with the applicable provisions of Building Code in effect at the time of the sign permit application and all other applicable structural, electrical, and other similar regulations. The issuance of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements.

- b) Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame, or structure.
 - c) All signs shall be maintained in a good structural condition and readable at all times.
 - d) The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Codes regulating signs.
- 4) Holiday Displays. Nothing in these regulations shall prohibit displays between Thanksgiving and January 3rd.

3.06.050 Nonconforming Signs.

- 1) Alteration of Nonconforming Sign Faces. When a nonconforming sign face is damaged or destroyed by fire, flood, wind, or similar calamity, such sign face may be restored to its original condition within 180-days of such calamity. However, a sign structure or support mechanisms so damaged shall not be replaced except in conformance with the provisions of these regulations.
- 2) Outdoor Advertising Sign Relocation. If development of land between Old Salem Road and I-5 requires relocating an outdoor advertising sign existing on the date of this code adoption, the sign may be relocated on the east side of Old Salem Road within 250 feet of its original location.
- 3) Permits for Properties with Nonconforming Signs. No permits shall be issued for new or altered signs unless all signs of the individual property or business comply with these regulations.

3.06.110 Commercial and Industrial Signs.

The following regulations apply to signs for commercial and industrial uses:

- 1) Signs for Businesses not in Integrated Business Centers:
 - a) *Total Sign Area.* One and one-half square feet of total allowed sign area for each lineal foot of building frontage facing the street, up to a maximum total allowed area of 150 square feet. Properties with more than 1,000 lineal feet of street frontage on any single street may have an additional 100 square feet of total sign area.
 - b) *Type, Number, and Sign Size.* Within the total allowed area, one free standing sign per street frontage, and a total of no more than two wall or canopy signs. Regardless of total allowed area, each free-standing sign shall be limited to a maximum of 48 square feet in area. Properties with more the 1,000 lineal feet of street frontage on any single street may have one additional freestanding sign.
 - c) *Sign Height.* The maximum sign height shall be as follows:
 - i) Wall and canopy signs: Shall not project above the parapet or roof eaves.
 - ii) Free-standing signs: Maximum height of 12 feet above finished ground level.
 - d) *Sign Location.* Signs shall be located as follows:
 - i) Wall signs: May project up to 1.5 feet from the building.

- ii) Free-standing sign: No limitation except shall not project over street right-of-way and shall comply with requirements for vision clearance areas and special street setbacks.

Response

The applicant will apply for sign permits at a later date, with no non-conforming signage anticipated or currently present on the site.

3.07 Fencing and Screening

3.07.010 Placement of Fencing on Public Rights-of-Way or Easements.

Fences may be constructed on public rights-of-way and/or easements subject to certain restrictions. Construction of fences on public rights-of-way or easements requires permission from the appropriate public agency. The City allows placement of fences on public rights-of-way and certain easements, provided that action does not impair the City's ability to address its public functions and the permit holder agrees to remove the fence upon request.

3.07.020 General Requirements.

- 1) A wall is considered a fence and shall be built consistent with the applicable fencing requirements.
- 2) No fence shall be permitted in the sidewalk area or in a location which may impair the construction of a public sidewalk, pathway, or walkway.
- 3) Fences greater than six feet in height require the owner to secure a building permit as required by the Building Official.
- 4) In the event any fence restricts access to or use of rights-of-way and easements, it shall be the fence owner's responsibility to provide access upon City request or other affected agency or utility provider request.
- 5) A property owner who restricts access to any utility meter or fire hydrant shall provide access through the fence by a gate.
- 6) Fence installation shall not impair the clear vision triangle clearance requirements at street and alley intersections.
- 7) Fence heights shall be measured from undisturbed ground level, top of sidewalk, or street grade (crest or crown of the road), whichever is highest. Height of fences or walls within 20 feet of a street right-of-way shall include the measured height of the fence or wall and any retaining wall, berm, or other structure within the same 20 feet.

3.07.040 Fencing Requirements for Commercial and Industrial Zones.

- 1) Industrial or commercial fencing installed adjacent to residential areas must be sight obscuring. Fences that do not exceed six feet in height may be located or maintained on any property line within this zone, except within the clear vision triangle area and along the

frontage of presentation streets. Commercial or industrial fencing intended to be placed on Old Salem Road or Conser Road frontage is subject to design review.

- 2) Fences intended for security purposes may be installed to a height of eight feet on any property line within the commercial and industrial zones, except within vision triangle areas and along the frontage of presentation streets. Barbed wire may be used as the top section for security fences, provided the barbed wires are a minimum of 72-inches above grade and do not project over public rights-of-way.
- 3) Fencing placed along Old Salem Road or Conser Road is subject to site plan review.

Response

The site is adjacent to a RL zone on the north side of the property, although the proposed facility is separated from the residential zone by the required setback in addition to Conser Road itself. No fencing or screening is proposed for this site.

3.08 Yards and Lots

3.08.010 New Buildings Shall be on a Lot.

Every building erected shall be located on a lot as herein defined.

3.08.020 Yards Apply Only to One Building.

No required yard or other open space or required driveway provided around or for any building or structure for the purpose of complying with the provisions of this Code shall be considered as providing a yard or open space for any other building. No yard or other required space on an adjoining lot shall be considered as providing a yard or open space on the lot whereon the building is to be erected.

3.08.030 Front Yard Projections.

The following features, when not more than one story high, may project into the front yard setback area, provided the projection shall come no closer than 10 feet from the property line: planter boxes, chimneys and flues, steps, cornices, eaves, gutters, belt courses, leaders, sills, pilasters, lintels, and other ornamental features.

3.08.040 Side Yard Projections.

- 1) Cornices, eaves, gutters, and fire escapes may project into a required side yard not more than one-third of the width of the required side yard.
- 2) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, and ornamental features may project not more than 1.5 feet into a required side yard, provided the chimneys and flues shall not exceed six feet in width.
- 3) For details regarding decks, porches, patios, and similar features, see Section 3.08.070.

3.08.050 Rear Yard Projections.

- 1) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, gutters, and other ornamental features, may project not more than 1.5 feet into a required rear yard, provided the chimneys and flues shall not exceed six feet in width.
- 2) A fire escape, balcony, outside stairway, or cornice, may project not more than five feet into a required rear yard.
- 3) The following features, when not more than one story high, may project into the rear yard setback area: planter boxes, chimneys and flues, steps, cornices, eaves, gutters, belt courses, leaders, sills, pilasters, lintels, and other ornamental features.
- 4) No permitted projection into a required rear yard shall extend within 10 feet of the center line of an alley or within five feet of a rear lot line if no alley exists.
- 5) For details regarding decks, porches, patios, and similar features, see Section 3.08.070.

3.08.060 Vision Clearance.

A clear vision area shall be maintained where streets and private points of access intersect. The clear vision area shall conform to the following:

- 1) Measurement. A clear vision area at an intersection shall be the triangular area established according to the following procedure:
 - a) A line extending a certain number of feet, as identified in the sections (2), (3), (4), and (5) below, from the point of intersection along the curb (or edge of pavement if no curb) of a public street right-of-way;
 - b) A line extending a certain number of feet from the intersection along the curb line (or edge of pavement if no curb) of intersecting access; and,
 - c) A third line that creates the triangular clear vision area by connecting the ends of the lines described in (a) and (b), above.
- 2) Street-Driveway. The clear vision area for a street-driveway intersection shall be 10 feet along the driveway from its intersection with the street curb (or edge of pavement if no curb) and 20 feet along the street curb (or edge of pavement if no curb) at the point of intersection with the driveway.
- 3) Street-Alley. The clear vision area for street-alley intersections shall be 10 feet along the alley from its intersection with the street curb (or edge of pavement if no curb) and 20 feet along the street curb (or edge of pavement if no curb) at the point of intersection with the alley.
- 4) Street-Private Access Easement. The clear vision area for street-access easement intersections shall be 10 feet along the access easement from its intersection with the street curb (or edge of pavement if no curb) and 20 feet along the street curb (or edge of pavement if no curb) at the point of intersection with the access easement.
- 5) Corner Lots (Street-Street Intersection). The clear vision area for corner lots on local residential streets shall be measured along the curb line (or edge of pavement if no curb) as shown in Table 16 below.

Table 16 Street-Street Intersection Vision Clearance Dimensions		
Vision Clearance Dimensions		
Intersected Street Classification	Posted Speed	Distance
Local Residential	All	20 feet
Collector or Arterial	25 mph	95 feet
	30 mph	120 feet
	35 mph	140 feet
	40 mph	165 feet
	45 mph	190 feet
	50 mph	215 feet

- 6) Prohibited Development. A clear vision area shall contain no planting, fence, wall, structure, or temporary or permanent obstruction exceeding 24 inches in height, measured from the top of the curb or, where no curb exists, from the established street centerline grade, except that the following may be allowed in the clear vision area:
- a) Trees, provided all branches and foliage are removed to a height of eight feet above grade;
 - b) Telephone, power, and cable television poles; and
 - c) Telephone switch boxes provided they are less than 10 inches wide at the widest dimension.

Response

The proposed facility will be fully contained within its own site and will not share any yard space with adjacent structures or properties. No yard projections are proposed for the facility onsite. Proposed trees as shown in the Landscape Plan do not impact the vision areas for the site access roads on Old Salem Road or NE Transition Parkway, allowing clear site lines at site access points.

3.09 Landscaping

3.09.010 Purpose.

Natural vegetation, landscaping, street trees, fences, and walls—together, these elements of the natural and built environment contribute to the visual quality, environmental health, and character of the community. Trees provide climate control through shading during summer months and wind screening during winter. Trees and other plants can also buffer pedestrians from traffic. Walls, fences, trees, and other landscape materials also provide vital screening and buffering between land uses. Landscaped areas help to control surface water drainage and can improve water quality, as compared to paved or built surfaces. A well landscaped and maintained yard or property promotes a sense of community wellbeing.

3.09.020 Applicability.

Whenever landscaping is required in a zone, it shall be installed in accordance with these standards. When the standards of a zone specify locations or amounts of landscaping, those locations or amounts can be used to meet the standards of this section.

3.09.030 Standards.

1) General Requirements. Landscaping requirements by type of use are listed below:

- a) Landscaping Required - Residential other than in the Mixed-Use (MU) Zone. All front setbacks (exclusive of accessways and other permitted intrusions) must be landscaped or have landscaping guaranteed in accordance with this Code before an occupancy permit will be issued or final building permit approved. In all residential zones except Rural (RU), the minimum landscaping acceptable for every 50 lineal feet of street frontage (or portion thereof, deducting the width of the driveway) is:
 - i) One tree at least six feet tall when planted.
 - ii) Four one-gallon shrubs or accent plants.
 - iii) The remaining area treated with attractive ground cover (e.g., lawn, bark, rock, ivy, and evergreen shrubs).
- b) Landscaping Required - Mixed-Use and Non-Residential Zones. All required front and interior setbacks (exclusive of accessways and other permitted intrusions) must be landscaped or have landscaping guaranteed in accordance with this Code before an occupancy permit will be issued. Minimum landscaping acceptable for every 1,000 square feet of required setbacks in all commercial-industrial zones is as follows:
 - i) One tree at least six feet tall when planted for every 30 feet of street frontage.
 - ii) Five 5-gallon or eight 1-gallon shrubs, trees, or accent plants.
 - iii) The remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover.
 - iv) When the yard adjacent to a street of an industrially zoned property is across a right-of-way (excluding Old Salem Road right-of-way) from other industrially or commercially zoned property, only 30% of such setback area must be landscaped.
- c) Alternate Plan - Non-Residential. As part of a Site Design Review application approval, placement of the required setback landscaping in public right-of-way may be approved when the following conditions are met:
 - i) The site contains existing development that includes substantial building(s), and is subject to improvement requirements due to a change of use or vacancy; and
 - ii) The appropriate government agency grants written permission for use of the right-of-way; and
 - iii) The applicant provides written assurance that on-site setback landscaping will be installed within 90 days in the event permission to use the right-of-way is revoked; and
 - iv) The Commission finds the required setback landscaping can feasibly be installed on the property without creating other violations of this Code; and

- v) The Commission finds providing the landscaping in the public right-of-way in the interim fulfills the intent this Code established in Section 3.09.010.
- 2) **Parking Lot Landscaping.** The purpose of landscaping in parking lots is to provide shade, reduce stormwater runoff, and direct traffic. Incorporation of approved vegetated post-construction stormwater quality facilities in landscaped areas is encouraged. Parking lots must be landscaped in accordance with the following minimum standards:
 - a) **Planter Bays.** Parking areas shall be divided into bays of not more than 12 parking spaces. At both ends of each parking bay, there shall be curbed planters at least five feet wide, excluding the curb. Gaps in the curb may be allowed for connections to approved post-construction stormwater quality facilities. Each planter shall contain one canopy tree at least 10 feet high at time of planting and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Neither planter bays nor their contents may impede access on required public sidewalks or paths, or handicapped-accessible parking spaces.
 - b) **Parking Space Buffers.** Parking areas shall be separated from the exterior wall of a structure by pedestrian walkways or loading areas or by a five-foot strip of landscaping materials.
 - c) **Alternate Plan.** An alternate plan may be submitted as part of a Site Design Review application providing landscaping of at least 5% of the total parking area exclusive of required landscaped yard areas and that separates parking areas of more than 100 spaces into clusters divided by landscape strips. Each planter area shall contain one tree at least ten feet tall and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Landscaping may not impede access on required public sidewalks or paths, or handicapped-accessible parking spaces.
 - d) **Landscape Protection.** Required landscaped areas adjacent to graveled areas must be protected by large boulders or by another acceptable means of protection.
 - 3) **Irrigation of Required Landscaping.** All required landscaped areas must be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman submits written verification that the proposed plants do not require irrigation. Irrigation systems installed in the public right-of-way require an encroachment permit.
 - 4) **Identification of Existing Trees.** In all proposed developments, existing trees over 25 inches in circumference (eight inches in diameter) as measured 4.5 feet above mean ground level from the base of the trunk shall be noted on all development plans, with notations indicating whether they are to be removed or utilized in the development. To obtain the circumference of a tree with multiple trunks, add the individual trunk circumferences, which are greater than six inches in circumference. Clusters of trees in open space and floodplain areas may be noted in approximate locations. No trees 6.5 feet in circumference (approximately 25 inches in diameter) or greater may be removed without a permit per Millersburg Municipal Code Section 7.30.040.

Response

Landscaping is included within the proposed parking lot and along the site frontage for NE Transition Parkway. Trees are proposed every 30 linear feet for the 934 feet of frontage, with a total of 31 trees proposed. Following the requirement of one shade tree per parking lot island, the proposed employee parking lot has 17 islands, for a total of 17 shade trees required and 19 shade trees proposed, exceeding the minimum standard. Shrubs will be provided in later iterations of the Landscape Plan.

3.09.040 Landscape Plans.

- 1) With the exceptions noted below, all development applications involving buildings and parking areas must include landscape plans. The following uses are required to meet the landscaping requirements of this Code but are not required to submit landscape plans:
 - a) Single-family dwellings, duplexes, and triplexes.
 - b) Accessory buildings.
 - c) Changes internal to an existing structure.
 - d) Building additions involving less than 500 square feet.
- 2) Street Tree Species Allowed Within Rights-of-Way. Only trees included in the list of approved City street trees are allowed.
- 3) Trees Requiring Approval. It is unlawful to plant willow, cottonwood, or poplar trees anywhere in the City unless the City Engineer approves the site as one where the tree roots will not be likely to interfere with public sewers.
- 4) Height Requirements in Rights-of-Way. Trees or shrubs growing in the right-of-way or on private property adjacent to a street right-of-way must be trimmed to maintain a minimum canopy height of eight feet above sidewalks or 14 feet above streets or alleys.
- 5) Planting in Roadways Having No Gutter, Curb. No trees, shrubs, or plantings more than 18 inches tall shall be planted in the public right-of-way abutting roadways having no established curb and gutter.
- 6) Completion Guarantees. Final occupancy of a development that required land use approval may be allowed prior to the complete installation of all required landscaping and irrigation only under the following circumstances:
 - a) A security guarantee is provided to the City in accordance with this Code.
 - b) The required landscaping and irrigation shall be installed within six months of the date the final occupancy permit is issued. If an occupancy permit is not required, the landscaping and irrigation shall be installed within six months of the date of the land use approval.
 - c) To verify that the landscaping, and irrigation if required, has been installed per the approved plan, an inspection shall be made prior to any security being returned.
 - d) Required post-construction stormwater quality facilities incorporated into the required landscaped areas have been completed (or financially assured) consistent with the requirements of the Municipal Code and applicable post-construction stormwater quality permits.

Response

A Landscape Plan is included with this application, with further details related to foliage species and maintenance to be determined in subsequent plans.

3.09.050 Maintenance of Landscaped Areas.

It shall be the continuing obligation of the property owner to maintain required landscaped areas in an attractive manner free of weeds and noxious vegetation. In addition, the minimum amount of required living landscape materials shall be maintained. Private post-construction stormwater quality facilities located in landscaped areas shall be maintained consistent with the terms of any operation and maintenance agreements between the property owner and the City.

Response

Applicant will make arrangements for ongoing maintenance of landscaped areas onsite.

Article V – Review Procedures

5.05 Site Development Review.

5.05.010 Applicability.

- 1) The site development review is intended to:
 - a) Guide future growth and development in accordance with the Comprehensive Plan and other related regulations;
 - b) Provide an efficient process and framework to review development proposals;
 - c) Ensure safe, functional, energy-efficient developments which are compatible with the natural and man-made environment; and
 - d) Resolve potential conflicts that may arise between proposed developments and adjacent uses.
- 2) The site development review provisions relate to physical characteristics of a property, proposed site improvements, and proposed buildings. The site development review provisions do not deal with the use of property. Use is regulated by the provisions of each individual zone.

5.05.020 Process.

Site development review applications shall be reviewed in accordance with the Type III review procedures in Chapter 5.19.

5.05.030 Application.

An application for site development reviews shall be filed with the City and accompanied by the appropriate fee. Notice shall be subject to the provisions in Chapter 5.19.

5.05.040 Applicability of Provisions.

- 1) Site Development review is applicable to all new industrial, commercial, mixed-use, and multi-family developments and expansions involving a 20% or more increase in total square footage of existing industrial, commercial, mixed-use, and multi-family.
- 2) All of the provisions and regulations of the underlying zone shall apply unless modified by other Sections of this Code.
- 3) Expansions of 20% or less shall be permitted and processed as a building permit, provided the expansion and associated use(s) comply with all applicable development requirements such as parking, setbacks, height restrictions.

5.05.050 Submittal Requirements.

The following information shall be submitted as part of a complete application for site Development review. The application shall include a statement explaining the proposal and providing analysis of the proposal relative to the approval criteria. At the discretion of the City, the information may be submitted graphically or by written summary.

- 1) Site Analysis.
 - a) Existing site topography;
 - b) Identification of areas exceeding 10% slopes;
 - c) Site drainage, identified flood zones and areas within the greenway;
 - d) Existing structures, roadway access, and utilities; and
 - e) Existing and proposed streets, bikeways, and pedestrian facilities within 300 feet.
- 2) Site Plan.
 - a) Proposed grading and topographical changes;
 - b) All proposed structures including finished floor elevations, setbacks, exterior elevations, and exterior finishing;
 - c) Vehicular and pedestrian circulation patterns, parking, loading, and service areas;
 - d) Proposed access to public roads and highways, railroads, or transportation systems;
 - e) Site drainage plan including methods of storm drainage, sanitary sewer system, water supply system, and electrical services
 - f) Proposed landscape plan, to include appropriate visual screening and noise buffering, where necessary, to ensure compatibility with surrounding properties and uses;
 - g) Proposed on-premises signs, fencing or other fabricated barriers, together with their heights and setbacks;
 - h) Proof of ownership and signed authorization for the proposed development if applicant is not the owner of the site;
 - i) A schedule of expected development;
 - j) A traffic impact analysis if requested by the City Manager;
 - k) Computation of gross density for residential developments; and
 - l) Other appropriate studies and information that may be required by the City to adequately evaluate the project.

Response

The proposed facility's application includes a Site Analysis (grading plan with existing topography and site drainage with existing roadways and site features), Site Plan (proposed building with driveways and parking lot), Utility Plan (proposed locations for hydrants and gas, water, and sewer lines), Landscape Plan (proposed locations of parking and frontage foliage), and a Traffic Impact Analysis with traffic counts for full buildout (all phases completed). Other plans for lighting and signage will be developed in later design stages.

5.05.060 Decision Criteria.

The review of a site plan shall be based upon the following criteria:

- 1) The proposed use is allowed in the zone and complies with the underlying zone development standards.
- 2) The proposed use will not create negative impacts on the surrounding area resulting from traffic flow, noise, dust, glare, odor, potential incompatible adjacent uses such as parking lots, or other impacts identified in the public hearing process.
- 3) The City may impose conditions of approval intended to mitigate potential impacts including, but not limited to:
 - a) Provisions for public utilities, including drainage and erosion control needs;
 - b) Parking, traffic safety, and connectivity of internal circulation to existing and proposed streets, bikeways, and pedestrian facilities;
 - c) Provision for adequate noise and/or visual buffering from non-compatible uses including using site and landscaping design to provide needed buffering; and
 - d) Protections from any potential hazards.

Response

This narrative is intended to show compliance with all applicable criteria stated in 5.05.060.

- 1) The proposed use of a general manufacturing facility complies with the underlying zone development standards of the General Industrial (GI) zone, as explained in Article II – Zones and Zoning Regulations. The facility would be a permitted use that meets the required dimensional and development standards listed.
- 2) Most of the negative impacts for the proposed use would be temporary and occur only during construction. During construction, there would likely be an increase in heavy and oversized-vehicle traffic along Old Salem Road NE, as materials would be transported via I-5 and then north or south along Old Salem Road NE to reach the facility site. There would also be dust, noise, and possibly odors present during the construction of the facility, however, a 1200-C plan and permit will be obtained prior to construction to help mitigate these impacts. Following construction, there would be some increased vehicle traffic along Old Salem Road NE which would include semi-trailers, however, this would not be expected to impact any nearby residential streets or significantly increase congestion in the area. More details about future traffic impacts can be found in the

Traffic Impact Analysis. Furthermore, there would be some noise generated by the facility during normal business hours (8am-5pm), though noise levels would not be high enough to be considered a nuisance as all manufacturing would occur inside the building. This facility would also be compatible with the majority of adjacent commercial and industrial uses nearby, as a trucking operation and construction company are located directly east of the facility on Old Salem Road NE, along with an industrial facility directly south and open land due west. There is a residential structure approximately 1,000 feet from the facility that is located on Old Salem Road NE, and a residential neighborhood north of Conser Road NE. However, the facility exceeds the minimum setback requirements for industrial uses near residential areas and is not expected to create any significant impacts to nearby residents. The facility is also not located within a floodplain and will not impact any protected soils or wetlands.

- 3) The facility is expected to comply with all City requirements and will mitigate potential impacts for the criteria specified:
 - a) The applicant will work with the City and applicable utilities to connect to existing gas, water, sewer, and electric lines. Accommodations for drainage and erosion are planned for onsite and will be shown in applicable plans, with the onsite detention pond shown in the attached Site Plan. Stormwater runoff on the north side of the site will primarily be treated by the proposed LIDA planters in the employee parking lot islands, with additional planters to be placed as-needed along the perimeter of the parking lot to treat runoff. Stormwater runoff for the building and other impervious areas within the site will be collected in catch basins and conveyed to a water quality and detention pond on the west side of the site. A flow control manhole will be provided onsite to match existing runoff flow rates and tie-in to the existing stormwater infrastructure as to not impact existing outfall. The present stormline conveying NE Transition Parkway will be rerouted along the north side of the proposed building and tie back into the existing stormwater line further downstream as to not impact the existing outfall.
 - b) Vehicle parking needs were agreed upon during pre-application meetings with the City, wherein the planned number of vehicle and truck parking spaces onsite are considered adequate for the facility and currently enacted parking minimums do not apply. The new access drive on Old Salem Road NE will be dedicated to heavy trucks to minimize interactions between standard vehicle and semi-trucks, as well as minimizing pedestrian exposure. Another new access drive on Transition Parkway will provide access primarily for the employee parking lot and office entrance, though the road will be paved to handle the weight of emergency vehicles. Heavy-duty asphalt along the perimeter of the facility will allow heavy trucks and trailers to access all loading bays and trailer parking spaces via Old Salem Road NE without interacting with the employee parking lot or Transition Parkway. Circulation will also be present within the employee

parking lot along with applicable lighting and pedestrian pathways. Sidewalks will be installed along building frontage along Transition Parkway to connect to existing sidewalk on Old Salem Road NE. No dedicated bike facilities are anticipated on Transition Parkway or Old Salem Road NE as part of this development. However, bicycle parking will be provided as required near the employee parking lot and employee entrance.

- c) Landscaping with trees along the building frontage and employee parking lot will provide some visual and noise buffers along Transition Parkway and Old Salem Road NE. The facility will be well beyond the required setback for residential uses for the residential area on the north side of Conser Road, therefore additional fencing/buffering is not anticipated on the north side of the site.
- d) As the site is not located within a floodplain and no other known hazards will be within the project limits, no additional protections for hazards are anticipated.

TO: Matt Straite, City Planner
FROM: Janelle Booth, Millersburg City Engineer
DATE: January 12, 2024
SUBJECT: SP 23-05 - Engineering Comments

Engineering has reviewed the above project and has the following comments:

1. Copies of any required federal or state permits that may be required shall be filed in the Record File of this application.
2. A Private Construction of Public Infrastructure (PCPI) permit is required for all new public infrastructure, including connections to public infrastructure.
3. All required public improvements shall be designed in accordance with City of Millersburg adopted standards and plans shall be reviewed and approved by the City with submission of PCPI permit prior to beginning construction. All utilities shall remain uncovered until inspected and approved by the City. All required public improvements shall be completed and approved by the City prior to occupancy of the new building.
4. Stormwater:
 - a. Prior to beginning of construction obtain a 1200-C Erosion Control Permit for disturbed area great than one acre and a **City of Millersburg Erosion Prevention and Sediment Control Permit** for disturbed area greater than 10,000 square feet.

Stormwater facilities shall be designed and constructed in accordance with the City of Millersburg Engineering Standards. Private stormwater quality facilities require the property owner to enter into a maintenance agreement. A grading permit is required for earthwork in excess of 50 cubic yards; a storm drainage report and grading plan shall be submitted for review. A final grading and stormwater inspection will be required prior to issuance of a certificate of occupancy.

5. Transportation

- a. Sidewalk along existing Transition Parkway frontage shall be constructed by the applicant as described in the narrative and as shown on the submitted drawings.
 - b. Project is required to construct a multiuse path along Old Salem Road, consistent with the City's Transportation System Plan.
 - c. Traffic Impact Analysis – comments provided to applicant's engineer.
6. Clear vision areas shall be provided in accordance with Millersburg's adopted clear vision standards.
7. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
8. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.
9. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through proper disposal containers or construction fencing enclosures. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the City.



TO: Matt Straite, Community Development Director

From: Lora Ratcliff, Fire Marshal

DATE: January 4, 2024

SUBJECT: SP-23-05 – New Manufacturing - Albany Fire Department Comments

The fire department has reviewed the above project for conformance to the 2022 Oregon Fire Code (OFC) per your request and has the following comments.

**** NOTE: Addition of a private fire line will result in a quarterly Fire Line Fee***

1. All newly constructed buildings 50,000 square feet in size or larger shall have *approved* radio coverage for emergency responders within the building based upon the existing coverage levels of the Albany Police and Fire Department communication systems the exterior of the building [see OFC Appendix J and Attachment]. (OFC 510; OSSC 915)

Be advised Linn County Sheriff operates on the 700 MHz radio spectrum, while the Albany Fire Department currently operates on the VHF spectrum transmitting and receiving on the same radio frequency. Your solution must address both frequency spectrums and provide for future movement of the fire department's radio communications to the 700 or 800 MHz radio spectrum. **Please contact the fire department for specific requirements as early as possible in your design process.**

ERCCS Alternative. In lieu of providing an Emergency Responder Communication Coverage System, a one-time, opt-in contribution to our communication replacement fund can be requested. The amount is based on the building's square footage.

Square footage	0-49,999	50,000-99,999	100,000-299,999	300,000+
Cost per sq. ft.	\$0	\$ 0.45	\$0.35	\$ 0.30

2. Commercial developments which exceed three stories or 30' in height shall be provided with at least 2 means of fire apparatus access. These access points shall be remotely separated by at least ½ the length of the maximum overall diagonal dimension of the property or area served. (OFC Appendix D104.1 & 104.3)
3. Buildings or facilities having a gross building area of more than 62,000 square feet shall be provided with two separate and approved fire apparatus access roads.
4. Where two fire apparatus access roads are required, they shall be placed a distance apart or equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. (OFC Appendix D104.3)
5. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the property as measured by an approved route of travel around the exterior of the structure. (OFC 503.1.1)
6. The fire apparatus roadways for this project are required to be provided and maintained at a minimum of 20 feet wide of improved surface. (OFC 503.2.1) Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus at a minimum unobstructed width of 26 feet wide of improved surface. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building. (OFC D105)
7. The road surface for all private fire apparatus access roads shall be all weather and capable of supporting an imposed load from fire apparatus of at least 75,000 pounds as verified by a qualified State of Oregon licensed design professional. (OFC 503.2.3 & Appendix D, 102.1). The Designer of Record shall provide written certification to the Fire Department upon completion of all private access road construction.

8. This proposed project is located within a “Protected Area” as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area is currently served by a public water system. The Fire Flow required shall be as specified in Appendix B of the fire code. (OFC 507.3)

LAR/lar



NOTICE OF PUBLIC HEARING
February 6, 2024, 6:00 p.m.
The meeting will be in person
and online or by phone-

See the agenda for the link and phone number details

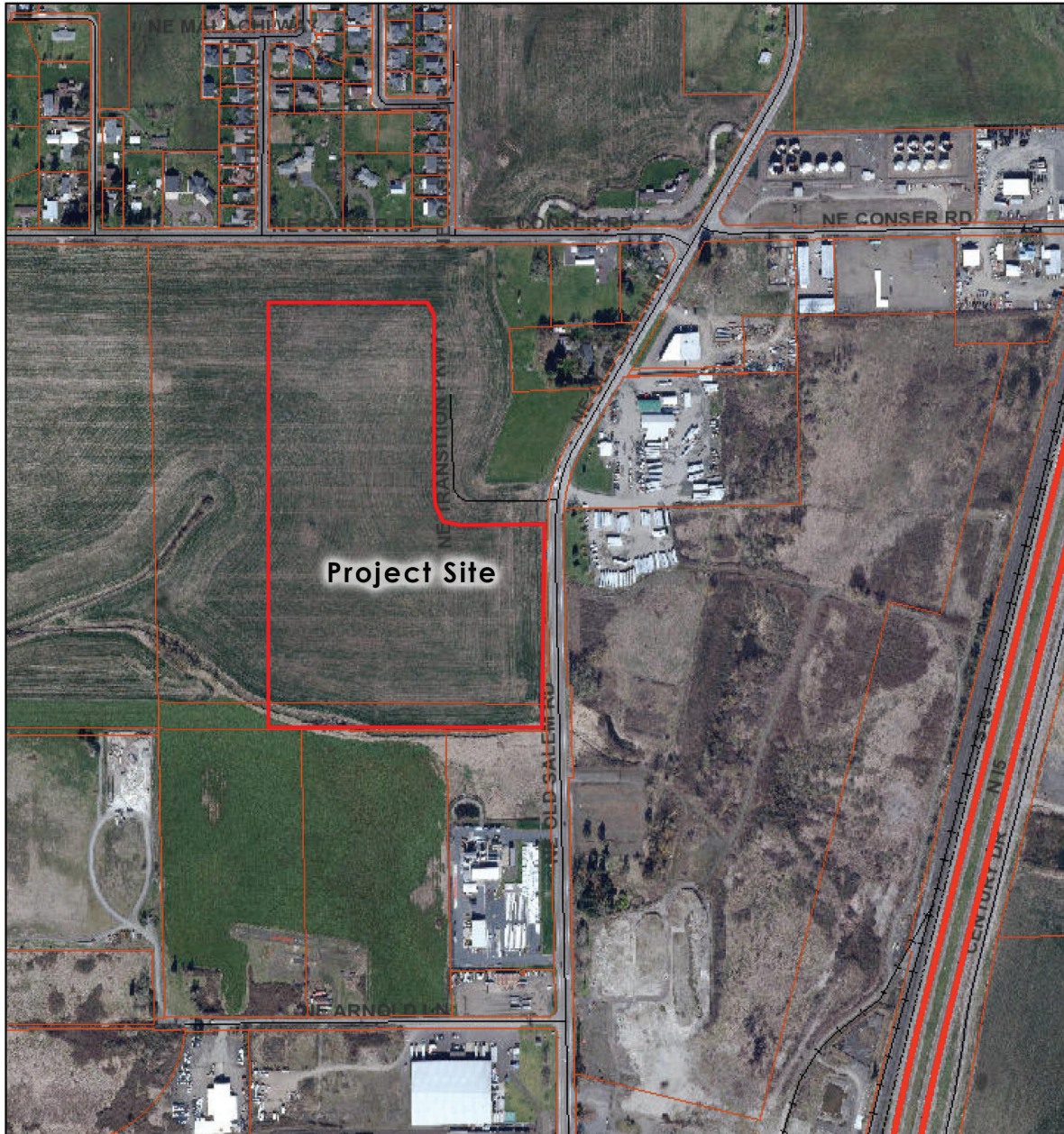
The **MILLERSBURG PLANNING COMMISSION** will hold a public hearing to consider the requests described below. If anyone needs any special accommodations, please let the City know in advance of the hearing. The hearing item may be heard later than the time indicated, depending on the agenda schedule. Interested parties are invited to send written comment or may testify during the hearing. Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide sufficient specific information to allow the Planning Commission an opportunity to respond to the issue will preclude your ability to appeal the decision to the City Council and the Land Use Board of Appeals based on that issue.

The application, all documents and evidence submitted by or on behalf of the applicant and the applicable criteria are available for inspection at no cost or copies are available for a minimal cost. Any document request must be made by phone, email, in person at City Hall. Most documents can be viewed at the following web location- <https://www.millersburgoregon.gov/planning/page/land-use-applications-and-applications-under-review>. A staff report relating to the applicant's proposal will be available seven days prior to the public hearing at the same web location. For further information, contact Millersburg City Hall at (458)-233-6300.

APPLICANTS: Northwest RE LLC
LOCATION: Southerly of NE Conser Road, westerly of NE Old Salem Road and NE Transition Parkway
TAX LOT: Township 10 South; Range 3 West; Section 28; Tax Lot 00100 & 00101
PARCEL SIZES: 59.29 acres and 3.37 acres. Actual site area is 47.84 acres, disturbed area is 24.7 acres.
ZONING: General Industrial (GI)
REQUEST: The application is for a Site Development review of a single building with 17,300 SF of office space, 326,285 SF of manufacturing space, and 156,425 SF of warehouse space. The total is about 500,000 SF. The site also features a parking area, landscaping, water quality basins, truck manouvering areas, laoding bays, and an undisturbed wetland aea. Two new driveways are proposed on NE Old Salem Road and NE Transition Parkway. The warehouse area is scehduled to be built in a future expansion but was fully analized.
CRITERIA: Millersburg Development Code; Section 5.05.060
FILE No.: SP 23-05

If you need any special accommodations to attend or participate in the hearing, please notify City Hall twenty-four hours before the meeting. For further information, please contact City Hall at (458)-233-6300.

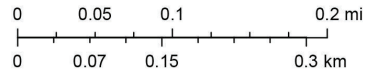
SP 23-05 Vicinity Map



1/4/2024, 9:55:09 AM

1:9,028

- Highways
- Roads
- Railroad
- City Boundary
- Tax Lots



Linn County GIS, City of Albany, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/ NASA, EPA, USDA, GeoTerra, 2021



Memo

February 6, 2024

RE: SP 23-05 Northwest RE LLC additional information

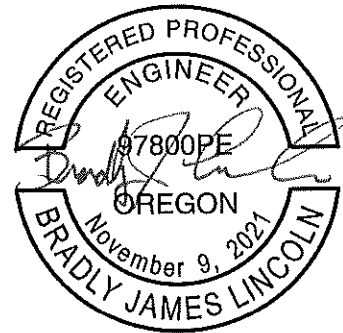
1. Staff proposes to change Condition of Approval number 3 so that it reads:
 3. *Applicant shall comply with all applicable federal and state laws for the site development, including, but not limited to, applying for all applicable federal and state permits. Applicant shall provide the City with copies of all applicable federal and state permits.*
2. The applicant has submitted additional details on the traffic impact study. Those are attached and hereby introduced to the record.
3. The Linn County Roads Department has provided comments for the record dated February 6, 2024. Those are attached and hereby introduced to the record.
4. As requested in the County comment email dated February 6, 2024, the following conditions of approval is proposed to be added to the project:

The applicant shall obtain a commercial access permit from the Linn County Road Department and provide evidence of the approved permit to the City.

Prior to the City final inspection, the applicant shall provide evidence to the City that all applicable requirements of the Linn County Road Department email dated February 6, 2024, have been met to the satisfaction of the Road Department.

MEMORANDUM

To: Janelle Booth, PE, City of Millersburg
From: Brad Lincoln, PE
Kimley-Horn and Associates, Inc.
Date: February 5, 2024
Subject: Delorean Development – Traffic Comment Response



EXPIRES: 12/31/2024

Kimley-Horn and Associates, Inc. (Kimley-Horn) has been retained to provide a comment response memorandum for the proposed Delorean Development (Development). This response memo addresses comments provided by City of Millersburg (City) staff pertaining to the trip generation and access evaluation.

1. Trip Generation

The trip generation calculations in the traffic impact analysis for the site were performed using average trip generation rates published by the Institute of Transportation Engineers (ITE) for Land Use Code (LUC) 140, Manufacturing. ITE identifies that "type of activity may vary substantially from one facility to another." This would lead to the assumption that the trip generation could also vary substantially from one facility to another. The trip generation in the traffic impact analysis was higher than what the site is anticipated to generate, but was meant to provide a conservatively high estimate to represent a factor of safety. The trip generation has therefore been revised based on other rates and land uses published by ITE and accounting for the anticipated uses of the site.

1.1. ITE Trip Generation

The trip generation has been updated using ITE data and broken into individual uses in the building. The Development is proposed to consist of manufacturing space, warehouse space, and office space. The trip generation has therefore been updated based on the following ITE LUC:

- ITE LUC 140, Manufacturing – 326,262 square-feet (SF)
- ITE LUC 150, Warehousing – 156,383 SF
- ITE LUC 710, General Office Building – 17,298 SF

Additionally, the low range of the ITE trip generation rates for manufacturing have been used for the calculations to account for shift changes not occurring during the peak-hours. The revised ITE trip generation calculations are summarized in **Table 1**.

Table 1. ITE Trip Generation Summary

Land Use	Size	Average Daily Trips (ADTs)			AM Peak-Hour Trips			PM Peak-Hour Trips		
		In	Out	Total	In	Out	Total	In	Out	Total
Manufacturing	326,262 SF	136	135	271	2	1	3	7	16	23
Warehousing	156,383 SF	134	133	267	21	6	27	8	20	28
General Office	17,298 SF	94	94	188	23	3	26	4	21	25
Total	499,943 SF	364	362	726	46	10	56	19	57	76

The Development would be anticipated to generate approximately 726 ADT with 56 trips occurring during the AM peak-hour and 76 trips occurring during the PM peak-hour. The ITE trip generation would be inclusive of employee, visitor, and truck trips. The trip generation calculations using the ITE data is included in the attachments.

1.2. Anticipated Trip Generation

The trip generation calculations were also performed based on the anticipated use of the site, including the anticipated employment level and the manufacturing staff working in two 12-hour shifts. The trip generation based on the anticipated use has been calculated for the total employment, which could take several years to accomplish. The truck traffic has also been included separately since the employee numbers would not account for truck traffic. The anticipated use includes:

- First Shift – approximately 95 total employees
- Second Shift – approximately 55 total employees
- Trucks – 170 daily trucks

The trip generation has been calculated assuming each employee accounts for 3 daily trips, to include an inbound trip, an outbound trip, and half of the employees having a round-trip during the day. The trucks are anticipated to account for 2 daily trips, one inbound and one outbound trip. The peak-hour trip generation has been calculated to assume a full shift change and 10 total truck trips, based on anticipated distribution of truck trips throughout the day. Under this scenario the shift change is anticipated to occur during the AM and PM peak-hours. However, the shift changes are likely to occur before 7:00 AM and after 6:00 PM, which would be outside the AM peak-hour and the PM peak-hour. The anticipated trip generation is summarized in Table 2.

Table 2. Anticipated Trip Generation Summary

Generator	Size	Average Daily Trips (ADTs)			AM Peak-Hour Trips			PM Peak-Hour Trips		
		In	Out	Total	In	Out	Total	In	Out	Total
First Shift	95 employees	143	143	286	95	0	95	0	95	95
Second Shift	55 employees	83	83	166	0	55	55	55	0	55
Trucks	170 trucks	170	170	340	5	5	10	5	5	10
Total	---	396	396	792	100	60	160	60	100	160

The Development would be anticipated to generate approximately 792 ADT with 160 trips occurring during the AM peak-hour and 160 trips occurring during the PM peak-hour, assuming there is a full shift change during the AM and PM peak-hours. This is not actually likely to occur based on two 12-hour shifts operating at the site and shifts starting before 7:00 AM and ending after 6:00 PM. The anticipated trip generation, particularly for the AM and PM peak-hours, should be considered conservative based on the actual operations.

1.3. Trip Generation Summary

The trip generation calculations based on the three separate uses in the building and using the low end of the ITE data shows daily trip generation rates that are similar to the anticipated daily trip generation for the site. The AM and PM peak-hour trip generation are still likely still higher than what will actually occur based on the anticipated shift changes. It is important to note that the trip generation using the separate ITE land uses and the anticipated use of the site are significantly lower than what was previously identified and analyzed in the traffic impact analysis.

2. Access Evaluation

Linn County (County) staff expressed concerns regarding the access to Old Salem Road, the potential for relocating that access, and what measures would be in place to ensure only trucks would utilize the Old Salem Road access. The access to Old Salem Road is only proposed to be used by trucks since separating truck and general vehicle access improves the safety of the site, particularly for pedestrians. The access to Old Salem Road is proposed to include signing designating it as a truck access only and will be gated to prevent general vehicles from using the access.

The access to Old Salem Road is also proposed since a truck access to the future Transition Parkway alignment would result in critical environmental impacts. Additionally, the trucks would have to use the roadway along the fire station frontage, which could lead to blockages. The access to Old Salem Road for trucks therefore results in safer operations and reduces impacts to critical areas.

Lastly, the truck access to Old Salem Road is not anticipated to have significant truck traffic, particularly during the AM and PM peak-hours. These factors should help reduce the impacts of the access to Old Salem Road on the general traffic along the roadway.

ATTACHMENTS

Land Use: 140 Manufacturing

Description

A manufacturing facility is an area where the primary activity is the conversion of raw materials or parts into finished products. Size and type of activity may vary substantially from one facility to another. In addition to the actual production of goods, a manufacturing facility typically has an office and may provide space for warehouse, research, and associated functions. General light industrial (Land Use 110) and industrial park (Land Use 130) are related uses.

Additional Data

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), California, Minnesota, Missouri, New Jersey, New York, Oregon, Pennsylvania, South Dakota, Texas, Vermont, Washington, and West Virginia.

Source Numbers

177, 179, 184, 241, 357, 384, 418, 443, 583, 598, 611, 728, 747, 875, 879, 940, 969, 1067, 1068, 1082

Manufacturing (140)

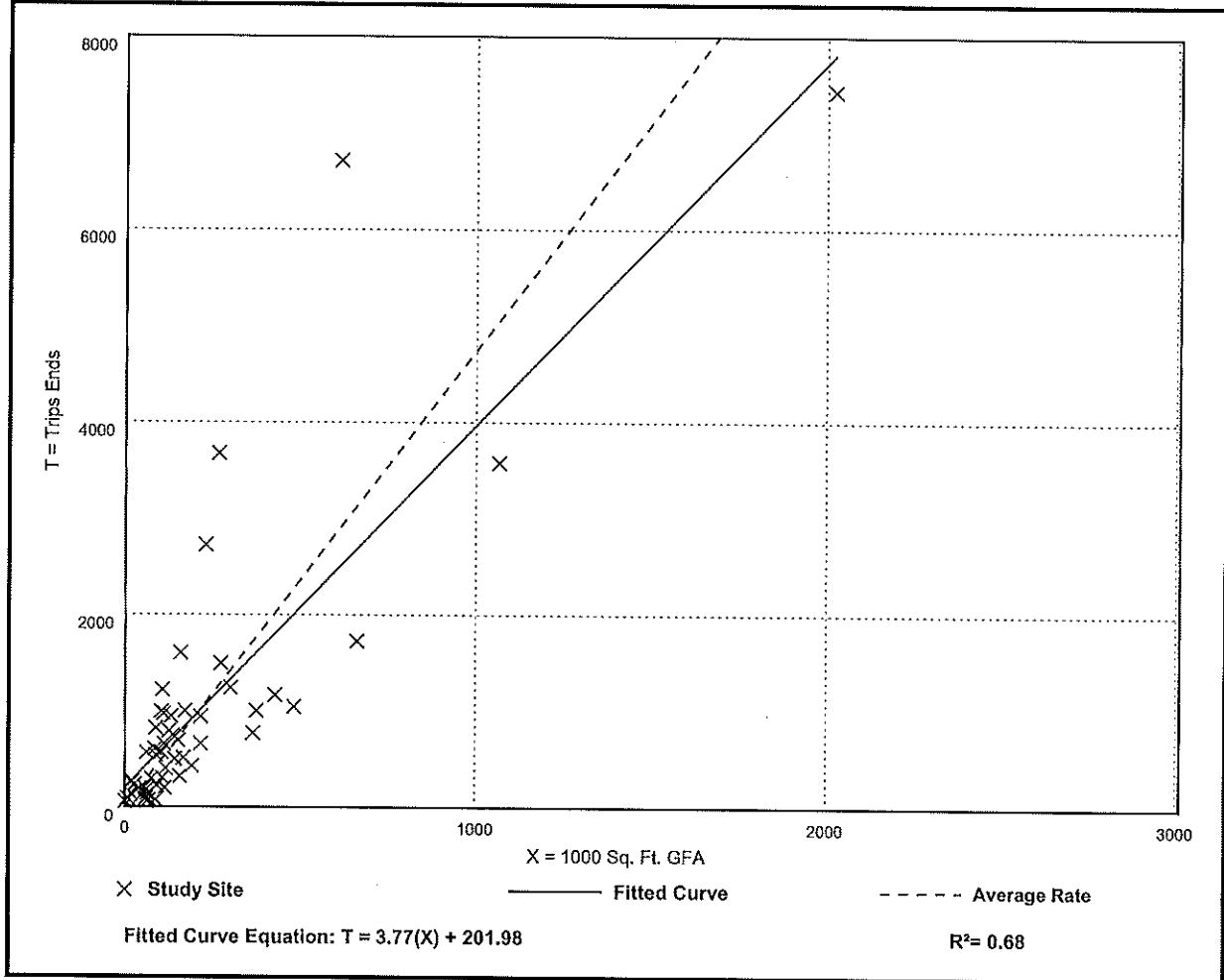
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 53
Avg. 1000 Sq. Ft. GFA: 208
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
4.75	0.83 - 49.50	3.20

Data Plot and Equation



Manufacturing (140)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 48

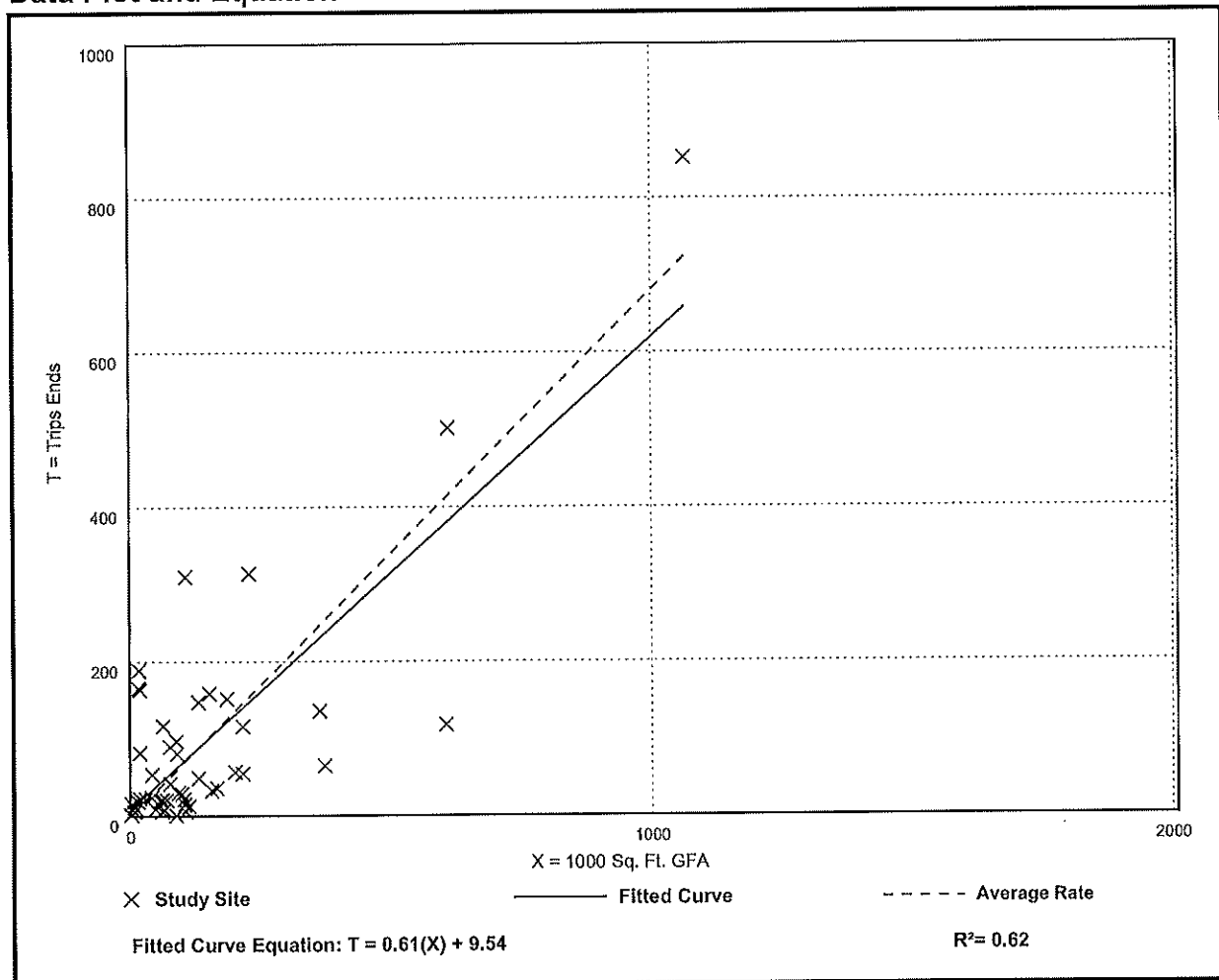
Avg. 1000 Sq. Ft. GFA: 138

Directional Distribution: 76% entering, 24% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.68	0.01 - 11.93	1.03

Data Plot and Equation



Manufacturing (140)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 55

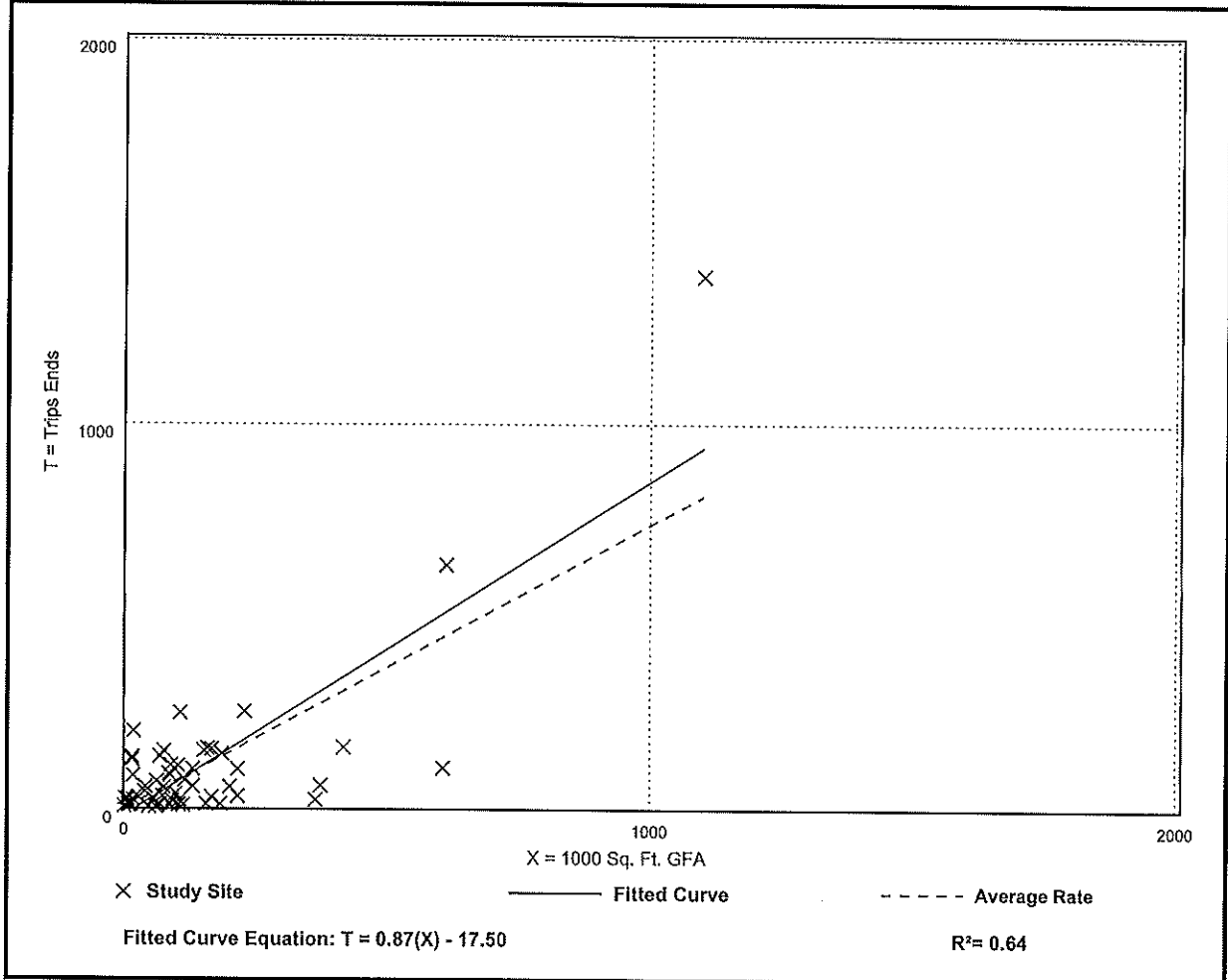
Avg. 1000 Sq. Ft. GFA: 142

Directional Distribution: 31% entering, 69% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.74	0.07 - 11.37	0.93

Data Plot and Equation



Land Use: 150

Warehousing

Description

A warehouse is primarily devoted to the storage of materials, but it may also include office and maintenance areas. High-cube transload and short-term storage warehouse (Land Use 154), high-cube fulfillment center warehouse (Land Use 155), high-cube parcel hub warehouse (Land Use 156), and high-cube cold storage warehouse (Land Use 157) are related uses.

Additional Data

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in California, Connecticut, Minnesota, New Jersey, New York, Ohio, Oregon, Pennsylvania, and Texas.

Source Numbers

184, 331, 406, 411, 443, 579, 583, 596, 598, 611, 619, 642, 752, 869, 875, 876, 914, 940, 1050

Warehousing (150)

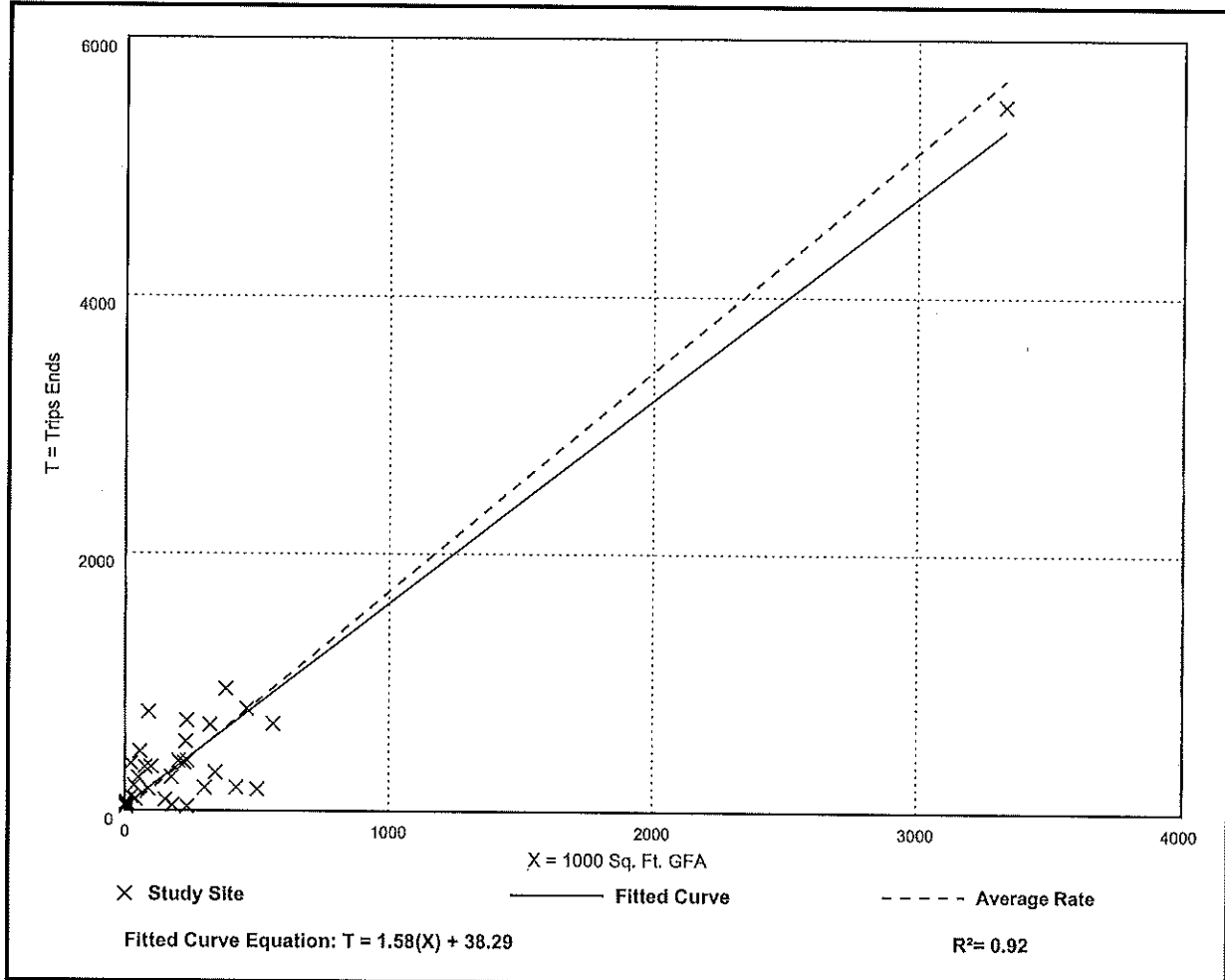
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 31
Avg. 1000 Sq. Ft. GFA: 292
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.71	0.15 - 16.93	1.48

Data Plot and Equation



Warehousing (150)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 36

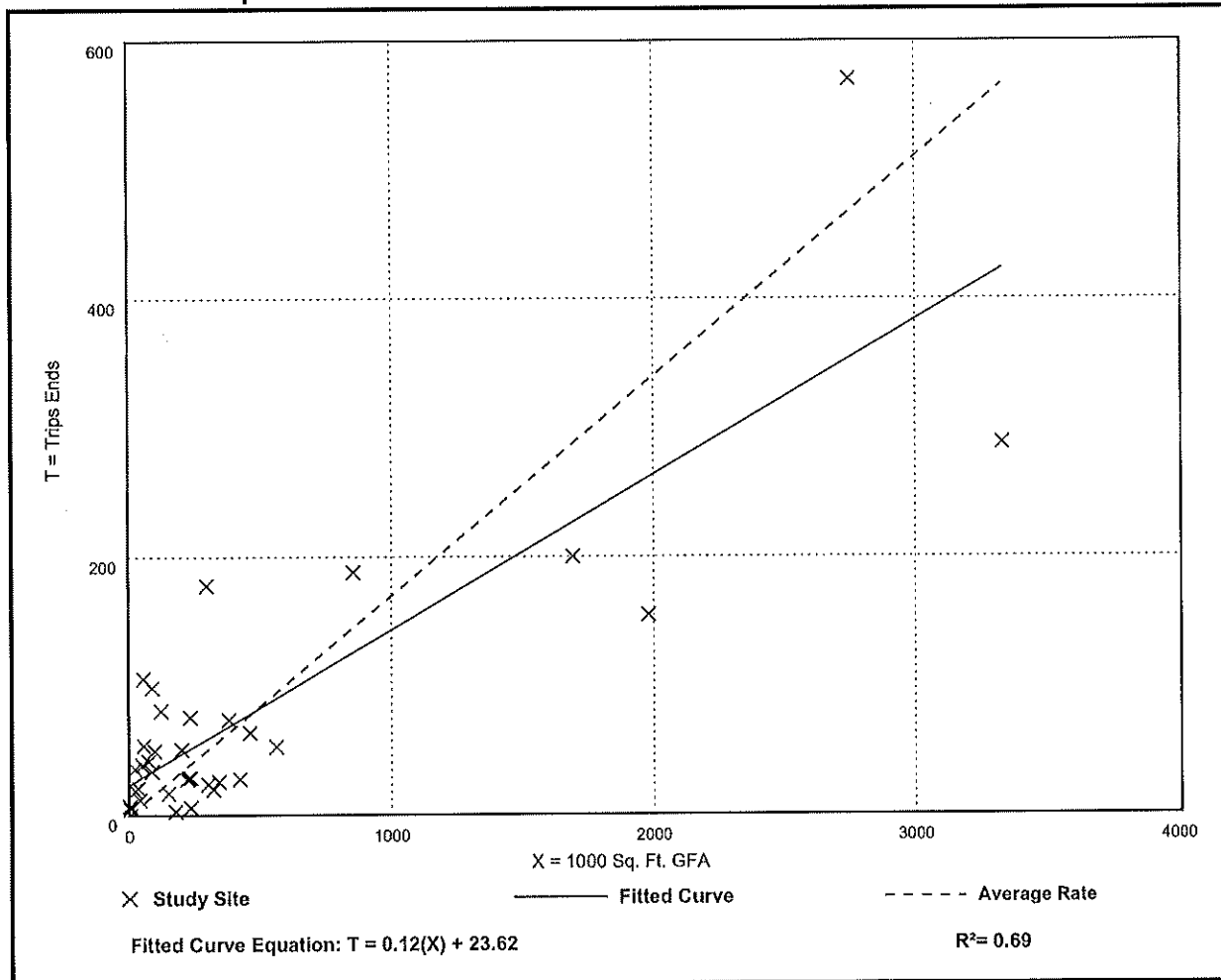
Avg. 1000 Sq. Ft. GFA: 448

Directional Distribution: 77% entering, 23% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.17	0.02 - 1.93	0.19

Data Plot and Equation



Warehousing (150)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 49

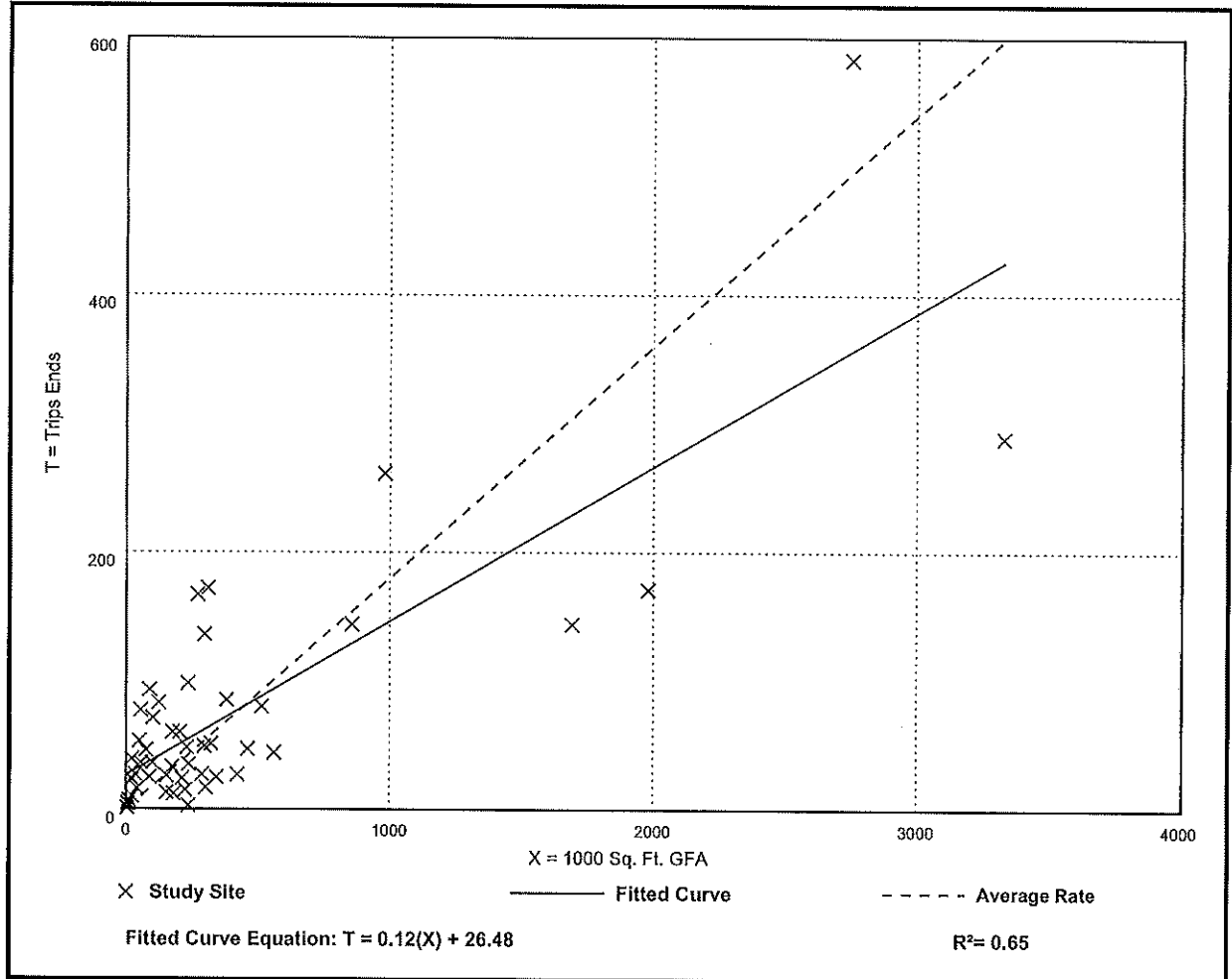
Avg. 1000 Sq. Ft. GFA: 400

Directional Distribution: 28% entering, 72% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.18	0.01 - 1.80	0.18

Data Plot and Equation



Land Use: 710

General Office Building

Description

A general office building is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building houses multiple tenants that can include, as examples, professional services, insurance companies, investment brokers, a banking institution, a restaurant, or other service retailers. A general office building with a gross floor area of 10,000 square feet or less is classified as a small office building (Land Use 712). Corporate headquarters building (Land Use 714), single tenant office building (Land Use 715), medical-dental office building (Land Use 720), office park (Land Use 750), research and development center (Land Use 760), and business park (Land Use 770) are additional related uses.

Additional Data

If two or more general office buildings are in close physical proximity (within a close walk) and function as a unit (perhaps with a shared parking facility and common or complementary tenants), the total gross floor area or employment of the paired office buildings can be used for calculating the site trip generation. If the individual buildings are isolated or not functionally related to one another, trip generation should be calculated for each building separately.

For study sites with reported gross floor area and employees, an average employee density of 3.3 employees per 1,000 square feet GFA (or roughly 300 square feet per employee) has been consistent through the 1980s, 1990s, and 2000s. No sites counted in the 2010s reported both GFA and employees.

The average building occupancy varies considerably within the studies for which occupancy data were provided. The reported occupied gross floor area was 88 percent for general urban/suburban sites and 96 percent for the center city core and dense multi-use urban sites.

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The average numbers of person trips per vehicle trip at the eight center city core sites at which both person trip and vehicle trip data were collected are as follows:

- 2.8 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 2.9 during Weekday, AM Peak Hour of Generator
- 2.9 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 3.0 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 18 dense multi-use urban sites at which both person trip and vehicle trip data were collected are as follows:

- 1.5 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.5 during Weekday, AM Peak Hour of Generator
- 1.5 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 1.5 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 23 general urban/suburban sites at which both person trip and vehicle trip data were collected are as follows:

- 1.3 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.3 during Weekday, AM Peak Hour of Generator
- 1.3 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 1.4 during Weekday, PM Peak Hour of Generator

The sites were surveyed in the 1980s, the 1990s, the 2000s, the 2010s, and the 2020s in Alberta (CAN), California, Colorado, Connecticut, Georgia, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, New York, Ontario (CAN) Pennsylvania, Texas, Utah, Virginia, and Washington.

Source Numbers

161, 175, 183, 184, 185, 207, 212, 217, 247, 253, 257, 260, 262, 273, 279, 297, 298, 300, 301, 302, 303, 304, 321, 322, 323, 324, 327, 404, 407, 408, 419, 423, 562, 734, 850, 859, 862, 867, 869, 883, 884, 890, 891, 904, 940, 944, 946, 964, 965, 972, 1009, 1030, 1058, 1061

General Office Building (710)

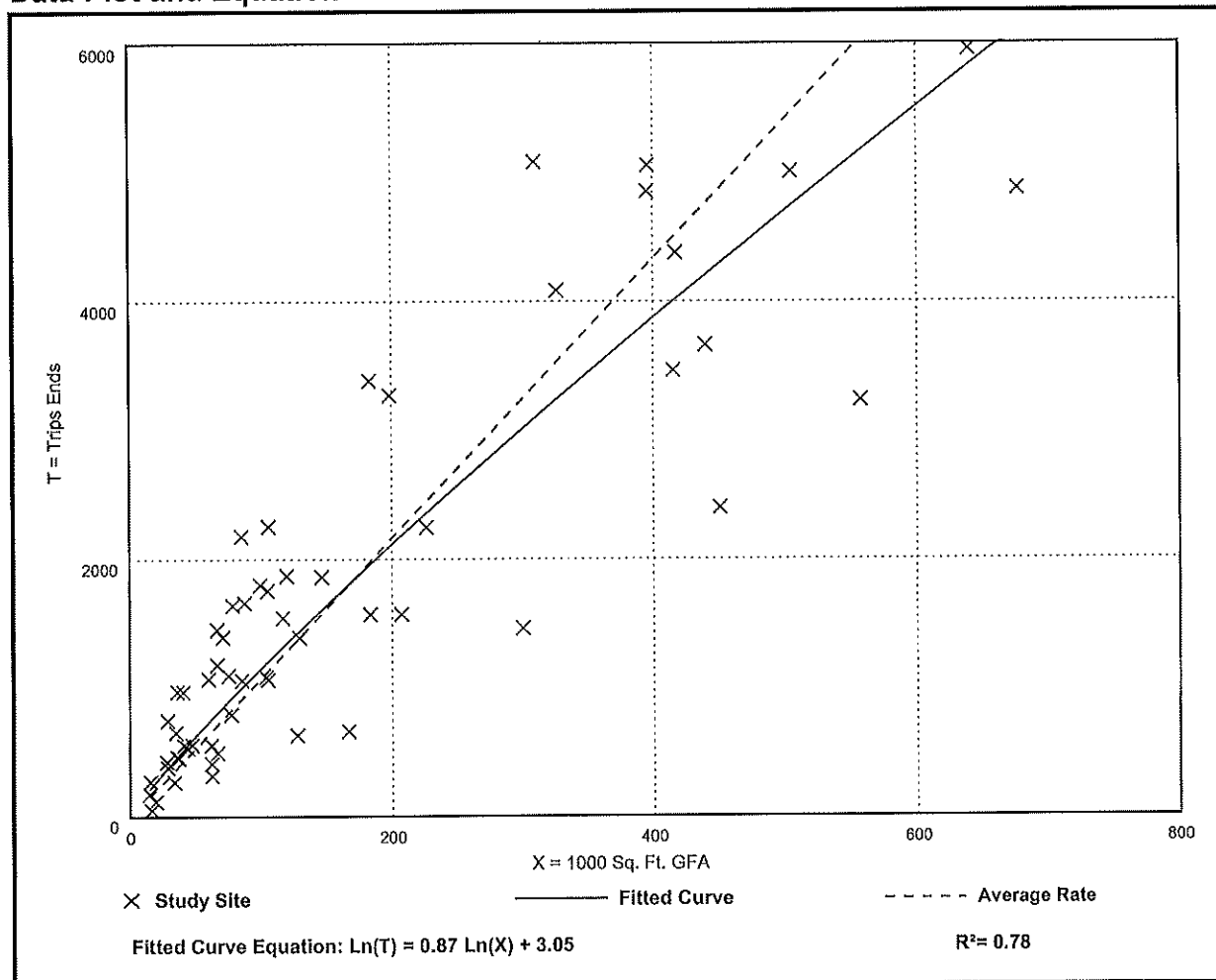
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 59
Avg. 1000 Sq. Ft. GFA: 163
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
10.84	3.27 - 27.56	4.76

Data Plot and Equation



General Office Building (710)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 221

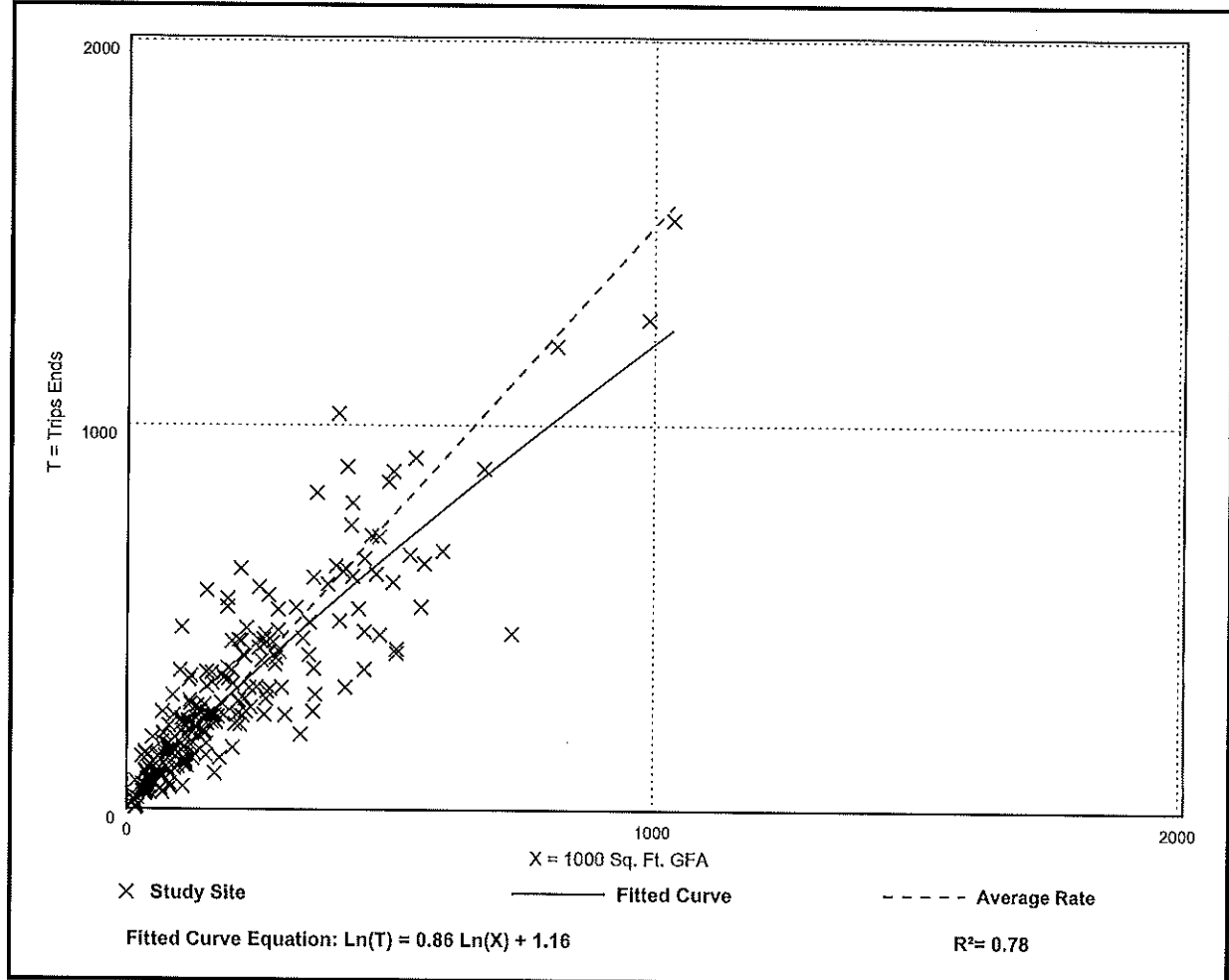
Avg. 1000 Sq. Ft. GFA: 201

Directional Distribution: 88% entering, 12% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.52	0.32 - 4.93	0.58

Data Plot and Equation



General Office Building (710)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 232

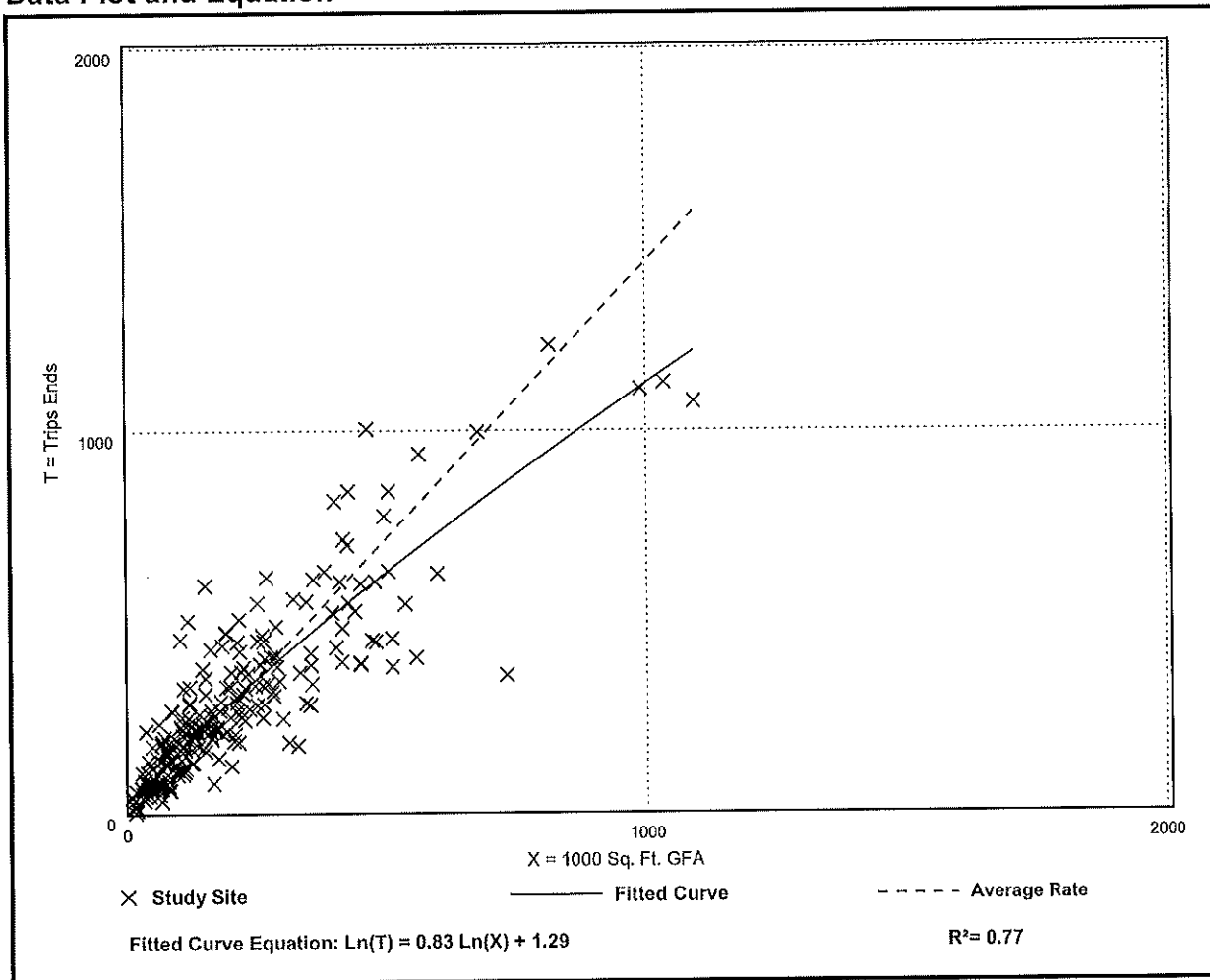
Avg. 1000 Sq. Ft. GFA: 199

Directional Distribution: 17% entering, 83% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.44	0.26 - 6.20	0.60

Data Plot and Equation



Project Delorean
090147000

Trip Generation for: Weekday
(a.k.a.): Average Weekday Daily Trips (AWDT)

LAND USES	VARIABLE	ITE LU code	Gross Trips				Internal Crossover	NET EXTERNAL TRIPS BY TYPE							
			Trip Rate	% IN	% OUT	In+Out (Total)		IN BOTH DIRECTIONS		DIRECTIONAL ASSIGNMENTS					
								TOTAL	PASS-BY	DIVERTED LINK	NEW	PASS-BY	DIVERTED LINK	NEW	
						In+Out (Total)	% of Ext. Trips	In+Out (Total)	% of Ext. Trips	In	Out	In	Out		
Manufacturing	326.262 K SF	140	0.83	50%	50%	271	0%	0	0%	0	0	0	0	136	135
Warehousing	156.383 K SF	150	1.71	50%	50%	267	0%	0	0%	0	0	0	0	134	133
General Office	17,298 K SF	710	10.84	50%	50%	188	0%	0	0%	0	0	0	0	94	94
Total						726		0		0		726		364	362

Project Delorean
090147000

**Trip Generation for: Weekday, Peak Hour of Adjacent Street Traffic, One Hour between 4 and 6 PM
(a.k.a.): Weekday PM Peak Hour**

LAND USES	VARIABLE	ITE LU code	Gross Trips				Internal Crossover		NET EXTERNAL TRIPS BY TYPE																
			Trip Rate	% IN	% OUT	In+Out (Total)	% of Gross Trips	Trips In+Out (Total)	IN BOTH DIRECTIONS			DIRECTIONAL ASSIGNMENTS													
									TOTAL In+Out (Total)	PASS-BY % of Ext. Trips	In+Out (Total)	DIVERTED LINK % of Ext. Trips	In+Out (Total)	PASS-BY In	DIVERTED LINK In	NEW In+Out (Total)									
Manufacturing	326.262 K SF	140	0.07	31%	69%	23	0%	0	0	0	0	0	0	0	0	23	0	0	23	0	0	0	7	16	
Warehousing	156.383 K SF	150	0.18	28%	72%	28	0%	0	0	0	0	0	0	0	0	0	0	0	28	0	0	0	8	20	
General Office	17.298 K SF	710	1.44	17%	83%	25	0%	0	0	0	0	0	0	0	0	0	0	0	25	0	0	0	4	21	
Total						76		0		0		0		0		0		0	76		0		0	19	57

From: [Malone, Daineal](#)
To: [Janelle Booth](#)
Cc: [Matt Straite](#); [Kevin Krellman](#); [Hamilton, Kevin](#)
Subject: RE: DeLorean Traffic Memo
Date: Tuesday, February 6, 2024 12:14:09 PM

Janelle,

Thank you for sending the revised TIA (memo).

The County will require the applicant to obtain a commercial access permit at the time of development. If any stormwater will be conveyed to the County system, there will need to be a stormwater review. We are not anticipating this, just making sure it is noted.

As mentioned previously, the applicant needs to assure that there will be a gate, or some other mechanism, to eliminate employee traffic from utilizing the proposed truck access onto Old Salem Road.

Please let me know if you have any questions.

I also spoke with Wayne regarding the ROW transfer and he did not have any issues with it.

Thanks,

Daineal Malone, P.E.

County Engineer

Linn County Road Department
3010 Ferry St, SW
Albany, OR 97322

Phone: 541-967-3919

Fax: 541-924-0202

From: [Malone, Daineal](#)
To: [Janelle Booth](#)
Cc: [Matt Straite](#); [Kevin Kreitman](#); [Hamilton, Kevin](#)
Subject: RE: DeLorean Traffic Memo
Date: Tuesday, February 6, 2024 1:10:22 PM

Janelle,

Additional conditions –

Applicant shall agree to a future obligation of 30%, or not to exceed \$300,000, for a future signalization of Old Salem Road at, or near, NE Transition Road. This obligation will expire after 15 years.

Thanks,

Daineal Malone, P.E.

County Engineer

Linn County Road Department
3010 Ferry St, SW
Albany, OR 97322

Phone: 541-967-3919

Fax: 541-924-0202

From: [Taylor, Stephanie](#)
To: [Matt Straite](#)
Subject: RE: SB 23-05 Millersburg Project Review request
Date: Thursday, January 18, 2024 2:38:55 PM

Hello Matt,

RE: SP 23-05

Comments from the Linn County Road Department are as follows:

1. Is the proposed, new, access to Old Salem Rd. necessary? The Road Department is hesitant to approve the proposed access. We were under the impression that the City's proposal for "Transition Parkway" was that the accesses, for the development of these properties would all be off of "Transition Parkway".
2. **IF** we do allow the proposed access off of Old Salem, then a commercial access permit will be required.
3. A Traffic Impact Analysis will be required.
4. A Storm water permit and an Erosion control permit may be required.
5. Contact the Linn County Road Department with any questions.

Thanks,

Stephanie Taylor
Linn County Road Department
3010 Ferry Street SW
Albany, OR 97322
staylor@co.linn.or.us
(541) 967-3919

