



Driveway Variances Staff Report and Recommendation

Community Development Department, Planning Division

REPORT DATE: January 10, 2020

HEARING DATE: January 21, 2020

LAND USE REQUESTS:

- The maximum driveway width in a General Industrial zone is 40 feet. The applicant is requesting a 55-foot-wide driveway.
- When the posted traffic speed is 25 mph, the required minimum distance between driveways is 105 feet. The applicant is requesting spacing reductions for two driveways to 90 feet and 56 feet respectively.

FILE NUMBER(S): 311-19-000033-PLNG

PROPERTY LOCATION: 4115 24th Avenue

LEGAL DESCRIPTION: Washington County Tax Lots 1N332D000103 and 106

OWNER/APPLICANT(S): Applicant: W. Pendarvis Global Land, 4071 24th Avenue, Forest Grove, Oregon 97116
Property Owner: Same
Applicant's Representative: CIDA, 15895 SW 72nd Avenue Suite 200, Portland, Oregon 97224

**COMPREHENSIVE
PLAN MAP AND
ZONING MAP
DESIGNATIONS:** General Industrial (GI)
General Industrial (GI)

**APPLICABLE
STANDARDS
AND CRITERIA:** City of Forest Grove Development Code:
§17.2.400 et. seq. Site Development Review
§17.2.700 et. seq. Variance
§17.3.500 et. seq. Industrial Zones
§17.8.100 et. seq. Access and Circulation

REVIEWING STAFF: James Reitz (AICP), Senior Planner

RECOMMENDATION: Staff recommends approval with conditions of the variance requests

I. LAND USE HISTORY

History and Request: The site is located in what is colloquially known as the Forest Grove Industrial Park (FGIP). All of the parcels along 24th Avenue between Quince and Yew streets, along with the Yew Street properties north of the railroad, are defined as within the FGIP. This designation is noted in Forest Grove Code §151.001(B)(3)(c) pertaining to the requirement for the installation of sidewalks with new construction. The code exempts all properties in the FGIP from this requirement.

The applicant previously requested variances (in 2016 and 2018) to Development Code access standards as they pertain to driveway widths and spacing. These variances were approved, and essentially granted the applicant the same access opportunities already enjoyed by other properties in the same vicinity and zoning district. The most recent request resulted in approval of a 192-foot-wide driveway to allow tractor-trailers the opportunity to back into the loading docks directly from 24th Avenue (see *Planning Commission Findings and Decision No. 2018-07*, attached as Exhibit B).

The applicant has now purchased the property to the east of their current site (Washington County tax lot 1N332D000106) in order to provide more room for expansion. The acquisition of this additional 6.93-acre parcel has resulted in the development of an entirely new site plan concept.

The new site plan concept differs from the previous plan in that -

- (a) As under the previous scheme, the new warehouse would have 12 loading docks that would face 24th Avenue. However, the current proposal shifts the building back (north) such that the loading docks would be located about 160 feet north of the 24th Avenue right-of-way. Under this scheme, tractor-trailers would not have to back into the loading docks directly from 24th Avenue, but could instead perform their maneuvering entirely on-site.
- (b) The 192-foot-wide driveway approved in 2018 would not be constructed. Instead, two driveways each 40 feet wide would provide access to the loading docks.
- (c) The driveway serving the existing loading dock will remain as-is. Under the previous plan, this driveway would have been incorporated into the 192-foot-wide driveway. This new driveway would be separated from the new driveway by about 56 feet.
- (d) All of the proposed 24th Avenue driveways in this proposal would be equal to or less than with the Development Code standard industrial driveway width of 40 feet.
- (e) Additional access would be available from an extended Yew Street.
- (f) One of the Yew Street driveways would be 55 feet side, 15 feet greater than the industrial driveway width standard.

Process: DC §17.2.710 *Procedure* authorizes the Planning Commission to act on a request for a variance after holding a public hearing pursuant to Type III review procedures.

Public notice for this application was mailed to property owners and residents within 300 feet of the site on December 31, 2019, as required by DC §17.1.160. Notice of this request was also provided to the Plans Review Board, and published in the *Forest Grove News-Times*. As of the writing of this report, no comments have been received from the public.

II. PROJECT DESCRIPTION AND ANALYSIS

- A. Description of Proposal: The applicant is proposing the construction of additional warehouse space and new corporate offices. The actual site plan has not yet been submitted for review; when it is submitted, the site plan will undergo a Type II review process. The application before the Planning Commission is strictly for the driveway width and spacing variances.

The Development Code regulates both the distance required between driveways and their widths. Two new driveways onto 24th Avenue would be located closer to another than is permitted, and the proposed width of one of the new Yew Street driveways would also exceed standards. Specifically:

- The maximum driveway width in a General Industrial zone is 40 feet. The applicant is requesting a 55-foot-wide driveway. This driveway would be located on Yew Street, a designated Collector street.
- When the posted traffic speed is 25 mph, the required minimum distance between driveways is 105 feet. The applicant is requesting a reduced spacing for two driveways on 24th Avenue, to 90 feet and 56 feet respectively.

The applicant has submitted the following material in support of this request; additional details are provided in the Approval Criteria and Findings section below.

Old Trapper currently occupies several existing buildings along 24th Avenue in Forest Grove. Old Trapper has expanded operations starting with their processing operations, approximately 20,000-square-foot building located at 4071 24th Avenue. They expanded their operations; utilizing existing metal buildings on the neighboring lot for storage and distribution of finished product. A new 70,000-square-foot processing facility on the same neighboring lot was completed in 2017.

This new, state-of-the-art processing facility (was constructed) at the north end of Tax Lot IN332D000103. The original smaller processing plant and new facility could produce more but are restricted by the room available for storage. To accommodate the warehouse requirements of both these facilities, Old Trapper requires a significant amount of additional storage capacity. To this end, Old Trapper has purchased the property to the east (lot 106) and is moving forward with plans for a new warehouse distribution building along with new corporate offices. The plan is to locate the distribution building to the south of the new processing building and west of the existing metal buildings. There are four existing, aging and outdated prefabricated metal buildings located on TL 103; two (2) will be removed to allow for this new warehouse facility. The two buildings currently used for warehousing product will remain in operation during construction of the proposed warehouse facility.

Lot 103 has 376 foot of frontage on 24th Avenue which includes three existing driveways. As part of the prior improvement to the site, the driveways were adjusted in order to function with the new docks that were added to one of the existing buildings metal buildings. (A) variance from Development Code standards relative to spacing and width of these adjusted driveways were approved under City File Number 311-16-000179-PLNG.

Lot 106 has 264 feet of frontage on 24th Avenue. The additional frontage allows Old Trapper to accommodate 13 docks and one new drive-in, as well as a corporate office space on the corner of 24th (Avenue) and Yew (Street). Old Trapper would like to modify the last drive on lot 103 and add two additional drives to accommodate truck traffic and passenger vehicles. Along the east lot line of Lot 106, which is 1,110' feet (long), we are proposing two additional drives, one for passenger vehicles and the other to accommodate commercial truck traffic, construction traffic and passenger vehicles.

With the new warehouse building, Old Trapper is seeking additional variance(s) to the City's driveway standards....

B. Existing Comprehensive Plan Designation and Zoning of Site and Area

LOCATION	COMPREHENSIVE PLAN DESIGNATION	ZONE DISTRICT	LAND USE
Site	General Industrial	General Industrial	Industrial and Agriculture
North	(County) FD-10	(County) FD-10	Agriculture
South	General Industrial	General Industrial	Warehousing
East	General Industrial	General Industrial	Industrial and Agriculture
West	General Industrial	General Industrial	Manufacturing

- C. Site Examination: The project site is located at 4115 24th Avenue. The existing buildings are used for warehousing and distribution, and the area surrounding them paved for truck access and employee parking. The 24th Avenue frontage is improved to City standards, but lacks sidewalks as per FGC §150.001(B)(3)(c) as noted above. Combined lot area is approximately 16.57 acres. Lot depth (north/south) is about 1,110 feet while lot width (fronting 24th Avenue) is about 640 feet.

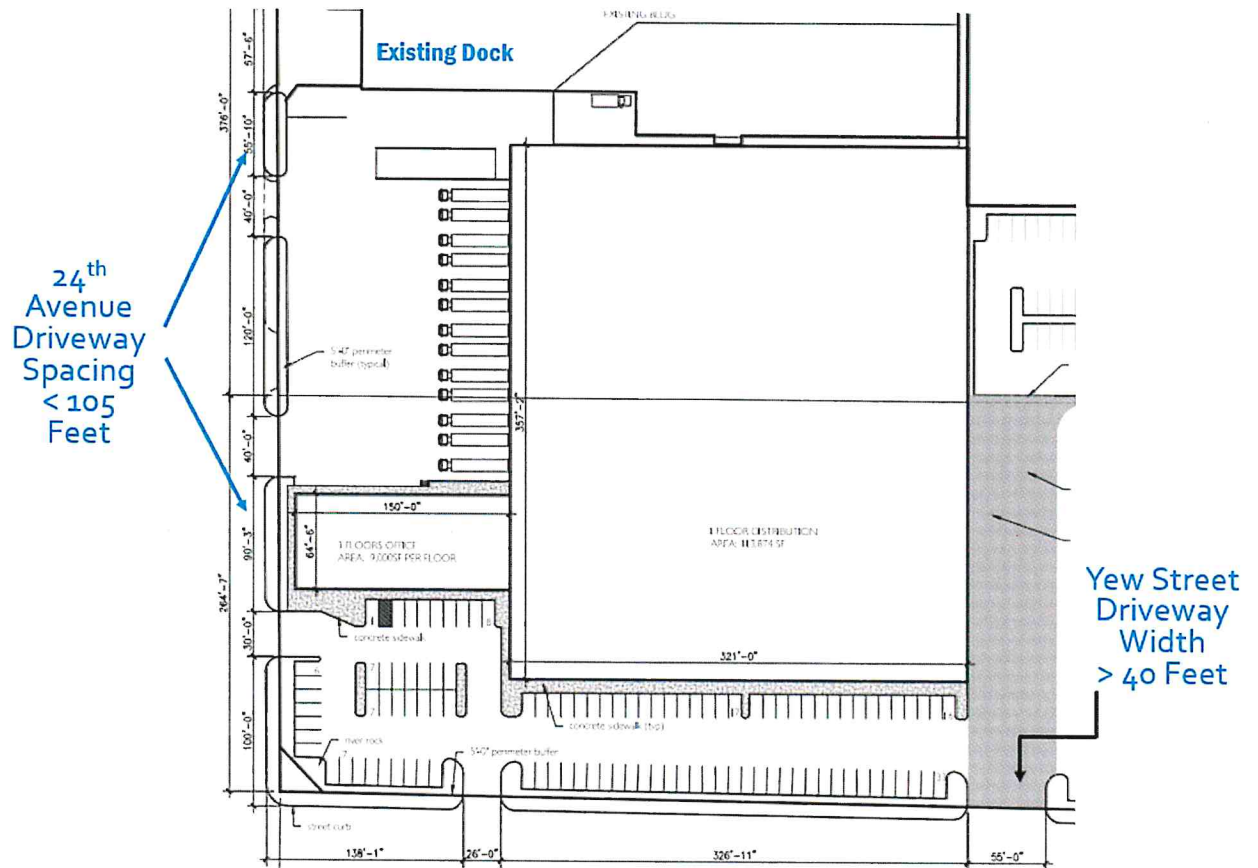
Yew Street is improved for a distance of about 270 feet north of the intersection with 24th Avenue. Under the applicant's proposal, the applicant would extend Yew Street to provide access to the proposed northern driveway. This would not be a full-width improvement, but only enough paved width to serve the project site. This "half-street" improvement on the west side of Yew Street would remain until the property on the east side of Yew Street develops, at which time the street would be completed. The term "half-street" is a bit of a misnomer: to provide for two-way traffic, the actual paved width would extend beyond the street centerline, meaning that the applicant would be constructing more than the half-width of the street.

This interim, narrower-than-standard improvement to Yew Street is also the reason behind the proposed 55-foot-wide driveway. Truck turning movements would be constrained due to the narrower street width. To ensure safe operations, the driveway is proposed to be commensurately wider. The applicant has submitted a truck turning template to graphically depict these turning movements; see Exhibit A.

- D. Traffic and Circulation: Aside from Old Trapper's most recent construction, virtually all of the buildings located along this segment of 24th Avenue have been there for decades. All pre-date the Development Code and only three businesses (Westak, Sintex - now the site of Usher Manufacturing - and Old Trapper) were constructed while the Zoning Ordinance was in effect from 1980 to 2009. Most of the driveways accessing 24th Avenue – aside from the applicant's - were constructed prior to 1980 or have been installed in compliance with Development Code standards.

The applicant proposes to construct three new driveways onto 24th Avenue. The west driveway would be located about 56 feet from an existing driveway, while the east driveway would be about 90 feet from a new center driveway. The west and center driveways would allow truck traffic to turn freely into the site with no backing movements. All of the new 24th Avenue driveways would comply with industrial zoning district driveway width standards.

Two new driveways would be constructed onto Yew Street. Both would comply with spacing standards. The north driveway would be 55 feet wide, 15 feet greater than the Development Code stipulates for driveways in industrial zoning districts. The proposed driveway widths and locations are shown in the graphic below.



Both 24th Avenue and Yew Street are designated Collector streets. They have been so designated for several decades. The 1980-2009 Zoning Ordinance driveway width and spacing requirements are the same as in the current Development Code. The Zoning Ordinance in effect prior to that, from 1971 to 1980, required only 30 feet of separation between industrial driveways, while "Maximum curb cut width shall be as determined by the City Engineer." This would explain why several existing driveways on 24th Avenue exceed 40 feet in width: some are in the 50-to-66 foot range, but none exceed that width. Several existing driveways are also located less than 105 feet apart.

The applicant requested and was granted a variance to the driveway width and spacing standards in 2016 which essentially granted the applicant the same access opportunities already enjoyed by other properties in the same vicinity and zoning district. The applicant requested and was granted a variance to the driveway width standards in 2018 to allow the 192-foot-wide driveway noted above.

On-street parking is prohibited along 24th Avenue to minimize potential conflicts with industrial traffic. On-street parking is not currently prohibited on Yew Street north of 24th Avenue; it is prohibited south of the intersection. When the applicant submits for site plan approval, the City will consider whether parking on Yew Street north of 24th Avenue should be similarly restricted.

The new east driveway on 24th Avenue is proposed to be 30 feet wide. Staff has confirmed with the applicant's representative that this driveway – and the south Yew Street driveway – would serve only to provide access to the employee car park. Since these driveways would not be used for truck traffic, either or both of them could be as narrow as 20 feet and still allow for unrestricted, two-way access.

The new west driveway on 24th Avenue would be located about 56 feet from an existing driveway. This new driveway – along with a new center driveway – would serve the loading dock area exclusively. The locations of both driveways would allow free, unconstrained truck turning movements. Unlike the previous variance request, no backing movements directly from 24th Avenue would be required. While the driveways would be located closer than the Development Code stipulates, traffic movements on 24th Avenue would actually be better than with the original variance request, since trucks would not be backing into the site from the street.

The proposed distance between the center and east driveway would be about 90 feet. This could be increased to 100 feet if the east driveway was narrowed to 20 feet. Narrowing the driveway to 20 feet and thus increasing the distance between driveways to 100 feet would result in just the slightest of spacing variances (5 feet) for these driveways, with no loss of on-site functionality. Staff has therefore included a proposed **condition** to limit the 24th Avenue east driveway width to 20 feet.

The interim, narrower-than-standard improvement to Yew Street is the reason behind the proposed 55-foot-wide driveway. Truck turning movements would be constrained due to the narrower street width. To ensure safe operations, the driveway is proposed to be commensurately wider. This additional width would no longer be necessary once Yew Street is fully improved. Staff has therefore included a proposed **condition** that this driveway be reduced in width to 40 feet when this segment of Yew Street is fully improved to City standards.

III. APPROVAL CRITERIA AND FINDINGS

Development Code §17.2.720 *Review Criteria* requires that the Commission find that the proposal complies with the following criteria:

- (A) The need for the variance does not result from prior actions of the applicant or owner, or from personal circumstances of or caused by the applicant or owner, such as financial circumstances;

Applicant's Response: *The original plant and the new processing plant production capacity is currently limited due to the storage constraints available for finished product. Old Trapper has been able to purchase TL 106; Tax Map 1N332D. Since their purchase of this property, Old Trapper has been able to redefine expansion plans for a state-of-the-art distribution facility.*

The plan is to connect the proposed warehouse building, the production facility (circa 2017) and the existing warehouse. The first variance requested for the proximity of the curb cut at the existing drive that accesses the existing dock area and the new dock area; is due to the fact that we would like two drives at either end of the new dock area so we can maximize the truck maneuvering on site rather than in the street. By locating a drive at either end and as far apart as possible is allows for maximum maneuverability and functionality, we believe it offers better visibility and safety for

commuters and truckers, and by offering two drives rather than one truckers can have more options, coming, going, maneuvering and queuing.

The second variance requested for the curb cut distance between the two eastern drives on 24th (Avenue) be 90'-3" rather than the standard 105'. The types of vehicles accessing either of these drives differ, one being designated for commercial truck traffic and the most eastern drive will be utilized for the employees driving passenger vehicles. The other reason is to maintain the 100' from the intersection at 24th (Avenue) and Yew (Street).

The third variance requested for the driveway width along Yew (Street) to be 55'-0" wide. This is due to the partial street improvement is creating a restraint on the truck ability to turn and not clip either a waiting truck or curb; thus a wider drive in this location assists in safety and function for the interim until the other half of the street is completed, which is an unknown at this time.

Finding: The need for the variance does not result from prior actions of the applicant.

- (B) To meet the need, the request is the minimum necessary variation from the Code requirement; and

Applicant's Response: *The distance between curb cuts is requested based (on) accommodating (the) maximum amount of maneuvering room for thirteen truck docks along the distribution side of the proposed building. The proposed distance is essentially where the current drive is on 24th (Avenue) and lot 103, only modified slightly to accommodate a 40'-0" wide drive. The next two drives going east, the last dock access drive and new corporate office drive are 90'-3" between curb cuts. The reduced curb cut distance will accommodate 100' (of) distance from the intersection and maxim(ize) off-street truck maneuvering.*

The 55' wide drive on Yew (Street) is proposed because the street is not improved at this location and is only proposed to be paved to (a) 30' (width) rather than the full 40' typical (width); addition(al) room is necessary to accommodate truck turns in the site (see exhibits provided).

Finding: 24th Avenue is a designated Collector street. It is intended to serve both local and regional needs.

Finding: The new west driveway on 24th Avenue would be located about 56 feet from an existing driveway. This new driveway – along with a new center driveway – would serve the loading dock area exclusively. The locations of both driveways would allow free, unconstrained truck turning movements. Unlike the previous variance request approved in 2018, no backing movements directly from 24th Avenue would be required. While the driveways would be located closer than the Development Code stipulates, traffic movements on 24th Avenue would actually be better under this scheme than with the 2018 variance request, since trucks would not be backing into the site from the street.

Finding: The new east driveway on 24th Avenue is proposed to be 30 feet wide and would be located about 90 feet from the center driveway. The east driveway would serve only to provide access to the employee car park. Since it would not be used for truck traffic, it could be narrowed to 20 feet and still allow for unrestricted, two-way access. Narrowing this driveway to 20 feet would allow the distance to the center

driveway to increase to 100 feet, just shy of the 105 feet that the Development Code stipulates. With this condition, the request would be the minimum necessary variation from the Code requirement

Finding: The interim, narrower-than-standard improvement to Yew Street is the reason behind the proposed 55-foot-wide driveway. Truck turning movements would be constrained due to the narrower street width. To ensure safe operations, the driveway is proposed to be commensurately wider. However, this additional width would no longer be necessary once Yew Street is fully improved. With the condition to reduce the driveway width to 40 feet when this segment of Yew Street is fully improved to City standards, this driveway would no longer be out of compliance with Development Code standards.

Conclusion: With the conditions to increase the reduce the east 24th Avenue driveway width to 20 feet – and thus increasing the spacing between the center and east 24th Avenue driveways to 100 feet - and to reduce the Yew Street driveway width to 40 feet when the street is fully improved, these requests would be the minimum necessary variations from Code requirements.

- (C) The circumstances that apply to the site do not typically apply to other properties in the same vicinity or zoning district and are unique and unusual.

Applicant's Response: *This site, even with the additional property purchase, is still an extremely long property with the main path of traffic off 24th (Avenue) the short side of both lots. We are attempting to manage as much truck maneuvering and traffic on site by where the drives are located. We are also attempting to control the different types of traffic and vehicles on the site in a clear and orderly manner.*

The additional drive width along Yew (Street) is needed until the other half of Yew Street can be improved, most other lots in the area have a full street to accommodate the truck turns and traffic. We believe this layout will assist facilitating traffic to Old Trapper and keep traffic from clogging up 24th Avenue.

Finding: The City has adopted access control and spacing standards for all streets. The request for a 55-foot-wide driveway would not be exceptional as several other driveways along 24th Avenue equal or exceed the requested width.

Finding: The 55-foot-wide Yew Street driveway width is necessary because Yew Street would not be fully improved at this time, and the narrower street width would constrain truck turning movements. To ensure safe truck operations, a wider driveway width is necessary until such time as Yew Street is fully improved. However, this additional width would no longer be necessary once Yew Street is fully improved. With the condition to reduce the driveway width to 40 feet when this segment of Yew Street is fully improved to City standards, this driveway would no longer be out of compliance with Development Code standards.

Finding: Aside from the applicant's most recent construction, virtually all of the buildings located along this segment of 24th Avenue have been there for decades. All pre-date the Development Code and only three businesses (Westak, Sintex - now the site of Usher Manufacturing - and Old Trapper) were constructed while the Zoning Ordinance was in effect from 1980 to 2009. Most of the driveways accessing 24th Avenue – aside from the applicant's - were constructed prior to 1980. The same circumstances that applied to those sites - resulting in driveways that do not comply

with current spacing standards - are the same circumstances that apply to this site. Thus, the applicant's requests would have the same result.

IV. ALTERNATIVES

The Planning Commission may approve as submitted, approve with conditions, continue deliberations to a date certain, or deny this request.

V. RECOMMENDATION

Based on the information provided in the application and the findings above, staff recommends approval of the requested variances with these conditions:

1. Narrow the width of the proposed east 24th Avenue driveway to 20 feet, to provide 100 feet of distance from the proposed center 24th Avenue driveway.
2. When Yew Street north of 24th Avenue is fully improved, the north driveway shall be reduced in width to not more than 40 feet.

VI. LIST OF EXHIBITS

The following exhibits were received, marked, and entered into the record as evidence for this application at the time this staff report was written. Exhibits received after the date of this report will be marked beginning with the next consecutive letter and will be entered into the record at the time the public hearing is opened, prior to oral testimony.

- | | |
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| Exhibit A | Variance narrative and application materials, prepared and submitted by the applicant |
| Exhibit B | Planning Commission <i>Findings and Decision No. 2018-07</i> |
| Exhibit C | PowerPoint |

EXHIBIT A

Variance Narrative and Application Materials
Prepared and Submitted by the Applicant



Introduction:

Old Trapper currently occupies several existing buildings along 24th Avenue in Forest Grove. Old Trapper has expanded operations starting with their processing operations, approximately 20,000 square foot building located at 4071 24th Avenue. They expanded their operations; utilizing existing metal buildings on the neighboring lot for storage and distribution of finished product. A new 70,000 square foot processing facility on the same neighboring lot was completed in 2017.

This new, state of the art, processing facility at the north end of Tax Lot IN3 32D TL103. The original smaller processing plant and new facility could produce more but are restricted by the room available for storage. To accommodate the warehouse requirements of both these facilities, Old Trapper requires a significant amount of additional storage capacity. To this end, Old Trapper has purchased the property to the east of lot 106 and is moving forward with plans for a new warehouse distribution building along with new corporate offices. The plan is to locate the distribution building to the south of the new processing building and west of the existing metal buildings. There are four existing, aging and outdated prefabricated metal buildings located on TL 103; two (2) will be removed to allow for this new warehouse facility. The two buildings currently used for warehousing product, will remain in operation during construction of the proposed warehouse facility.

Lot 103 has 376 foot of frontage on 24th Avenue which includes three existing driveways. As part of the prior improvement to the site, the driveways were adjusted in order to function with the new docks that were added to one of the existing buildings metal buildings. Variance from Development Code standards relative to spacing and width of these adjusted driveways were approved under City File Number: 311-16-000179-PLNG.

Lot 106 has 264 foot of frontage on 24th Avenue. The additional frontage allows Old Trapper to accommodate 13 docks and one new drive in, as well as a corporate office space on the corner of 24th and Yew. Old Trapper would like to modify the last drive on lot 103 and add two additional drives to accommodate truck traffic and passenger vehicles. Along the east lot line of Lot 106, which is 1110' feet; we are proposing two additional drives, one for passenger vehicles and the other to accommodate, commercial truck traffic, construction traffic and passenger vehicles.

With the new warehouse building, Old Trapper is seeking additional variance to the City's driveway standards and curb cut distances as noted below.

Request:

1. Per the City of Forest Grove Development Code 10.8.130.D, the minimum distance between curb cuts is 105 feet where the speed limit is 25 mph. We are requesting that the spacing between the proposed west driveway on 24th and existing drive for the operating dock area driveway utilized for the existing loading docks be reduced to 55'-10".



2. Per the City of Forest Grove Development Code 10.8.130.D, the minimum distance between curb cuts is 105 feet where the speed limit is 25 mph. We are requesting that the spacing between the proposed east distribution driveway on 24th and in the curb cut for the most western drive on 24th be 90'-3" spacing.
3. Per the City of Forest Grove Development Code, 10.8.130.B, the maximum driveway width in Industrial zones is 40'. We are requesting to increase this width to 55'-0" on Yew street, which is currently undeveloped.

The proposed driveway configuration is shown on the attached Site Plan and truck turning exhibit.

10.2.720 REVIEW CRITERIA

A. The need for the variance does not result from prior actions of the applicant or owner, or from personal circumstances of or caused by the applicant or owner, such as financial circumstances;

Applicant's response:

The original plant and the new processing plant production capacity is currently limited due to the storage constraints available for finished product. Old Trapper has been able to purchase TL 106; Tax Map 1N332D. Since their purchase of this property, Old Trapper has been able to redefine expansion plans for a state-of-the-art distribution facility.

The plan is to connect the proposed warehouse building, the production facility (circa 2017) and the existing warehouse. The first variance requested for the proximity of the curb cut at the existing drive that accesses the existing dock area and the new dock area; is due to the fact that we would like two drives at either end of the new dock area so we can maximize the truck maneuvering on site rather than in the street. By locating a drive at either end and as far apart as possible is allows for maximum maneuverability and functionality, we believe it offers better visibility and safety for commuters and truckers, and by offering two drives rather than one truckers can have more options, coming, going, maneuvering and queueing.

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The third variance requested for the driveway width along Yew to be 55'-0" wide. This is due to the partial street improvement is creating a restraint on the truck ability to turn and not clip either a waiting truck or curb; thus a wider drive in this location assists in safety and function for the interim until the other half of the street is completed, which is an unknown at this time.

B. To meet the need, the request is the minimum necessary variation from the Code requirement;

Applicant's response:



The distance between curb cuts is requested based accommodating maximum amount of maneuvering room for thirteen truck docks along the distribution side of the proposed building. The proposed distance is essentially where the current drive is on 24th and lot 103, only modified slightly to accommodate a 40'-0" wide drive. The next two drives going east, the last dock access drive and new corporate office drive are 90'-3" between curb cuts. The reduced curb cut distance will accommodate 100' distance form the intersection and maximum off-street truck maneuvering.

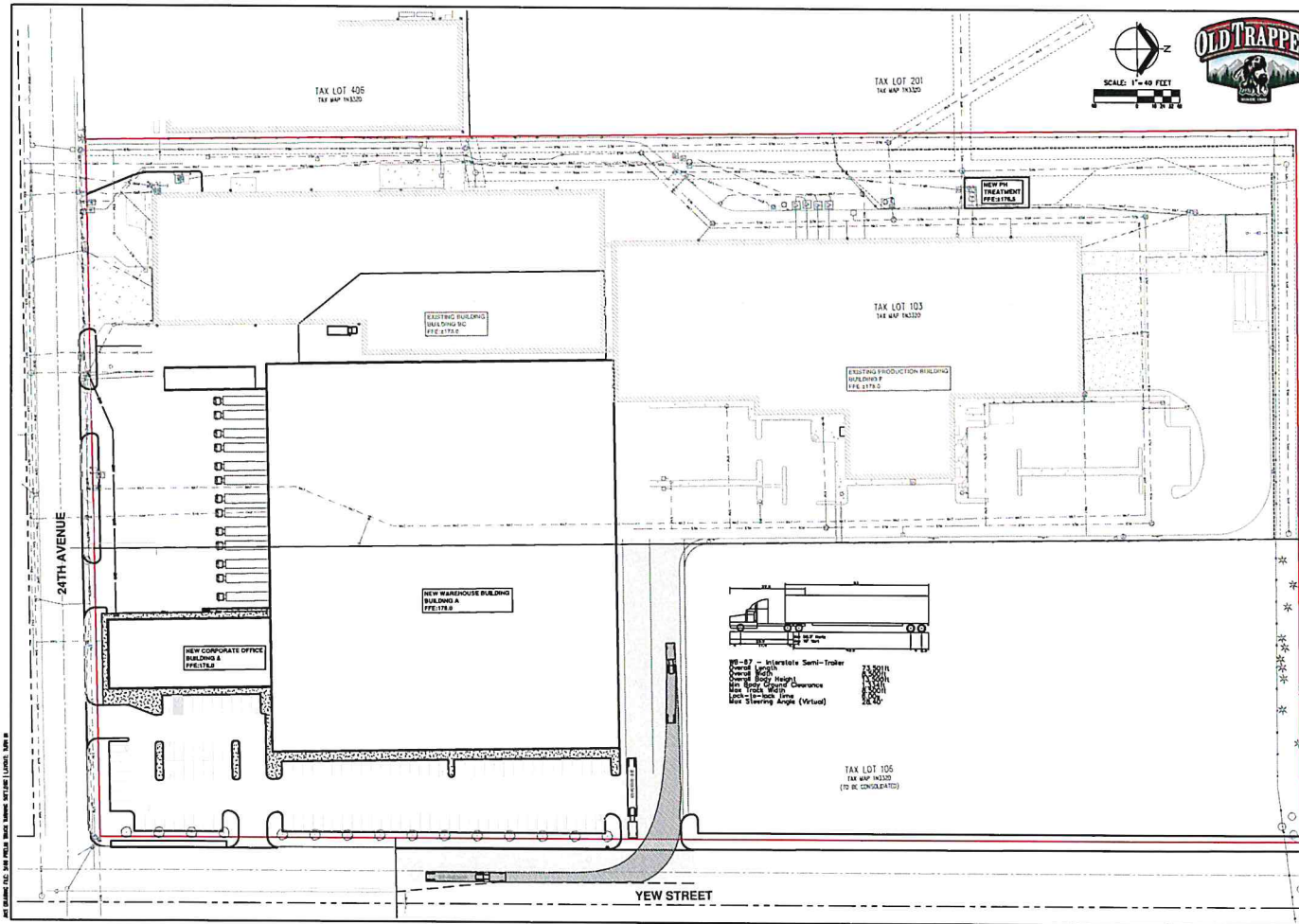
The 55' wide drive on Yew is proposed because the street is not improved at this location and is only proposed to be paved to 30' rather than the full 40' typical; addition room is necessary to accommodate truck turns in the site (see exhibits provided).

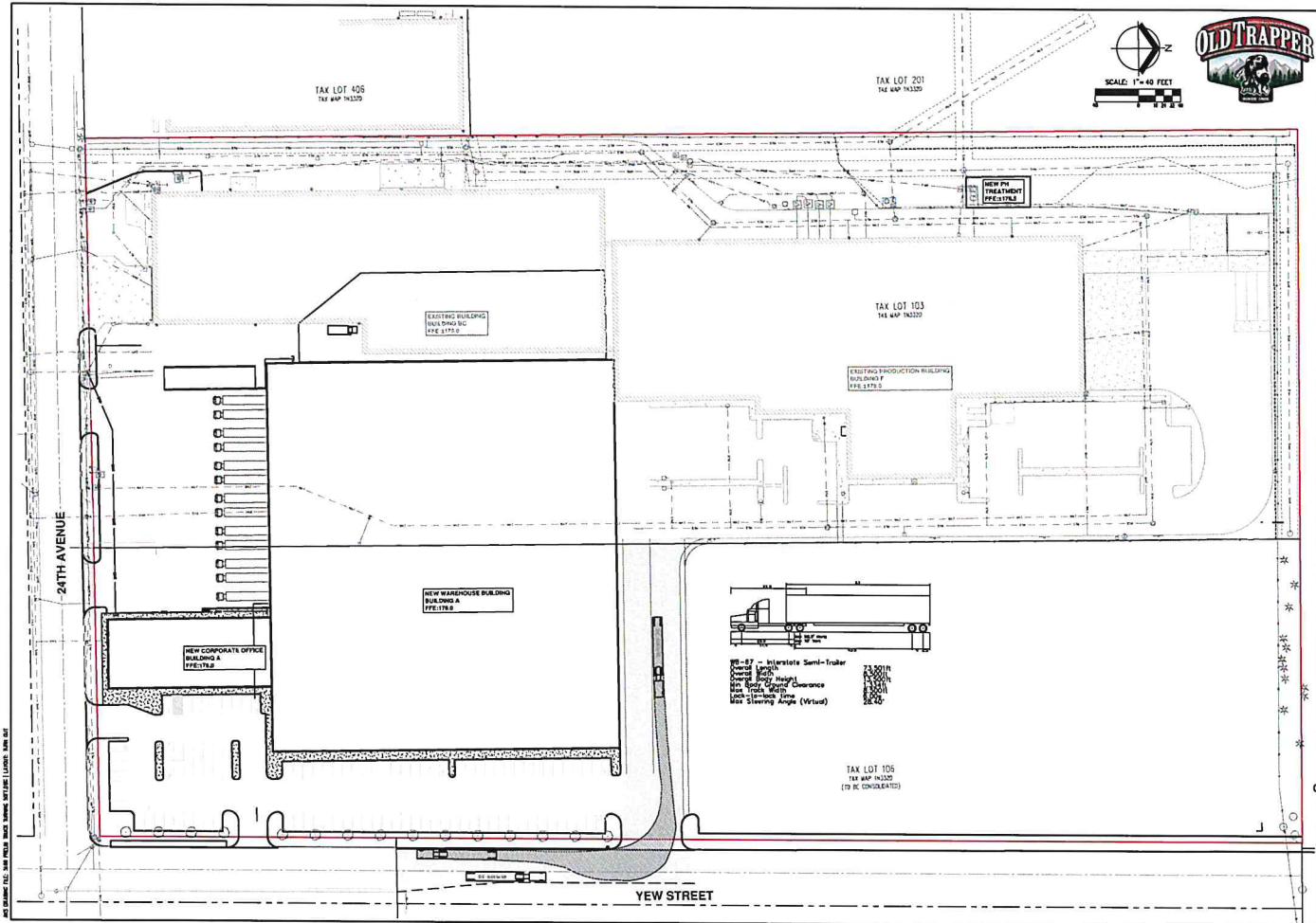
C. The circumstances that apply to the site do not typically apply to other properties in the same vicinity or zoning district and are unique or unusual.

Applicant's response:

This site, even with the additional property purchase, is still an extremely long property with the main path of traffic off 24th the short side of both lots. We are attempting to manage as much truck maneuvering and traffic on site by where the drives are located. We are also attempting to control the different types of traffic and vehicles on the site in a clear and orderly manner. The additional drive width along Yew is needed until the other half of Yew street can be improved, most other lots in the area have a full street to accommodate the truck turns and traffic. We believe this layout will assist facilitating traffic to Old trapper and keep traffic from clogging up 24th Avenue.







OLD TRAPPER PHASE 3
4115 SW 24TH AVENUE
FOREST GROVE, OREGON
19750 24TH AVE

AKS
AKS ENGINEERING & ARCHITECT, LLC
1000 N. 10TH AVE., SUITE 100
FOREST GROVE, OREGON 97116
503.261.1234
WWW.AKS-LLC.COM

TURN OUT
YEW ST TRUCK TURNING
55' DRIVEWAY WIDTH

PRELIMINARY
NOT FOR
CONSTRUCTION

JOB NUMBER
5169

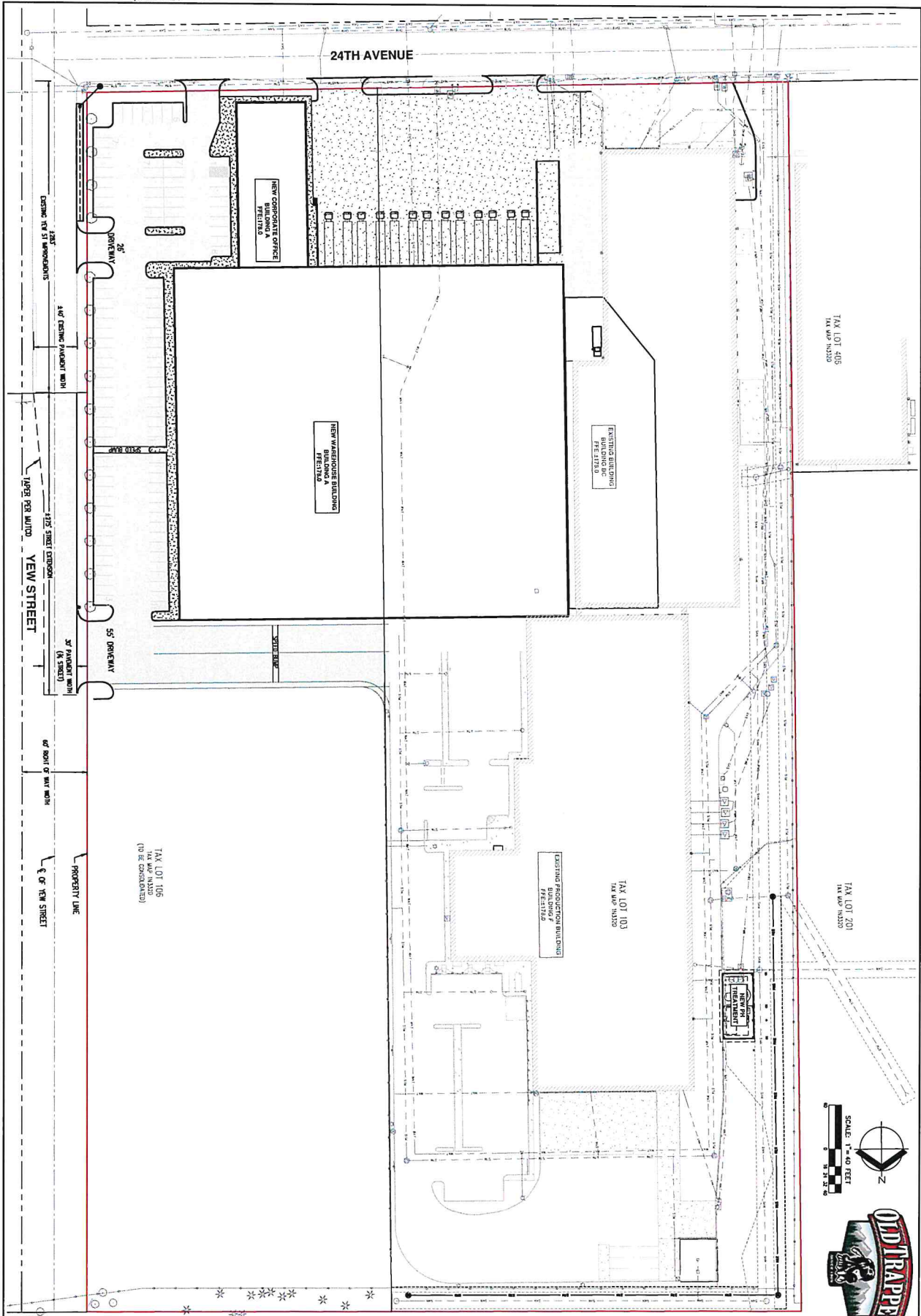
SKETCH
EX2

DATE
04/12/2019

BY
JES

CHECKED BY
JES

APPROVED BY
JES



C01 AKS 5169 SHEET	PRELIMINARY YEW STREET PLAN	OLD TRAPPER PHASE 3 4115 SW 24TH AVENUE FOREST GROVE OREGON TAX LOTS 103 & 105	AKS ENGINEERING & FORESTRY, LLC 2717 NW LOLO DR, STE 150 BEND, OR 97703 541.317.8429 WWW.AKS-ENG.COM AKS ENGINEERING • SURVEYING • NATURAL RESOURCES FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE
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EXHIBIT B

Planning Commission Findings and Decision No. 2018-07

**Planning Commission Findings and Decision Number 2020-01 to Approve Two
Variances to the Development Code Driveway Standards at 4115 24th Avenue
File Number: 311-19-000033-PLNG**

WHEREAS, on November 25, 2019 W. Pendarvis Global Land (a.k.a. Old Trapper Smoked Products), filed for two variances to the Development Code driveway standards for the site at 4115 24th Avenue:

- The maximum driveway width in a General Industrial zone is 40 feet. The applicant is requesting a 55-foot-wide driveway.
- When the posted traffic speed is 25 mph, the required minimum distance between driveways is 105 feet. The applicant is requesting spacing reductions for two driveways to 90 feet and 56 feet respectively.

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on December 30, 2019 as required by Development Code §17.1.610. Notice was also published in the *Forest Grove News-Times* on January 15, 2020. No written or emailed comments were received in response to these notices; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on January 21, 2020.

The City of Forest Grove Planning Commission does hereby approve both of the requested variances, making the following specific findings in support of this decision:

- 1) The Planning Commission adopts by reference the staff report including findings and recommendations dated January 21, 2020.
- 2) Development Code §17.2.720 *Review Criteria* requires that the Commission find that the proposal complies with the following criteria:
 - A. The need for the variance does not result from prior actions of the applicant or owner, or from personal circumstances of or caused by the applicant or owner, such as financial circumstances;

Applicant's Response: *The original plant and the new processing plant production capacity is currently limited due to the storage constraints available for finished product. Old Trapper has been able to purchase TL 106; Tax Map 1N332D. Since their purchase of this property, Old Trapper has been able to redefine expansion plans for a state-of-the-art distribution facility.*

The plan is to connect the proposed warehouse building, the production facility (circa 2017) and the existing warehouse. The first variance requested for the proximity of the curb cut at the existing drive that accesses the existing dock area and the new dock area; is due to the fact that we would like two drives at either end of the new dock area so we can maximize the truck maneuvering on site rather than in the street. By locating a drive at either end and as far apart as possible is allows for maximum maneuverability and functionality, we believe it offers better visibility and safety for commuters and truckers, and by offering two drives rather than one truckers can have more options, coming, going, maneuvering and queuing.

The second variance requested for the curb cut distance between the two eastern drives on 24th (Avenue) be 90'-3" rather than the standard 105'. The types of vehicles accessing

either of these drives differ, one being designated for commercial truck traffic and the most eastern drive will be utilized for the employees driving passenger vehicles. The other reason is to maintain the 100' from the intersection at 24th (Avenue) and Yew (Street).

The third variance requested for the driveway width along Yew (Street) to be 55'-0" wide. This is due to the partial street improvement is creating a restraint on the truck ability to turn and not clip either a waiting truck or curb; thus a wider drive in this location assists in safety and function for the interim until the other half of the street is completed, which is an unknown at this time.

Finding: The need for the variance does not result from prior actions of the applicant.

- B. To meet the need, the request is the minimum necessary variation from the Code requirement; and

Applicant's Response: *The distance between curb cuts is requested based (on) accommodating (the) maximum amount of maneuvering room for thirteen truck docks along the distribution side of the proposed building. The proposed distance is essentially where the current drive is on 24th (Avenue) and lot 103, only modified slightly to accommodate a 40'-0" wide drive. The next two drives going east, the last dock access drive and new corporate office drive are 90'-3" between curb cuts. The reduced curb cut distance will accommodate 100' (of) distance from the intersection and maximize off-street truck maneuvering.*

The 55' wide drive on Yew (Street) is proposed because the street is not improved at this location and is only proposed to be paved to (a) 30' (width) rather than the full 40' typical (width); addition(al) room is necessary to accommodate truck turns in the site (see exhibits provided).

Finding: 24th Avenue is a designated Collector street. It is intended to serve both local and regional needs.

Finding: The new west driveway on 24th Avenue would be located about 56 feet from an existing driveway. This new driveway – along with a new center driveway – would serve the loading dock area exclusively. The locations of both driveways would allow free, unconstrained truck turning movements. Unlike the previous variance request approved in 2018, no backing movements directly from 24th Avenue would be required. While the driveways would be located closer than the Development Code stipulates, traffic movements on 24th Avenue would actually be better under this scheme than with the 2018 variance request, since trucks would not be backing into the site from the street.

Finding: The new east driveway on 24th Avenue is proposed to be 30 feet wide and would be located about 90 feet from the center driveway. The east driveway would serve only to provide access to the employee car park. Since it would not be used for truck traffic, it could be narrowed to 20 feet and still allow for unrestricted, two-way access. Narrowing this driveway to 20 feet would allow the distance to the center driveway to increase to 100 feet, just shy of the 105 feet that the Development Code stipulates. With this condition, the request would be the minimum necessary variation from the Code requirement

Finding: The interim, narrower-than-standard improvement to Yew Street is the reason behind the proposed 55-foot-wide driveway. Truck turning movements would be constrained due to the narrower street width. To ensure safe operations, the driveway is proposed to be commensurately wider. However, this additional width would no longer be

necessary once Yew Street is fully improved. With the condition to reduce the driveway width to 40 feet when this segment of Yew Street is fully improved to City standards, this driveway would no longer be out of compliance with Development Code standards.

Conclusion: With the conditions to increase the reduce the east 24th Avenue driveway width to 20 feet – and thus increasing the spacing between the center and east 24th Avenue driveways to 100 feet - and to reduce the Yew Street driveway width to 40 feet when the street is fully improved, these requests would be the minimum necessary variations from Code requirements.

- C. The circumstances that apply to the site do not typically apply to other properties in the same vicinity or zoning district and are unique and unusual.

Applicant's Response: *This site, even with the additional property purchase, is still an extremely long property with the main path of traffic off 24th (Avenue) the short side of both lots. We are attempting to manage as much truck maneuvering and traffic on site by where the drives are located. We are also attempting to control the different types of traffic and vehicles on the site in a clear and orderly manner.*

The additional drive width along Yew (Street) is needed until the other half of Yew Street can be improved, most other lots in the area have a full street to accommodate the truck turns and traffic. We believe this layout will assist facilitating traffic to Old Trapper and keep traffic from clogging up 24th Avenue.

Finding: The City has adopted access control and spacing standards for all streets. The request for a 55-foot-wide driveway would not be exceptional as several other driveways along 24th Avenue equal or exceed the requested width.

Finding: The 55-foot-wide Yew Street driveway width is necessary because Yew Street would not be fully improved at this time, and the narrower street width would constrain truck turning movements. To ensure safe truck operations, a wider driveway width is necessary until such time as Yew Street is fully improved. However, this additional width would no longer be necessary once Yew Street is fully improved. With the condition to reduce the driveway width to 40 feet when this segment of Yew Street is fully improved to City standards, this driveway would no longer be out of compliance with Development Code standards.

Finding: Aside from the applicant's most recent construction, virtually all of the buildings located along this segment of 24th Avenue have been there for decades. All pre-date the Development Code and only three businesses (Westak, Sintex - now the site of Usher Manufacturing - and Old Trapper) were constructed while the Zoning Ordinance was in effect from 1980 to 2009. Most of the driveways accessing 24th Avenue – aside from the applicant's - were constructed prior to 1980. The same circumstances that applied to those sites - resulting in driveways that do not comply with current spacing standards - are the same circumstances that apply to this site. Thus, the applicant's requests would have the same result.

Based on the information provided in the application and the findings above, the Planning Commission concludes that the approval criteria have been met, and approves the requested variances with these conditions:

1. Narrow the width of the proposed east 24th Avenue driveway to 20 feet, to provide 100 feet of distance from the proposed center 24th Avenue driveway.
2. When Yew Street north of 24th Avenue is fully improved, the north driveway shall be reduced in width to not more than 40 feet.

TOM BECK, Chair

Date

EXHIBIT C

PowerPoint



OLD TRAPPER DRIVEWAY VARIANCES

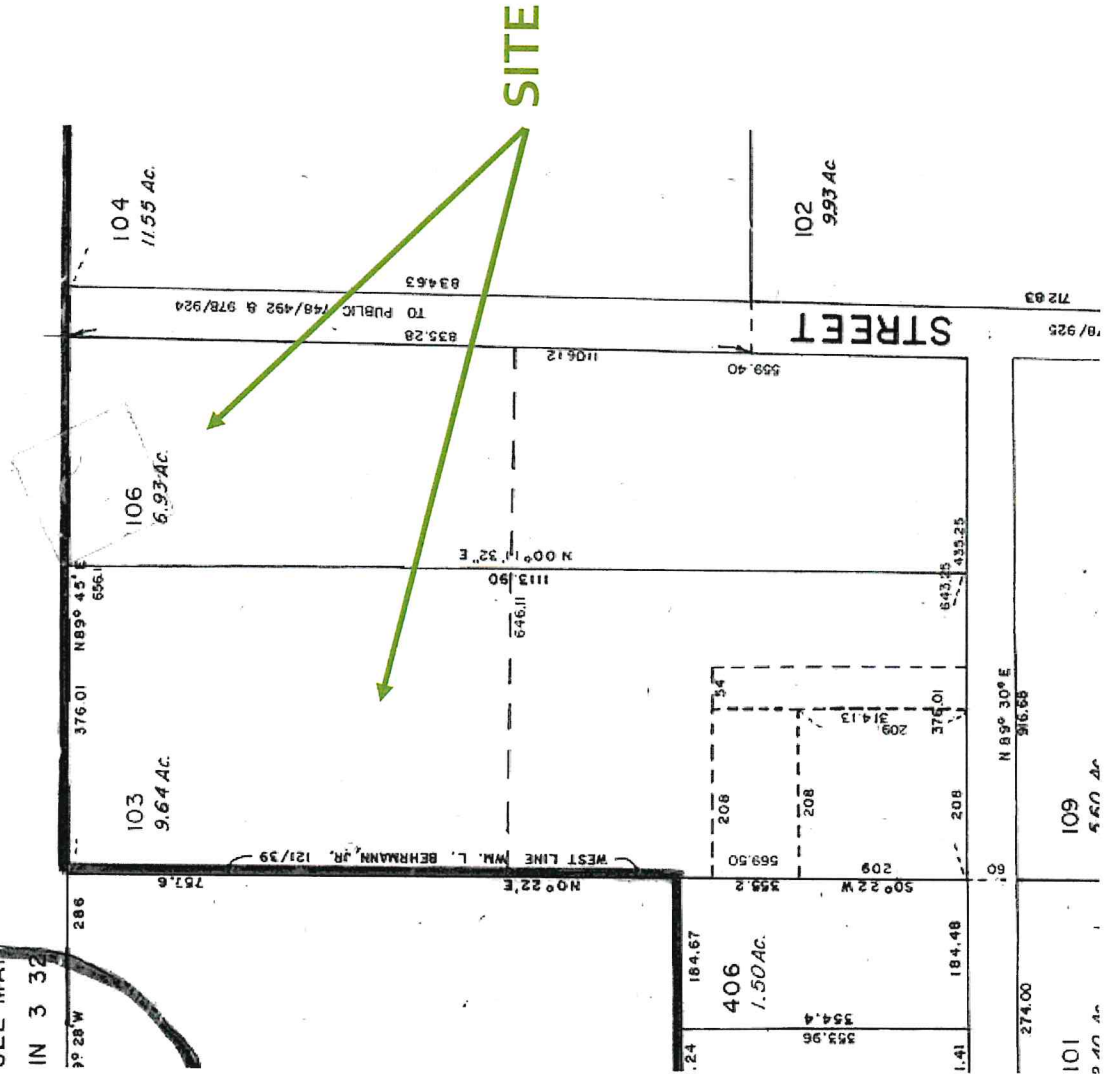


01/21/20

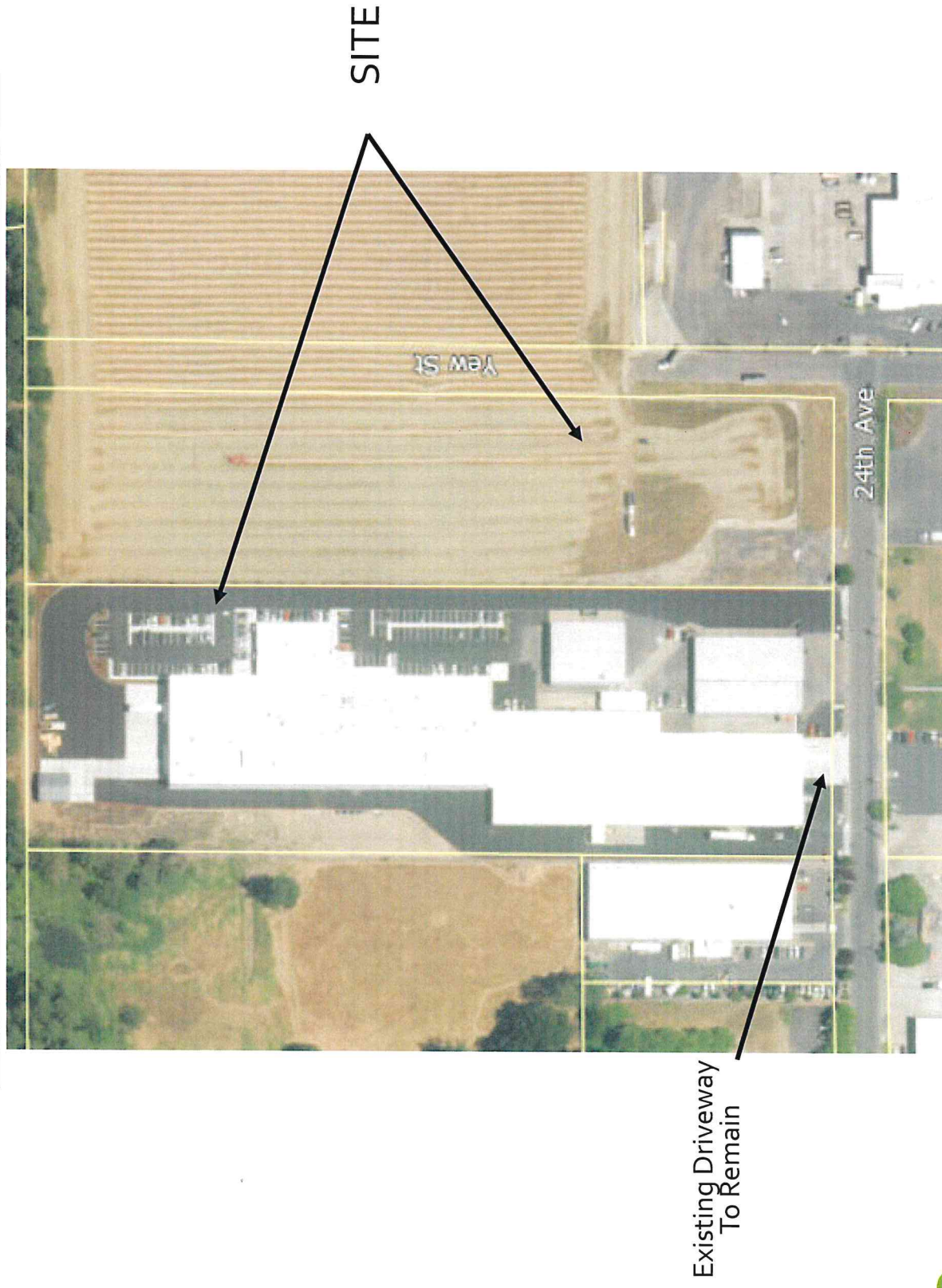
Washington County Tax Map

Tax Lots 1N332D000103 and 106

SEE MAP
IN 3 32



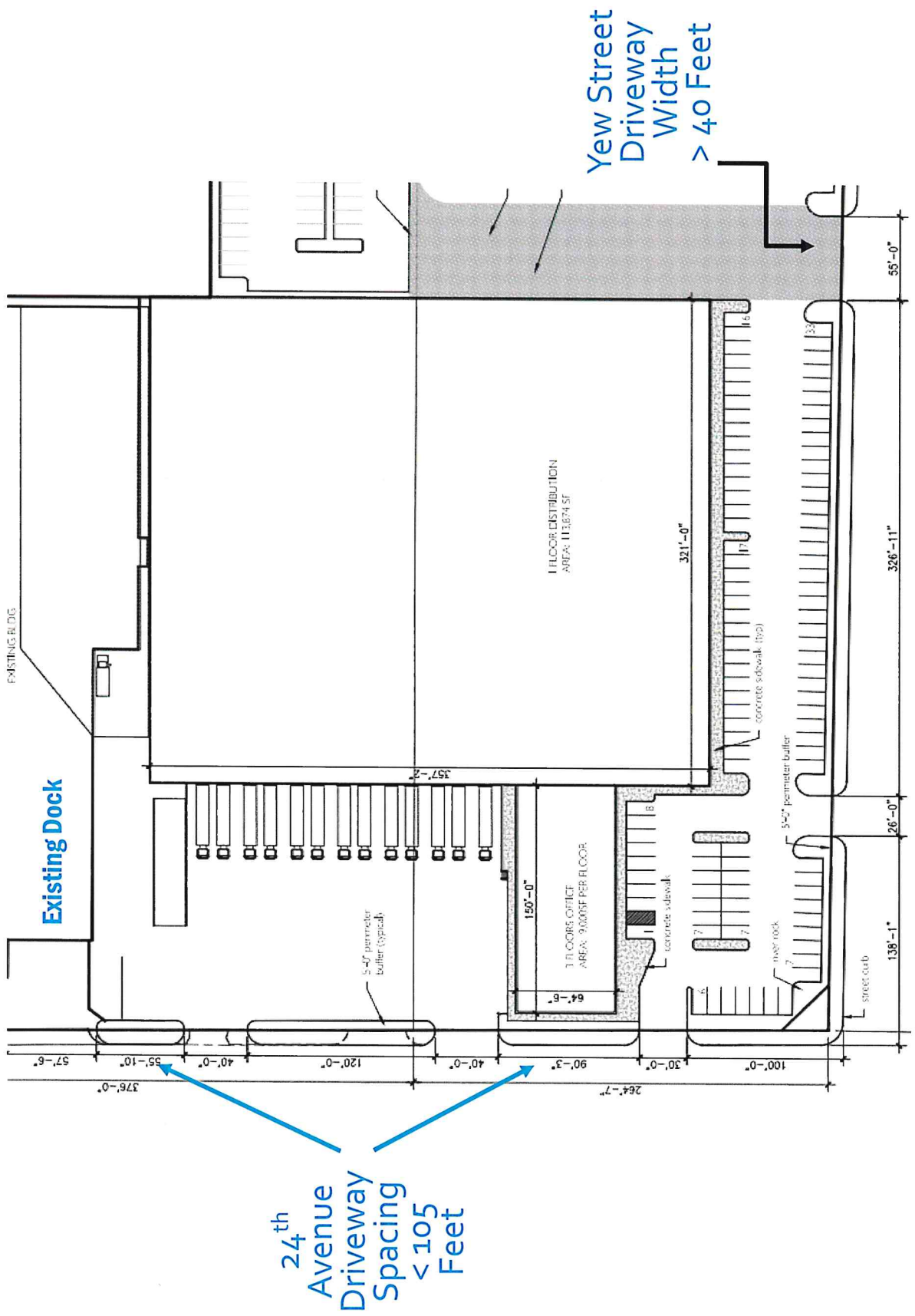
Aerial Photo of Site and Area



100



Site Plan Detail



Recommendation

Staff recommends approval of the requested driveway variances, with these conditions:

1. Narrow the width of the east 24th Avenue driveway to 20 feet; and
2. When Yew Street is fully improved, the north driveway shall be reduced in width to not more than 40 feet.