

CITY of BOARDMAN

Community Development

STAFF REPORT

DATE: April 19, 2021

TO: Boardman Planning Commission and Interested Parties

FROM: Barry C. Beyeler, Community Development Director

SUBJECT: Preliminary Plat Request Partition Request – Amazon Data Services

On March 5, 2021, the City received a partition request and preliminary plat from the Amazon Data Services (ADS) for tax lot #411 of Morrow County Tax Map 4N 25E 9, which is owned by ADS and they wish to partition a Parcel #1 of Partition Plat 2020-04, which is 71.19 acres in size. This Partition will create an additional parcel of 5.55 acres and a 60 foot Rights-of-Way, which will reduce Parcel #1 of Tax lot #411 of Morrow County Tax Map 4N 25E 09, to 65.84 acres.

Approval of a Preliminary Plat is processed using a Type II - Administrative decision in accordance with Boardman Development Code (BDC) Chapter 4.1- Types of Applications and Review, and Chapter 4.3 – Land Divisions and Lot line Adjustments. The Type II decision process requires public notice to be sent to all properties within 250' of the parent property and posting notice on local reader boards and on the property. Public notice was mailed and the proper posting was accomplished on, meeting the 20-day notification requirements.

Findings:

- 1) Application was Received March 5, 2021.
- 2) Application was deemed complete March 9, 2021.
- 3) Public Notice was Posted and Published on March 30, 2021.
- 4) The 5.35 acre parcel is undeveloped.
- 5) This partition secures Rights-of-Way for Interchange Area Management Plan projected roadway.
- 6) This application meets all of the criteria Boardman Development Code Chapter 4.1.400.
- 7) This application meets the provisions of Boardman Development Code Chapter 4.3.
- 8) The city has received no comments

In staff review of the preliminary plat all required items appear to be met with the Preliminary Plat as submitted. Staff recommendation is for approval of the preliminary plat as submitted; however, Staff is bringing to the Planning Commission for their comments. The City will review the final plat prior to recording the partition with the Morrow County Clerks Office.



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May 24, 2021

Barry Beyeler
Community Development Director
City of Boardman
200 City Center Circle
PO Box 229
Boardman, OR 97818

RE: Preliminary Partition Plat Request – Amazon Data Services

Dear Barry:

Morrow County appreciates the action of the Boardman Planning Commission to continue the hearing on the above land use application. We especially appreciate the meeting we had to meet with you and the developer to discuss the land partition. We understand that your zoning Ordinance requires an Administrative Review process however, since the matter was also scheduled with your Planning Commission we requested a Continuance so that we can understand the application.

Morrow County offers the following comments:

1. Interchange Area Management Plan (IAMP)

The application materials submitted by Seth King, on behalf of Amazon Data Services relies upon a 2018 traffic analysis that was developed for a zone change application and not the subject land partition. We believe a new or updated traffic study is warranted in order to show how the land partition application will have legal access and how the partition will comply with the IAMP. As part of the traffic impact analysis we would like to understand how the landowner will be required to street improvements over time, commensurate with impacts from development, that should occur prior to issuance of permits to develop the land. For example, will city require a non-remonstrance agreement so that street frontage is improved to city standard prior to development? We request that the city not make a final decision on this application until the city has developed written Findings to show how this property will comply with the IAMP generally and also including configuration for dedication of rights of way for the loop road system outlined in the IAMP. Please see attached figure 3.1 from the IAMP.

2. Access

The application does not specifically identify or describe access to the parcels. The application concludes that no improvements are necessary. We disagree and recommend that the Findings describe how improvements will be made prior to development. Access to the new 5-acre parcel is shown on the preliminary partition plat to be an extension of a 60-foot roadway, purportedly a new city street or public right of way. That new 60-foot roadway extension dead ends just north of the BPA easement and it is not clear how that roadway could be extended

south to intersect with Oregon Trail Drive, a city street that would provide a loop and connectivity to the south. The preliminary plat shows access from Olson Road, which we understand based on our conversation would only be a secondary access.

We recommend the city include two conditions regarding access:

1. Dedicate a 50 radius turn around at the southern end of Parcel 2 which would remain in place until such time as a thru roadway can be dedicated and developed.
2. Identify existing and future access to both parcels.
3. Require the landowner obtain an access permit(s) from county Public Works.
4. Require the landowner sign and record a non remonstrance agreement that will guarantee street improvements will be made prior to development of parcel 2.
5. If the intent is to use Olson road as a secondary access for parcel 2, the landowner must dedicate an easement across parcel 1 to parcel 2. That secondary access approach must be permitted by Morrow County and will be limited to the existing approach onto Olson Road, a county roadway.

3. Findings of Fact and Final Planning Commission approval

We note that the application materials presented to City Planning Commission did not include Findings of Fact. We are not clear how city will finalize a written, formal decision. Typically, preliminary Findings of Fact are presented to the Planning Commission and those Findings are the legal basis for making a decision. The Findings essentially demonstrate in writing how the application complies with applicable city code and development standards. We encourage you to develop such a written approval document and that you include the conditions requested by county and any other conditions you and Planning Commission deem necessary in order to guarantee the approval complies with your Zoning Ordinance and importantly that the city has the assurance that the development will be built according to standards.

Please enter these comments into the record for this application. We hope your Planning Commission has a chance to review these comments in advance of the Public Hearing on May 26, 2021.

We are happy to discuss any of these issues further with you and your Planning Commission. Thank you again for our recent meeting and for your consideration of our comments and your ongoing efforts to coordinate with Morrow County. We commend Boardman for the many wonderful things happening in your fine town.

Sincerely,



Matt Scrivner
Public Works Director



Tamra Mabbott
Planning Director

Cc: Board of Commissioners
Darrell Green, County Administrator
Justin Nelson, County Counsel
Anne Debbaut, Interim Regional Representative, DLCD
Craig Sipp, Manager, ODOT Region 5
Teresa Peninger, Planning Manager, ODOT Region 5
Tom Lapp, ODOT District 12 Permit Specialist



LEGEND

17 - Access Location & Number

000 - Tax Lot ID#

▲ - Long Range Future Access

— - Long Range Future Curb

— - Future Roadway Network

*Approach will not be closed until reasonable access becomes available

City of Boardman Main Street IAMP
April 2009



NO SCALE

Figure 5.6

**MAIN STREET LONG RANGE
ACCESS MANAGEMENT
PLAN SOUTH**



Oregon

Kate Brown, Governor

Department of Transportation

ODOT Region 5

3012 Island Avenue

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FILE CODE:

May 24, 2021

VIA EMAIL: BeyelerB@cityofboardman.com
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Subject: Proposed Replat Parcel 1 of Partition Plat 2020-04 for 71.19 acres into Two Parcels (65.84 acres and 5.32 acres), south of Interstate 84, west of Olson Road, north of Oregon Trail Boulevard, and east of South Main Street.

The parcel is in the vicinity of Interstate 84/Main Street Interchange Area. Ensuring the system is managed effectively for all modes to enhance street connectivity in accordance with the City's 2007 Transportation System Plan (TSP) are necessary conditions of approval. The City's TSP as well as the 2009 Boardman Main Street Interchange Area Management Plan (IAMP) apply to this area.

The eastbound freeway off-ramp has only 200' of separation from SW Front Street with limited vehicle storage to enable vehicle turns to/from S Main Street to SW Front Street. The IAMP identifies a circulation plan with specific local street projects that are to be implemented as necessary to meet City standards and to minimize the impact on public facility systems. In particular, a future local road to/from the site and connection to S Main Street from the south are identified as improvement projects in the IAMP.

Expanding the local transportation system would provide access to the site and help protect the ramp from failing due to congestion. In addition, frontage improvements such as curb, sidewalk, crosswalk ramp(s), bicycle facilities and street standards should be constructed and be consistent with the local TSP and ADA standards.

ODOT is concerned that without these elements, the proposed application does not result in a street layout that conforms to planned transportation connections, or enables the community to achieve the direction of the IAMP. Planned transportation connections were identified to create parcel sizes and locations that would be both viable to develop and share responsibility and cost of road construction, as well as ensure future access for surrounding properties. These elements should be addressed with emphasis on development contributing to implement the improvements.

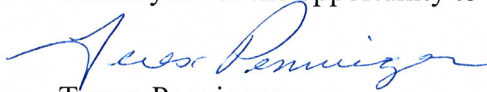
Barry Beyeler, City of Boardman

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Public facilities of adequate capacity to serve development should foster complete multimodal streets and apply sustainable solutions to effectively deliver a safe interconnected system for the community.

Thank you for the opportunity to comment.



Teresa Penninger

Region 5 Planning Manager

CJS

cc: Ken Patterson, ODOT Region 5 Area Manager
Jeff Wise, PE, ODOT Region 5 Traffic Engineer
Marilyn Holt, ODOT District 12 Manager
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Anne Debbaut, DLCD (anne.debbaut@state.or.us)