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NOTICE OF ADMINISTRATIVE DECISION

DATE: July 31, 2024
FILE NUMBER: 311-24-000006-PLNG
APPLICANT: Crane Data Centers, Inc.
APPLICANT REP.: Navix
PROPERTY OWNER: Heather Street Owner, LLC
LOCATION: 3975 and 3993 Heather Street
PROPOSAL: Site Development Review for a proposed data center campus including two buildings, associated parking, equipment yard, landscaping, water quality facilities and frontage street improvements.

This is your notice that the land use application, referenced above, has been approved, with conditions, by the Forest Grove Community Development Department. This decision is based on the criteria listed below and information included in the record. The findings of fact relied upon for this decision, and the conditions of approval, are attached to this notice. The criteria for approval, for this proposed, are found within the following Forest Grove Development Code Sections:

- §17.2.450: Site Development Review Criteria
- §17.3.520: Industrial Use Regulations including Table 3-12: Industrial Zone Dimensional Requirements
- §17.3.540: Additional Industrial Zone Standards
- §17.5.130: Trees on Developable Land, Prior to and During Development
- Forest Grove Development Code Article 8: General Development Standards (§17.8.005 et. seq.)

This administrative decision is appealable to the Forest Grove Planning Commission. An appeal must be in writing and submitted to the Community Development Department, at 1924 Council Street, or mailed to PO Box 326, Forest Grove, Oregon, 97116. The appeal must be received by the Community Development Department within 14 days of the date shown on this notice. The written appeal must state specifically how the decision does not comply with the approval criteria or other applicable ordinances. The required appeal fee is \$250.00. If an issue is not raised in the appeal to the Planning Commission or explained in sufficient detail to allow for a response by the applicant, that issue cannot be used as a basis for an appeal to the Forest Grove City Council or Oregon Land Use Board of Appeals (LUBA). Contact Daniel Riordan, Senior Planner for more information about this decision or the appeal process at driordan@forestgrove-or.gov or (503) 992-3226.

FINDINGS AND CONDITIONS
File Number: 311-24-000006-PLNG

**Site Development Review for Proposed Crane Data Center Campus Including Two Buildings,
Associated Parking, Equipment Yard, Landscaping, Water Quality Facility and Frontage Street
Improvements**
3975 and 3993 Heather Street
Washington County Tax Lot 1S3050001300

PROPERTY and ZONING HISTORY: Crane Data Centers, Inc, applied for a site development review permit to construct a data center campus at the property described as 3975 Heather Street and 3993 Heather Street (Washington County Tax Lot 1S3050001300). The property is in southeast Forest Grove and is approximately 35 acres in size. The existing use of the property is an open grass field. The property is bounded by a railroad corridor to the north and Mountain View Lane to the east. A planned extension of Heather Street to Poplar Street will provide additional street frontage along the southern property boundary.

The Joyce Park and Tamarack residential developments are located north of the railroad corridor and the subject property. The Joyce Park and Tamarack area is zoned Residential R-7. There are nine older homes located along Mountain View Lane, adjacent to the property. These homes are zoned Light Industrial (LI). The Mount Hood View Homes development and Niel Armstrong Middle School are located east of Mountain View Lane. The Mount Hood View Homes development is zoned Residential R-7 and the school property is zoned Institutional. Two industrial buildings with approximately 193,000 square feet and 110,000 square feet of space respectively, and an office building owned by Clean Water Services, are located south of the subject property where the future extension of Heather Street will be constructed. These properties are zoned Light Industrial.

The parcel proposed for the data center campus is one (1) of three (3) properties created through land partition approved in 2005 (City of Forest Grove Planning file No.: LD-05-07) and recorded as "Parcel 2" of Partition Plat (PP) No. 2006-056 (recorded as document No. 2006-117877) on October 3, 2006. Prior to creation of the subject property in its current configuration, the "parent parcel" (comprised of the land area of *Parcels 1, 2 and 3* of PP No. 2006-056), was annexed into the city of Forest Grove on September 18, 1980, through *Portland Metropolitan Area Local Government Boundary Commission Final Order No. 1630*.

The stated purpose of the annexation by petitioner Tektronix, Inc., was to obtain a sewer connection to the property, specifically to facilitate development of an industrial manufacturing facility. The Tektronix development is now the "TTM Building" located on Washington County Tax Lot 1S3050001200 ("*Parcel 1*" of PP 2006-056) and the "Clean Water Services Building" located on Washington County Tax Lot 1S3050001400 ("*Parcel 3*" of PP 2006-056).

The subject property is designated Light Industrial (LI) on the Forest Comprehensive Plan Map and official Zoning Map. The City of Forest Grove implemented its first comprehensive plan through Ordinance No. 1980-06 that same year on September 8, 1980, and since the time of its incorporation into the city and

the city's adoption of the first comprehensive plan, nearly 45 years ago, the subject site and adjacent properties to the east and south have been industrially zoned.

PROPOSAL: CRANE DATA CENTERS, INC. (Applicant) applied for Site Development Review approval to construct the first phase of a data center campus. The proposal under current review incorporates two (2) buildings; a single story 180,000 square foot structure, identified as "Building 1" on the submitted site plan, and a two story 363,000 square foot structure, identified as "Building 2" on the attached site plan submitted into the record on June 224, 2024. Building 1 is proposed for the southern portion of the property. Building 2 is proposed for the northern portion of the property. The plans provided with the application indicate that Building 1 would be approximately 40 feet in height to the roofline and Building 2 would be 70 feet in height to the roofline. Associated improvements include off-street parking, equipment yard, water quality facility and frontage street improvements.

As noted above, the subject property is located within the *Light Industrial* (LI) zoning district. As further addressed in detail below, where Forest Grove Development Code (DC) §17.3.520 is addressed, the proposed use is a permitted use by right within the LI zone district. This means that the use is allowed and can be reviewed at the nondiscretionary, administrative (staff) level, if the submitted proposal demonstrates compliance with the development standards (established, non-subjective requirements) and specifications of the DC as addressed in this report.

The application was submitted on January 29, 2024, and was deemed complete by the City on March 29, 2024. The public notice, required by DC §17.2.430 and §17.1.515(A), was mailed on April 8, 2024. Three (3) written comments were received within the prescribed 14-day notice period (by 5 pm on April 22, 2024). All comments were provided via email and are included in the record. Those comments generally expressed concerns regarding:

- Proximity of proposed industrial development to adjacent residential uses
- Concerns about electromagnetic energy
- Environmental impact to the subject site and nearby Fern Hill Wetlands
- Light pollution
- Noise mitigation
- Storm ponds and potential for mosquitos
- Not wanting Forest Grove to become like Beaverton
- The smell of an unrelated nearby pot grow.

The applicant provided a statement in response to the questions submitted during the comment period. Any comments that can be answered by the development code are addressed herein.

Additional comments received after the notice period are also included in the record. Those comments expressed concerns regarding:

- General statements regarding the dislike of the recent changes and growth and development within the City of Forest Grove (residential and commercial)
- Removal of farmland
- How does a data center benefit the community?
- Chemical and electromagnetic impacts
- Noise
- Not wanting another manufacturing facility

- Concern for property values

Some of these concerns were addressed in the applicant's response letter and some are addressed below. Staff can only consider the standards, and applicable review criteria, in the Development Code when reviewing the proposal and issuing a decision. However, to provide information to answer some of the stated concerns regarding adjacency and proximity of differing land use designations, the history thereof, the planning process and concerns about property values, Staff will provide some additional background information regarding the two-part community planning and development processes.

"The foundation of statewide program for land use planning in Oregon is a set of 19 Statewide Land Use Planning Goals. The goals express the state's policies on land use and related topics, like citizen involvement, housing, and natural resources..."

Oregon's statewide goals are achieved through local comprehensive planning. State law requires each city and county to adopt a comprehensive plan and the zoning, and land-division ordinances needed to put the plan into effect."¹

As identified in the statement above, the planning process has two primary and distinct components. The initial community visioning process which provides the "30,000-foot view", is the process which considers the framework for potential growth patterns and designates specific areas ("zone districts") within the Urban Growth Boundary (UGB) to accommodate future development goals; this is the establishment of the "Comprehensive Plan". After the Comprehensive Plan, Zoning ordinances are implemented to provide the rules and requirements for development within those zone districts designated within the comprehensive plan. *Goal 1* of the above-mentioned set of 19 Statewide Land Use Planning Goals is "Citizen Involvement". A zoning ordinance must be adopted by local governance. In Forest Grove this is the City Council, the elected representatives of the community. All rules within the current and operating zoning ordinance (FGDC) have been reviewed and adopted (by municipal ordinance) by the City Council. This can only occur through the legislative review process, which requires noticing and public hearings (citizen involvement) to be conducted prior to adoption of the ordinance or any amendments of the ordinance which have occurred over the course of its existence, since 1980.

The current review is the process that occurs *after* these larger processes, when there are a set of rules in place. A submitted land use application at the administrative level of review is simply a checks and balances verification to ensure that a submitted proposal meets the rules and requirements that were already decided on and ordained in the two processes set forth above.

Zoning ordinances are important for many reasons, but particularly regarding the concept of property rights. Zoning ordinances provide a fixed goalpost and they protect the rights of the property owner, and they also protect the rights of neighboring property owners, because uses allowed in the zone are already established by the code and there are a common, known set of rules and standards for any kind of development that may occur, regardless of whether a property is currently vacant of development or developed but which may be alternatively redeveloped in the future.

¹ <https://www.oregon.gov/lcd/OP/Pages/Goals.aspx>

It is important to note that while the subject property may have been vacant up until the time of this proposal, it is not classified as farmland simply due to its vacancy. It is entirely situated within city limits and has been, and intended for industrial development, since its incorporation into the city in 1980.

FOREST GROVE DEVELOPMENT CODE (DC) APPLICABLE STANDARDS AND CRITERIA:

§17.2.450 – *Site Development Review*

§17.3.520 – *Industrial Zones Use Regulations; and*

Table 3-12: Industrial Zones Use Table

§17.3.530 – *Industrial Zones Development Standards; and*

Table 3-13: Industrial Zone Dimensional Requirements

§17.3.540 – *Additional Industrial Zone Standards*

§17.5.130 – *Trees on Developable Land*

§17.8.000 – *General Development Standards*

REVIEW PROCEDURE: A site Development Review application, subject to DC §17.2.410, is reviewed using the Type II procedure described in Forest Grove Development Code §17.1.500. As described in DC §17.1.500, a Type II procedure is a limited land use decision that involves the exercise of limited interpretation and discretion in evaluating approval criteria. Review of an application is based on development standards that regulate the physical characteristics of a land use allowed based on a property’s zoning. The review criteria for site development review are listed in Forest Grove Development Code §17.2.450. Findings addressing the applicable criteria and conclusions are provided below.

DC §17.1.30 allows for imposing reasonable conditions of approval to ensure that all applicable approval criteria are, or can be, met. Conditions shall only be imposed where the applicant has the ability to comply without depending upon the actions of other parties that are not associated with the project unless agreements are in place prior to submittal. This requirement does not apply to a review or approval required by a public agency. Conditions of approval intended to ensure compliance with the applicable review criteria identified above, and addressed below, are listed at the end of this report.

REQUIRED FINDINGS ADDRESSING THE APPLICABLE REVIEW CRITERIA AND CONCLUSIONS:

SITE DEVELOPMENT REVIEW CRITERIA

As stated in DC §2.450: “The Director shall review and approve, conditionally approve, or deny the site development plan based on the following criteria:

- A. The applicant demonstrates the site development plan complies with standards of the base zoning district (Article3), any overlay district and the general development standards of Article 8.
- B. The site development plan addresses the development standards in Article 5 (Natural Resource Areas, Tree Protection and Historic Resources) when such resources are present or directly adjacent to the development site.”

Findings addressing the review criteria above and supporting a decision on this site development review application are provided below.

DC 17.2.450(A): The applicant demonstrates the site development plan complies with standards of the base zoning district (Article 3), any overlay district and the general development standards of Article 8.

FINDING: The proposed development is subject to the Industrial Zone Development Standards contained in DC §17.3.530 and Additional Industrial Zone Standards contained in DC §17.3.540. The applicant's narrative addresses the applicable Code sections beginning with page 6 and continuing through page 9.

FINDING: The applicant submitted a narrative statement, dated January 23, 2024, addressing the site development review criteria and how the site development plan complies with the base zoning district (Article 3) and the general development standards of Article 8. The remainder of this document evaluates compliance with the sections of Forest Grove Article 3 and Article 8 applicable to this application.

FINDING: The Forest Grove Official zoning map does not identify the property as being located within an overlay district. Therefore, the requirement to address compliance with an overlay district is not applicable to this application.

DC 17.2.450(B): The site development plan addresses the development standards in Article 5 (Natural Resource Areas), Tree Protection and Historic Resources when such resources are present or directly adjacent to the development site.

FINDING: DC §17.12.205(N1) defines natural resource are to mean "The area defined by Metro as Riparian Wildlife Habitat Class I and II and Upland Wildlife Habitat Area A and B as shown on the Regionally Significant Fish and Wildlife Habitat Inventory Map dated at the time of adoption of this section or as amended in the future excluding those portions within Sensitive Areas and Vegetative Corridors as determined by Clean Water Services Design and Construction Standards."

FINDING: The online MetroMap tool: <https://gis.oregonmetro.gov/metromap-legacy/>, indicates that the project area that is subject of this decision does not contain any identified Upland Wildlife Habitat Area A or B lands. Therefore, the subject property does not contain Wildlife Habitat Areas subject to Article 5 (DC §17.5.005 – 17.5.050).

FINDING: A Giant Sequoia tree, listed on the Forest Grove Register of Significant Trees (Ordinance is located near the site near the Mountain View Lane and Heather Street intersection. The applicant's statement on page 2 states the primary access to the data center campus will be through a new driveway approach from an extension of Heather Street. The location of the driveway approach will not require removal of the Giant Sequoia Tree and the Development Code Article 5 development standards pertaining to protection of trees listed on the Forest Grove Register of Significant Trees do not apply to this proposal.

FINDING: Development Code §17.5.100 lists the types of trees that are protected including trees on developable land. Protected trees on developable land include trees that have a diameter of six inches or larger, or Oregon white oak trees with a diameter of three inches or larger, measured at four and one-half feet above natural grade. As stated in Development Code §17.5.100, developable land includes land subject to or undergoing development review including site review. Therefore, the protection requirements contained in the Development Code apply to this application.

FINDING: Year 2022 aerial imagery, available on Metro's online mapping portal Metro Map <https://gis.oregonmetro.gov/metromap/>, indicates the presence of trees along the periphery of the site adjacent to the railroad corridor and along the southern boundary of the property near the Heather Street extension right-of-way. The landscape plan provided by the applicant (Plan Sheet L-1) shows that trees adjacent to the railroad corridor will remain. The 2022 aerial imagery indicates that there are no trees present within the development area of the site. Therefore, no trees are subject to the tree protection requirements contained in Forest Gove Development Code Article 5.

The 2022 aerial imagery indicates the presence of trees within the public right-of-way that was dedicated for the future extension of Heather Streets. These trees will be removed to accommodate the roadway that will serve the data center campus and other properties in the industrial area. Forest Grove Development Code §17.5.120(B) (Trees in Public Rights-of-Way) provides authority or tree removal for a street improvement program. Plan Sheet L-1 indicates that the applicant will install street trees along Heather Street as part of the street project.

FINDING: The site does not contain any historic resources. Historic resources are listed in the Forest Grove Comprehensive Plan and the Oregon Historic Sites Database maintained by the Oregon Parks Department <https://heritagedata.prd.state.or.us/historic/>.

DC §17.3.510: List of Industrial Zones.

(A) *Light Industrial (LI)*. The LI zone is intended for a wide variety of manufacturing and other industrial uses with controlled external impacts. These types of industries are often involved in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling, and warehousing. Industrial activities occur within enclosed buildings. On a limited basis, supporting commercial and office uses are permitted in the LI zone.

FINDING: The subject property is zoned Light Industrial ("LI"), and the applicable standards of the LI zone are set forth at DC § 17.3.500 et seq. The proposed site plan complies with the applicable standards

of DC § 17.3.530 / Table 3-13 and §17.3.540 as evidenced by the submitted application materials as presented further within this staff report.

DC §17.3.520: Use Regulations and Table 3-12: Industrial Zones Use Table

Refer to Article 12 for information on the characteristics of uses included in each of the Use Categories.

A. **Permitted uses**. Uses allowed in the Industrial zones are listed in Table 3-12 with a “**P**”. These uses are allowed if they comply with the development standards and other regulations of this Code.

DC TABLE 3 -12: INDUSTRIAL ZONES USE TABLE

<i>Table 3-12: Industrial Zones Use Table</i>			
<i>USE CATEGORY</i>	<i>LI</i>	<i>GI</i>	<i>BIP</i>
OTHER			
Agriculture/Horticulture	P[8]	P[8]	P
- Medical and Recreational Cannabis Producers (Outdoor)	N	N	N
- Medical and Recreational Cannabis Producers (Indoor)	C	C	N
Cemeteries	N	N	N
Detention Facilities	C	P	C
Mining	N	C	N
Wireless Communication Facilities	L[9]	L[9]	L[9]
Information	P	P	P
P = Permitted L = Limited C =Conditional Use N = Not Permitted X = Cannabis facilities including warehousing requires a conditional use permit Y = Wholesale activities for cannabis requires aconditional use permit in the LI and GI zone			

FINDING: DC §17.12.100 – CLASSIFICATION OF USES

“Uses are assigned to the category whose description most closely describes the nature of the primary uses. When all of the primary uses of a development fall within one use category, then the development is assigned to that category. When the primary uses of a development fall within different use categories, each primary use is classified in the applicable category and is subject to the regulations for that category.”

The proposal is for construction of a Data Center campus.

The United States Federal Code (U.S.C.) Title 42 §17112(a) defines:

(1) Data center: The term "data center" means any facility that primarily contains electronic equipment used to process, store, and transmit digital information, which may be:

- (A) a free-standing structure; or
- (B) a facility within a larger structure, that uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment.²

Table 3-12, the Industrial Zones Use Table provides “OTHER” within its listed use categories (see above), with “INFORMATION” being a subcategory.

² <https://uscode.house.gov>

DC §17.12.150 (F) **Information:** “Uses that are engaged in the following processes: producing and distributing information and cultural products; providing the means to transmit or distribute these products as well as data or communications; and processing data. Included in this definition are those establishment types within Sector 51 – Information as provided by the North American Industry Classification System (NAICS), United States, 1997 Edition with the exception of § 51213, Motion Picture and Video Display.”

The NAICS United States 1997 Edition referenced above is a 191-page document, The relevant pages addressing Sector 51 – “Information” from the NAICS United States 1997 Edition is included in the record and incorporated into these findings by reference. Specifically, the applicable Code Description from the NAICS 1997 Edition; #514210 “*Data Processing Services*” (within the “Information Services and Data Processing Services category”) is found on page 516 of the 1997 NAICS document.

As defined by DC 17.2.450(A) above, the proposed Data Center on the subject property is a permitted use by right, as long as the proposal demonstrates compliance with the relevant and applicable development standards of the development code. This criterion is met.

DC §17.5.530 and Table 3-13: set forth the dimensional requirements for a use in industrial zones, including lot size, setbacks and building height. The site and site plan demonstrate compliance with the dimensional requirements of DC §17.3.530 and Table 3-13.

STANDARD	LI	GI	BIP
Minimum Lot Size	10,000 square feet	10,000 square feet	20,000 square feet
Minimum Lot Width	100 feet	100 feet	100 feet
Minimum Lot Depth	None	None	None
Minimum Yard Setbacks [1]	None	None	Front : 20 feet Interior side: 10 feet Rear : 10 feet
Maximum Building Height [2]	None	None	45 feet
Maximum Building Coverage			50%
Minimum Landscaping			15%
Footnotes: [1] A setback and buffer may be required where a LI or GI boundary abuts a less intensive zone. See screening and buffering standards in Article 8. When an industrial site is separated from a residential zone by either a dedicated public street , or a railroad main line or spur track, nosetback shall be required in that yard adjacent to the residential zone. [2] Building height unlimited per the Building Code with the installation of a sprinkler system approved by the Forest Grove Fire Department in all buildings over two stories.			

FINDING: Table 3-13 identifies no minimum yard setbacks in the LI zone. Notwithstanding the foregoing, proposed “Building 1”, the southernmost of the two (2) proposed, will be located no closer than approximately 67 +/- feet from the common boundary with properties to the east and a 20-foot landscape buffer and 26-foot-wide access drive encircling the building will intercede. “Building 2” will be located approximately 122 +/- feet from the northern property boundary and as interceded by a 20-foot landscape buffer, 30-foot-wide access drive and approximately 72-foot-wide equipment yard. “Building 2” will be located approximately 61 +/- feet from the eastern property boundary and interceded by a 20-foot landscape buffer, 30-foot-wide access drive and several feet of landscaped area adjacent to the corner of the building.

The subject property is in the LI zone and bordered by property to the south that is also zoned LI. There are several tax lots that are residentially developed abutting the eastern boundary line of the subject property (1S305AD00100, 1S305AD00200, 1S305AD00400, 1S305AD00700, 1S305AD00600, 1S305AD00500, 1S305AD00800, 1S305AD00900 and 1S305AD01000). However, although residentially developed, those tax lots are also *industrially zoned* (LI) and the residential uses occurring on them are considered pre-existing “nonconforming” uses as they would not be permitted to occur in the LI zone if they were proposed under the current code. Therefore, those residential uses, not the proposed industrial use on the subject property, are actually the conflicting uses therefore, they are not subject to the buffering requirements of Article 8. The northern property boundary is directly abutted by a railway, therefore, pursuant to footnote [1] of Table 3-13 above, there is no buffering requirement between the subject property and the residential zone that exists north of the railroad track.

Notwithstanding the foregoing, the Applicant proposes placement of a 20’ landscape buffer along the entirety of the northern and eastern property boundaries. There are no criteria of this section applicable to the subject site. The applicant’s proposal exceeds what the Development Code requires.

DC §17.3.540 ADDITIONAL INDUSTRIAL ZONE STANDARDS

A. Site plan review required. Development in the LI, GI and BIP zones is subject to a Type II site plan review process.

FINDING: The application is appropriately submitted and reviewed under the Type II administrative review process as prescribed by DC §17.1.500 et seq. This criterion is met.

B. Parking. Parking, loading and unloading areas shall not be located within the required setback area.

No loading or unloading facilities shall be located adjacent to a residential district if there is an alternative location of adequate size for loading and unloading facilities that is not adjacent to a residential district.

Off-street surface parking shall not occupy more than 33% of the public street frontage. Where a site has frontage along a side street, a surface parking lot may occupy more than 33% of the side street frontage. Parking areas located along a public street frontage shall be screened with any one or combination of the following techniques: solid perimeter wall, earthen berm, or evergreen hedge with a minimum spacing of three feet and maximum height of five feet. Parking areas shall be landscaped as required in DC §17.8.415.

FINDING: As identified above, there is no required setback area. As evidenced by the submitted site plan (see **Exhibit C**) No parking is proposed along the Heather Street Frontage. Parking is proposed in the central portion of the subject property, adjacent to the western sides of “Building 1” and “Building 2”. This criterion is met.

C. Performance standards. No land or structure in the LI, GI and BIP zones shall be used or occupied unless there is continuing compliance with the standards set forth by the Environmental Protection Agency, Oregon Department of Environmental Quality and Metro relative to noise, vibration, smoke and particulate matter, odors, heat and glare, and insects and rodents.

FINDING: The applicant’s findings state that they will comply by “designing noise-generating equipment to achieve compliance within applicable noise limits. Operation of data centers are not expected to generate smoke, particulate matter, odors, heat, or glare in excess of applicable standards.” The applicant did not provide details about the noise-generating equipment to achieve compliance with applicable noise limits. The applicable noise limits to comply with are stated in Forest Grove Code of

Ordinances §91.032, Table 1 below. Noise sensitive areas are defined in §91.031 to mean “real property zoned residential or institutional in accordance with the terms and maps of the City’s Development Code.

TABLE 1: Table of Maximum Allowable Sound Levels (in dBA) in any Ten-Minute Period

Type of Source by Use	Type of Received by Use					
	Noise Sensitive		Commercial		Industrial	
	Day 7:00 a.m. to 10:00 p.m.	Night 10:00 p.m. to 7:00 a.m.	Day 7:00 a.m. to 10:00 p.m.	Night 10:00 p.m. to 7:00 a.m.	Day 7:00 a.m. to 10:00 p.m.	Night 10:00 p.m. to 7:00 a.m.
Commercial	80	70	80	70	80	70
Industrial	80	70	80	70	80	70
Noise Sensitive	60	50	80	70	80	70

The Oregon Department of Environmental Quality (DEQ) also establishes allowable noise limits for industrial development on previously unused sites. The applicable regulations are contained in Oregon Administrative Rules Chapter 34-035-0035. The DEQ regulations are more stringent than the City’s Code.



OAR 340-035-0035

Table 7

Existing Industrial and Commercial Noise Source Standards

Allowable Statistical Noise Levels in Any One Hour

7:00 a.m. – 10:00 p.m.	10:00 p.m. – 7:00 a.m.
L ₅₀ – 55 dBA	L ₅₀ – 50 dBA
L ₁₀ – 60 dBA	L ₁₀ – 55 dBA
L ₁ – 75 dBA	L ₁ – 60 dBA

 OAR 340-035-0035 Table 9 Industrial and Commercial Noise Source Standards for Quiet Areas Allowable Statistical Noise Levels in Any One Hour		
	7:00 a.m. – 10:00 p.m.	10:00 p.m. – 7:00 a.m.
L ₅₀	50 dBA	45 dBA
L ₁₀	55 dBA	50dBA
L ₁	60 dBA	55dBA

FINDING: As required by DC §17.8.755(C)(1): “Outdoor lighting shall be provided in a manner that enhances security, is appropriate for the use, and avoids adverse impacts on surrounding properties. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 foot-candles of light.” DC §17.8.755(E)(2)(d) requires that parking lot lighting be equipped with a cut-off fixture to ensure that light does not spill onto adjacent residential property. This requirement will be an ongoing condition of project approval.

FINDING: The Environmental Protection Agency and Oregon Department of Environmental Quality establish air quality standards. The applicant’s statement addressing DC §17.3.540(C) states the data center is not expected to generate smoke or particulate matter in excess of allowable standards.

D. *Solid waste collection areas.* Exterior solid waste dumpsters and solid waste collection areas must be screened from the public street and any abutting residential, commercial or town center zones.

FINDING: DC §17.12. 210 defines abutting to mean: “Two or more lots joined by a common property line.” There is an existing railroad corridor that separates the subject industrial property from the residentially zoned property to the north. Mountain View Lane separates the subject property from the residentially zoned property to the east. As such, the subject property does not share common property lines with residentially zoned property and this criterion is not applicable.

E. *Mechanical equipment.* Mechanical equipment located on the ground, such as heating or cooling equipment, pumps, or generators, must be screened from the street and any abutting residential zones by walls, fences, or vegetation tall enough to screen the equipment. Mechanical equipment on roofs must be screened from the ground level of any abutting residential zone.

FINDING: Applicant proposes fencing around ground mounted mechanical equipment as visible from Heather Street. Compliance with the requirement for street screening will be reviewed at the time of building permits. There are no abutting residential zones.

F. *Building facade and massing.* Where building elevations are oriented to the street, architectural features, such as windows, pedestrian entrances, building off-sets, projections, change in materials or change in colors shall be used to break-up building surfaces and volumes.

Buildings exceeding 100 feet in the horizontal direction facing a public street shall include vertical relief using windows or vertical design elements incorporating change in exterior building materials or landscape screening.

Recessed entries or canopies shall be used at the entrances of buildings in order to reinforce a pedestrian-scale and to break up large blank walls.

FINDING: “Building 1” is the only building oriented to the street (Heather Street) and is proposed to be approximately 715+/- feet in length. The applicant’s findings state: *“Windows and projections are proposed along the building facades, The primary entries to the buildings are recessed and include canopies. For security and flow, pedestrian entrances are not oriented towards the south. Multiple openings and louvres are proposed along the building faces to break up the long walls.”*

Submitted plans sheet “A001” provides a digital rendering of the proposed building plans presented on sheet “A-201”, complimenting the applicant’s written findings and demonstrating understanding and intent to comply with this requirement. This criterion is feasibly met, and the standards of this section will be verified for compliance at the time of building permits.

G. Landscaping. Except for driveways and parking areas, the front setback area along a primary public street frontage shall be landscaped with lawn, trees, hedges, or ornamental flowers. Such landscaping shall be maintained in good order.

FINDING: The submitted preliminary landscape plan (sheet L-1) demonstrates compliance with the requirements of this section. A condition of approval will require that **landscaping shall be installed prior to receiving certificate of final occupancy** of “Building 1” and an **ongoing condition of approval** shall require its maintenance in good order.

H. Signage. Pole signs are prohibited within areas zoned as Business Industrial Park. Free standing signs shall be monument-type signs no more than five feet in height with a maximum area of 40 square feet including face and pedestal. Multi-tenant complexes shall provide unified monument signage for individual tenants near an access point for the complex. Such signs shall comply with the requirements of DC§ 17.8.830(D). Monument signs shall be not be placed within any clear vision area required in DC§ 17.8.155.

FINDING: Applicant states that one (1) sign will be located at the entrance to the site and states understanding of the vision clearance standard. Compliance with the requirements of this section and DC§ 17.8.830(D) and DC§ 17.8.155 will be verified at the time a sign permit is requested.

I. Site circulation. All roadways and drives shall include sidewalks on at least one side of the roadway or drive with the exception of vehicle facilities that provide access solely to loading and service areas. All pedestrian connections to the public sidewalk shall include canopy trees spaced at a maximum of 30 feet on-center. Coniferous trees are permitted with approval of the Director. Trees shall be placed within planting beds sized appropriately for the tree species using tree planting best practices adopted by the International Society of Arboriculture or similar professional organization.

FINDING: The submitted site plan shows and the applicant’s findings state: *“A network of pedestrian routes is proposed around the site and data center buildings. Sidewalks are not proposed along the drives that service the loading/unloading and equipment yard areas. Canopy trees are proposed along the pedestrian route connection to the public sidewalk along Heather Street.”*

No coniferous trees are proposed, and none are authorized.

J. Surface water management. When required, on-site surface water management facilities, such as detention ponds and swales, shall be incorporated into open space and landscaped areas through the use of unifying landscape elements. The Director shall make a determination as to whether the design meets the intent of this standard. The Director's determination is appealable to the Planning Commission.

FINDING: Stormwater runoff is managed in accordance with CWS standards utilizing a stormwater pond facility on site. A condition of approval shall require the development to comply with all CWS construction standards, and any standards applied by the City of Forest Grove Public Works and Engineering Department as identified in those special conditions and specifications attached hereto.

The site proposal complies with the applicable standards of DC §17.8.000 et. seq. as follows:

DC §17.8.005(C): Adoption by Reference of Clean Water Services (CWS) Standards.

FINDING: The site and all improvements are conditioned to comply with CWS Design and Construction Standards (CWS Resolution & Order 19-22), <https://cleanwaterservices.org/development/dnc/view-the-standards/>, for any discharge into either the sanitary sewer or storm drainage systems. Applicant has supplied a service provider letter – CWS File 23-003061 (**Exhibit I**) and the development shall comply with the requirements stated therein. For this reason, this criterion is met.

DC §17.8.100 – §17.8.140: Access and Circulation.

FINDING: The site is in an industrial area. Primary access to the site is expected to be by vehicle. The proposed vehicular access would comply with the provisions of this section.

DC §17.8.150: Clear Vision Area.

FINDING: The buildings are not proposed to be located near a vision clearance area. This section does not apply.

DC §17.8.200: Open Space.

FINDING: Open space requirements apply only to residential projects. Therefore, this criterion does not apply.

DC §17.8.300 Hazards and Resources

FINDING: There are wetlands located on the subject property. Pursuant to DC §17.8.305(A)(1) no site preparation or construction activity shall occur within jurisdictional wetlands until the Division of State Lands (DSL) and US Army Corps of Engineers (USACOE) have issued a permit to allow fill in a wetland. Submittal of the approved DSL/USACOE wetland fill permit will be made a **condition of approval**. No authorization for site development plans (grading) or any other construction/building permits impacting jurisdictional wetlands will occur until the DSL/USACOE wetland fill permit is supplied to the planning record and any conditions thereof are satisfied. Notwithstanding construction activity within jurisdictional wetlands, construction activities outside of jurisdictional wetlands may occur prior to approval of the wetland fill permit subject to City of Forest Grove and Clean Water Services review and approval.

DC §17.8.400: Landscaping.

FINDING: The final site design will be required to comply with the landscape standards of 17.8.545 Landscaping and Screening of Parking and Loading Areas. Compliance with landscaping requirements will be reviewed at the time of building permit application.

DC §17.8.500: Off-Street Parking.

FINDING: Oregon Administrative Rule (OAR) 660-012-0440 “Parking Reform Near Transit Corridors” precludes the city from enforcing parking requirements. Specifically, subsection (3) of the rule states: “Cities and counties may not enforce parking mandates for developments on a lot or parcel that includes lands within one-half mile of frequent transit corridors.” The subject property is approximately 1/3 mile north of the intersection of Yew and Adair Streets. A TriMet Line 57 stop (ID #4332) is located at this intersection. Therefore, pursuant to OAR 660-012-0440(3), this criterion does not apply.

DC §17.8.600: Public Improvements.

FINDING: The final site design will be required to comply with City, County and CWS sidewalk, sanitary, street, and storm drainage standards and specifications.

DC §17.8.700: Building Design.

FINDING: Design standards were already addressed where the criteria of DC § 17.3.540(F) “building massing and form standards” were addressed above.

DC §17.8.750: Lighting Standards

FINDING: Any outdoor lighting will require shielding in compliance with the requirements of this section.

DC §17.8.800: Signs

FINDING: One sign at the entrance to the subject site is proposed. Signs shall be required to comply with the provisions of DC §17.8.830(D) at the time of building permit submittal.

DC §17.2.450(B): The site development plan addresses the development standards in Article 5 (Natural Resource Areas, Tree Protection and Historic Resources) when such resources are present on or directly adjacent to the development site.

FINDING: None of the features described in DC §17.2.450(B) are present on the subject property. While there are mapped areas of wetland, there are no mapped Metro Title 13 Inventory Natural Areas as applicable to Development Code Article 5 (see **Exhibit H**). Therefore, this criterion is not applicable.

DECISION: Based on the evidence in the record and the findings presented within this staff report, the application for Site Development Review to permit construction of the two (2) buildings and associated accessory site development; limited to site parking and the required public improvements to Heather/Poplar Street, is **APPROVED** subject to the following conditions:

**CONDITIONS OF APPROVAL
PROPOSED DATA CENTER CAMPUS AND ASSOCIATED IMPROVEMENT
CITY FILE NUMBER 311-24-000006-PLNG**

DEVELOPMENT CODE STANDARDS AND SPECIFICATIONS

1. All construction, landscaping and other site improvements shall conform to the project description, site plan, engineering plans and other representations made by the applicant as part of the application and during the application review process.
2. All work shall comply with current Clean Water Services standards and specifications (DC §17.8.005(C)) and all mitigation requirements as stated in CWS Provider Letter File No. 23-003061 with issue date of January 25, 2024 (expiration date: January 24, 2026).
3. All utility connections shall be underground as required by DC §17.8.645(A).
4. Outdoor lighting shall be directed downward with no cast or glare of light off-site. Any light source over 10 feet high shall incorporate a cut-off shield.
5. Any change of use from one use category to another, as listed in Forest Grove Development Code §17.3.520, Table 3-12, proposed for the site subject to this approval, shall be reviewed through the Type II Site Development Review process described in Forest Grove Development Code §17.2.400 through §17.2.450.
6. Minor modifications (which shall be defined as any proposed change that is less than a 10% deviation (less than or greater than) from any approved element to site plan approved by decision 311-24-000006-PLNG, shall be reviewed through the Type I Adjustment process described in Forest Grove Development Code §17.2.120(A). Major modifications to any approved element to the site plan (from 10% to 20%), except for height decrease which are considered a minor modification shall be reviewed through the Type II process described in Forest Grove Development Code §17.2.120(B).
7. **PRIOR TO ISSUANCE OF BUILDING PERMITS: *Including planning department authorization for site development/grading permits*** - The Applicant shall supply a copy of a completed and approved Department of Environment Quality (DEQ) 1200-C permit. Any conditions required by that permit shall be satisfied prior to issuance of grading permits. Notwithstanding construction activity within jurisdictional wetlands, construction activity outside of jurisdictional wetlands may occur prior to approval of the wetland fill permit subject to City of Forest Grove and Clean Water Services review and approval as may be provided with a phased 1200-C permit.
8. **PRIOR TO FINAL of "BUILDING 1"**: Landscaping in compliance with DC §17.3.540(G) shall be installed.
9. **EXPIRATION**: This permit shall expire two years from the date it becomes final.
10. Prior to issuance of building permits provide a geo-tech report. Include geo-tech findings in the structural design and subgrade drainage plan.
11. Applicant to sign and return a copy of Engineering Conditions of approval "Attachment A", prior to issuance of building permits.

12. Continuing compliance with the standards set forth by the Environmental Protection Agency, Oregon Department of Environmental Quality and Metro relative to noise, vibration, smoke and particulate matter, odors, heat and glare, and insects and rodents, REQUIRED.

ENGINEERING DEPARTMENT SPECIAL CONDITIONS

13. See attached Engineering specifications and conditions. Applicant to sign and return a copy of Engineering Conditions of approval prior to issuance of building permits.

LIGHT AND POWER DEPARTMENT CONDITIONS

1. The Forest Grove Light and Power Department will coordinate with the Development, TTM, Clean Water Services (CWS) and Progressive Property Management (4114 Heather Street) properties regarding Forest Grove Light and Power Department switching cabinets within the area for the extension of Heather Street. The Developer shall timely respond to coordination requests. The Developer and Forest Grove Light and Power shall memorialize terms and obligations for payment of the relocation work through an Infrastructure Agreement.
2. Roadway lighting along Poplar/Heather Street shall be designed with FGL&P- specific lights. All lighting within the interior of the property will be owned by the applicant and needs to be installed past an electrical meter.
3. Additional easements may be needed and will be determined at the completion of the electrical design.

FIRE DEPARTMENT SPECIAL COMMENTS

1. All gates shall be provided with fire department entry products from the Knox Company, as appropriate for the gate's operating mechanism. Automated gate openings require Knox brand key switches, manual gates require Knox brand padlocks or key boxes.
2. Install Knox brand key boxes in approved locations for interior building access. At minimum, we require a key box mounted near what is considered the main entrance door, as well as whatever exterior door provides access to fire protection equipment such as alarms, sprinklers, or extinguishing systems.
3. All fire hydrants shall have the large port provided with a 4-inch storz thread.
4. Fire department connections for the sprinkler systems shall be provided with a 4-inch storz thread on a 30- or 45-degree downsweep.
5. Post addresses and building identification numbers in approved locations with appropriate.

6. Post all exterior doors (except the identified main entry) with an approved numbering system that identifies each door. This numbering system shall begin with the main entry door, and each subsequent greater number will increase as in a clockwise fashion around the building exterior. Example, main door is 1, the next left door is 2, and so on.

Crane Data Center – Standards and Specifications
3975 Heather Street, Washington Co. Tax Lot 1N4360000300
File Number 311-24-000006-PLNG
July 31, 2024

ENGINEERING DEPARTMENT - PUBLIC IMPROVEMENTS

1. All plans submitted to date are considered conceptual only. Public improvement plans shall comply with the attached Engineering Conditions of Approval **dated 5/21/2024**. The public improvement plans shall be prepared in accordance with the City of Forest Grove Electronic Data Standards, including the vertical datum and horizontal datum, see Section 1.1.e, page 3. The last two sentences of the first paragraph of Section 1.1.e in the Electronic Data Standards are not applicable, as the city of Forest Grove is no longer using the Forest Grove Vertical Datum. The Electronic Data Standards document is available on the city of Forest Grove Engineering page using the following link:
<https://www.forestgrove-or.gov/engineering/page/electronic-data-standards>.
2. All public improvement work shall conform to the City of Forest Grove Municipal Code, City of Forest Grove Standard Specifications, Uniform Building Code Appendix Chapter 33 Excavation and Grading, and the Agreement Allowing the developer to Construct Public Improvements (DC 17.8.650).
3. All utilities shall be constructed to the appropriate Master Plan specifications and city Standard Construction details. The details are accessible via the following link:
[Construction and Design Standards | Forest Grove, OR \(forestgrove-or.gov\)](#)
4. All Sanitary Sewer and Surface Water Management construction shall comply with Clean Water Services Design & Construction Standards (D&CS): R&O 19-5 as Amended by R&O 19- 22, adopted November 12, 2019, for Sanitary Sewer and Surface Water Management.
5. The city of Forest Grove Standard Details and Clean Water Services Standard Drawings that are applicable to the design shall be included in the design drawing set.
6. The city of Forest Grove Standard Notes shall apply to all public improvements being constructed by the developer and the Standard Notes shall be included in the drawing set. The City of Forest Grove Standard Notes is included as part of these comments and conditions.
7. Submit Sealed and Signed Storm Water Drainage Report in accordance with Clean Water Services (CWS) D&CS 1.08.12 & 2.04.2.m.
8. Submit Sealed and Signed plans in accordance with CWS D&CS 1.08.12 & 2.04.
9. Submit a sealed and signed Geo-technical report for the site with recommendations for construction and storm drainage. The recommendations of the geotechnical report shall be incorporated into the construction plans for the development.
10. All signage (including but not limited to, street names vehicular parking restrictions, and vehicular and pedestrian traffic protection and direction) within the public right-of-way (PROW); pavement striping and marking; and pavement reflectors (including, but not limited to, blue fire hydrant markers), shall be shown on the approved plans, furnished, and installed by the developer.
11. Public improvement, site grading and erosion control plans shall incorporate the tree preservation and protection measures as per DC §17.5.130(3). Fencing shall be installed around all protected trees and signs erected indicating that the area within is to remain undisturbed during construction.
12. The developer shall construct all ½ street frontage improvements and/or repairs along the parcel's Mountain View Lane frontage as required by the City's Development Code.

13. Half Street Improvements for the Extension of Heather St:
 - a. The extension of Heather St is designated as a collector street in the city's Transportation System Plan.
 - b. Heather St shall be extended from Mountain View Lane, along the development's southern property line, to the development's western property line as shown in the preliminary plans submitted with this application.
 - c. The developer shall design and construct the ½ street frontage improvements with a minimum 24' roadway width City Development Code Section 17.8.610 Table 8-7 in accordance with the city's collector street standards and the Land Use Conditions of Approval, to include the accesses for the TTM/CWS & White Oak River Properties.
 - d. The developer is responsible for the costs to design and construct the Heather St extension half street improvements along the development's southern frontage, the new Mountain View Lane/existing Heather St/Heather St extension intersection, and the construction of the new accesses to TTM/CWS and White Oak River properties to the southern PROW of the Heather St. extension.
 - e. The developer shall coordinate with TTM, Clean Water Services, and White Oak River Inc. to identify their access requirements from their sites to the Heather St extension.
 - f. The separation between the curb cuts for the two TTM access points shall be a minimum of 105 ft per Development Code Section 17.8.130.D.2
 - g. A transition from the Heather St extension to the existing roadway at the western limit of the tax lot shall be provided as shown on the preliminary drawings from the Land Use application.
 - h. Stormwater management approaches (SWMA) for treatment and detention of stormwater runoff shall be sized for all new or modified impervious surfaces from the construction of the ½ street Heather St. improvements, construction of the new Mountain View Lane/existing Heather St/Heather St extension intersection, and for the future completion of the Heather St. extension to a full collector street cross-section. These facilities shall be solely for the treatment and detention of stormwater runoff from impervious surfaces in the PROW. The City will reimburse the developer for the portion of the stormwater management facilities required for the impervious area created by the future completion of the Heather St. extension to a full collector street cross-section.
 - i. If there is insufficient area within the Heather Street extension PROW to provide treatment and/or detention of the stormwater runoff from all impervious surfaces from the ½ street improvements, construction of the new Mountain View Lane/existing Heather St/Heather St extension intersection, and for the future construction of the Heather St. extension to a full collector street cross-section as well as the future buildout of the within the PROW for full collector street section, then the developer shall:
 - i. Request an exemption from providing stormwater treatment and/or hydromodification detention as defined by CWS Design & Construction Standards (DCS) Section 4.03.7 in the form of a formal engineering technical memorandum (TM). The TM will at least describe why stormwater management areas cannot be constructed in the PROW and which conditions in CWS DCS Section 4.03.7 exist. The developer shall submit the TM to the City for review by the City and CWS. CWS will make the final decision if a fee-in-lieu will be approved for the PROW Stormwater Management Facilities; or
 - ii. Provide the necessary area for the stormwater management facilities outside of the through a permanent stormwater easement or dedication of PROW for this purpose.
14. The developer shall furnish and install all signs within the PROW at their expense. The developer shall furnish and install all signs within the PROW at their expense.
15. The developer shall maintain continuous emergency access between Mountain View Lane and the White Oak River and TTM properties during construction.
16. The developer shall maintain continuous access to the TTM and CWS properties during construction.

17. The Emergency Intertie at the southwest corner of the new intersection of Mountain View Lane and the existing Heather St east of Mountain View Lane will likely be under construction at the same time as Phase 1 of the Data Center. The developer shall provide construction access to and from the Emergency Intertie project site to Mountain View Lane at all times.
18. Curb ramps shall be designed and constructed in accordance with ODOT Standard Drawing RD900 series, per City of Forest Grove Standards.
19. Diagonal curb ramps are not permitted on new construction projects. Each 4-way intersection shall have 8 individual ramps and each 3-way intersection shall have 6 curb ramps.
20. CWS Street Side Planters, Standard Drawings Numbers 745 & 750 are prohibited within the city of Forest Grove.
21. A Reduced-Pressure Principle Backflow Prevention Assembly (RP) shall be:
 - a. Installed on each water service being provided by city of Forest Grove including potable, fire, and irrigation.
 - b. The city will require premise isolation, meaning the RP device will be placed on the customers side and on their property before any other connections.
 - c. There shall be sufficient room between the PROW and the RP for maintenance activities. The maximum separation between the RP & the PROW/property line is 10 ft.
22. Water meters shall be in the PROW. If there is insufficient room in the PROW, then they shall be located outside of the PROW in the adjacent property and an access/maintenance easement to benefit the city shall be provided by the developer. The size of the easement will be determined during development of the Site Plans based on the meter size.
23. The private fire service line shall not be connected to any other service on site, as it is not metered.
24. The Land Use Application (LUA) states that the developer is assessing opportunities for the use of a non-potable water source in coordination with CWS. The LUA does not state what the non-potable water source is or how the source would be used. The developer's team has informed the city, by email, that they are working with CWS to secure reclaimed water as the source for the data center cooling system. The LUA also does not identify if the developer plans on using city water for the data center cooling system. If the developer determines that city water is required for the data system cooling system, then the developer shall perform a water system capacity analysis (Analysis) at their costs. The developer shall use the same criteria used for the water system evaluation as used in the 2022 Water System Master Plan water system analysis to evaluate if the city's water system has sufficient capacity to supply the Data Center's maximum daily cooling water demand at buildout and if any water system improvements are required to provide the maximum daily cooling water demand at buildout. The developer shall submit to the city prior to the water system analysis a technical memorandum stating all criteria to be used for the water system analysis. The city will review the technical memorandum and provide comments, at which point the developer may proceed with the water system capacity analysis. The developer shall be responsible for the cost of the water system improvements required to meet the data system's maximum daily cooling water demands at buildout, unless determined otherwise by the city. If the analysis is required and then prior to the issuance of the Building Permit, the developer shall complete the analysis and the developer shall agree to design and construct the required water system improvements as part of the Public Improvement Agreement.

Questions on the above items should be directed to Civil Engineer Rich Blackmun at 503-992-3192 or RBlackmun@forestgrove-or.gov.

**Crane Data Center
3975 Heather Street**

City of Forest Grove
Engineering Conditions of Approval
July 31, 2024

Applicant/representative shall sign below and return to City Engineering. Applicant/representative has read the conditional approval form and understands the conditions of approval outlined to this project. Not meeting these conditions may result in withdrawal of engineering approval to project.

GENERAL

1. All plans submitted to date are considered preliminary only. Upon completion of land use application approval, detailed construction plans and specifications must be submitted to engineering that demonstrate compliance with standards and regulations adopted by the City of Forest Grove and/or all other agencies that have jurisdiction including Clean Water Services, Washington County, Oregon Department of Transportation, and the conditions of approval as passed by the City Planning Commission for Land Use Approval. Contact engineering for questions on detail construction plan check process and the required number of construction plan sets/specification required for the detailed review.
2. All detailed construction plans submitted shall be stamped by an Oregon registered professional engineer.
3. All information related to vertical and horizontal location including in documents containing legal description, Draft Development Plan, Final Development Plan, Final Plat, Right-of-Way Deed, or Easement, and Record Drawings must be on the City of Forest Grove current City Datum. Narrative of City Datum including Bench Mark information is available through City Engineering Department.
4. Prior to issuance of Building Permit, Applicant will enter into an agreement with the City of Forest Grove for the construction of public facilities. City will prepare Agreement Allowing Developer to Construct Public facilities. The Agreement document shall be fully executed by City and Developer prior to start of construction.
5. Public improvements shall be in place and accepted by the City Engineer prior to issuance of building permits for new lots of record.
6. Final Development Plans and Specifications containing design for construction of public facilities shall receive approvals (as applicable) from City of Forest Grove, Clean Water Services, and other affected jurisdictional agencies. Developer is responsible for all submittals, approvals and permit acquisitions, unless advised otherwise by the City. Permits, if required, shall be secured by developer or authorized representative prior to start of construction (e.g. both on-site and off-site construction).
7. It is the responsibility of the Applicant to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from engineering must be received before any changes are constituted in site design, grading, building design, building colors or materials, etc.

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8. Applicant shall, at applicant's expense, and under City's direction, provide for traffic control, during construction, so as to minimize the impact on residents surrounding or adjacent to the Project. Applicant agrees that, during any construction within or as a part of the overall Project, all existing roadways as of the date of approval of this project, at all times, remain passable to a minimum of two lanes of traffic, one in each direction, or an acceptable detour approved by City. Applicant further agrees that if, at any time, City shall determine that there are not sufficient acceptable traffic lanes or acceptable detours which are passable, that all construction by applicant shall immediately cease upon written demand therefore, by City.
9. Applicant shall replace, or have replaced, or repair or have repaired, as the case may be, all existing infrastructure which have been destroyed or damaged, and applicant shall replace or have replaced, repair, or have repaired, as the case may be, or pay to the owner, the entire cost of replacement by reason of any work done hereunder, whether such property be owned by the City or any agency thereof, by any private, or by any person whomsoever, or by any combination of such owners. Any such repair or replacement shall be to the satisfaction and subject to the approval of the City Engineer.
10. Applicant shall provide such monumentation as may be required by City Engineer, in accordance with accepted standards. The applicant shall post security guaranteeing the payment of the cost of setting the monuments. The cost of setting the monuments will be determined by the City Engineer upon approval of the improvement plans. The Applicant shall pay the engineer or surveyor for the cost of setting the monuments within three (3) months from date of notification by the engineer or surveyor that the monuments have been set. If the applicant does not pay the engineer or surveyor within the three (3) months from date of notification, the City shall pay the engineer or surveyor for the security and refund the difference, if any, to the Applicant.
11. Prior to commencement of project work the project Applicant shall provide proposed trucking routes for all equipment and material deliveries as may be required by the City Engineer. The City shall, at Applicant expense, video the routes to establish preconstruction conditions. Damage to any public improvements, on or off site caused by construction operations, during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the Applicant. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
12. Project Applicant shall obtain, at Project Applicants sole expense, any and all easements or real property which may be required for the development of the Project, and which may be necessary and required in order for Project Applicant to comply with these Conditions of Approval, and the applicable ordinances and resolutions of the City.
13. All engineering design, including, but not limited to, storm sewers and appurtenances, sanitary sewers and appurtenances, streets including, but not limited to, geometrics, sight distances, lighting and sound walls, water systems and appurtenances, signing and striping, landscaping and appurtenances, shall be supported by applicable engineering studies/calculations, as required by the City Engineer.

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14. Project applicant shall design/install all improvements and perform all work required for this project in accordance with established City Standards or as approved by the City Engineer and Public Works. Plans for all improvements, including, but not limited to, storm drainage, water and sewer main sizes, either on-site or off-site, shall be in accordance with City Specifications and shall be approved by the City Engineer.
15. The Project Applicant shall be responsible for all work performed by any and all contractors and subcontractors.
16. Detailed plans reflecting the design and construction of all public infrastructure improvements for street, sewer, water, fiber optics and storm drain, both on- and off-site, shall be as directed by the City Engineer. Developer shall have written approval from the City Engineer for any variations from the City's master plans or standards prior to any final approval.
17. The applicant, in order to reduce the tracking of mud throughout the City, shall design/install standard construction entrances, and shall be responsible for cleaning up (or any expenses incurred by the City for cleaning up) mud, debris, etc. from City streets that is attributed to his project during construction.
18. As-built work in the public right of way are to be submitted to the engineering department on CD ROM or DVD computer disk in a format approved by engineering. Digitized information shall be submitted before requesting a final inspection and should reflect as-built status and information as approved by engineering.
19. Public facilities serving the proposed development, including but not limited to, sanitary sewers, water, streets, storm sewers, electrical power facilities, parks, public safety and schools shall be adequate and meet current City standards; or it is guaranteed that inadequate or nonexistent public facilities will be upgraded or constructed by the applicant prior to occupancy of the project.
20. Except as provided otherwise, in the City's conditions of approval or special specifications for construction of public improvements, the Design and Construction Standards for Sanitary Sewer and Surface Water Management by Clean Water Services shall apply in all matters concerning sanitary sewers and the management of storm and surface water runoff.
21. The recommendations of the traffic study, geotechnical report, and drainage report shall be incorporated into the detailed construction plans and specification review.
22. Unless approved otherwise applicant shall extend utilities and roadways through the project to site boundaries for purposes of future development.
23. Identify in plans and profile, any potential vertical conflict points between utilities. Show provisions necessary to accommodate any such questionable or otherwise close conditions.

DEDICATIONS

24. The Applicant shall provide all necessary easements for streets, alleys, sewer, and water facilities,

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irrigation, fiber optics, district facilities, and other facilities as may be required by the City. Utility easements shall be at a minimum a clear fifteen feet (15') for one utility and a clear twenty feet (20') for two or more utilities. Easements shall not be split between property lines or as otherwise determined by the City Engineer. The easement widths identified are minimums and in certain circumstances, additional easement widths may be required as determined by the City Engineer.

GRADING/DRAINAGE

25. It is the responsibility of the Applicant to meet all Clean Water Service Standard. City engineering will coordinate and submit a set of completed detailed construction plans (completed City engineering review process) for Clean Water Services review.
26. Regarding drainage, the applicant must identify if the project will impact existing surrounding uses including but not limited to agricultural uses. The applicant shall submit a drainage plan showing enough detail to address the mitigation of impacts on these existing surrounding uses or to conclusively show that there will be no impacts to the satisfaction of the City Engineer. The mitigation of these impacts is the financial responsibility of the Applicant until the City formally accepts the mitigation. Additionally, the Applicant shall bear the financial responsibility of, and shall dedicate to the City, runoff control easements, as needed.
27. The applicant must identify issues where the finished grade of the property is higher or lower than the abutting property or adjacent lots, and a suitable solution acceptable to City Engineering shall be required. Solutions including retaining walls shall be shown on grading plans. Retaining walls shall be structurally engineered if over four (4) feet in height, including surcharge, and will require a separate building permit. Applicant shall ensure proper setback requirement on these measures for mitigating grade differences, including building code requirement of two foot setback from toe of slopes.
28. A geotechnical report shall be prepared and submitted by a geotechnical engineer who will be retained by the Applicant to observe, test, and certify that all recommendations outlined in the Report are fulfilled during construction. The reports shall be less than one year old. The reports shall include information on the nature, distribution, physical, and engineering properties of the soils onsite and/or soils to be used as fill, and include recommendations on grading procedures.
29. Prepare and submit hydrology/hydraulic calculations for sizing of all proposed drainage devices. The analysis shall also determine if changes in the post-development versus pre-development conditions have occurred. The analysis shall be stamped and signed by an Oregon Civil Engineer and prepared per area standard, including Clean Water Services requirements. Local regulations requires certain new development and redevelopment projects/activities to incorporate post construction Best Management Practices (BMPs) into the grading/drainage plans to control pollutants. Please refer to the Clean Water Service guidelines for specific comments and requirements.
30. The applicant shall take every step necessary to contain all dirt, construction materials, and construction run-off on site. No grading or construction-related debris, either directly or indirectly carried by water, will be permitted to leave the construction site.

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31. All grading projects require an Erosion Control Plan as part of the grading plans. Grading permits will not be issued until an Erosion Control Plan is approved. Please refer to Clean Water Services requirements.
32. The project shall incorporate site design measures for reducing water quality impacts of the project, in compliance with Clean Water Services requirements. Where feasible, parking lots and other impervious areas shall be designed to drain stormwater runoff to, private water quality facilities, vegetated drainage swales, filter strips, and/or other treatment devices that can be integrated into required landscaping areas and traffic islands prior to discharge into storm drain systems. The use of permeable paving for parking and driveway surfaces is encouraged, to reduce runoff from the site. Such paving should meet fire department requirements and be structurally appropriate for the location. Such water quality mitigations should plan to meet manufacture required maintenance provision.
33. All new private water quality facilities will be required to sign a Private Water Quality Facility Maintenance Agreement and provide information for City master storm water connection report prior to receiving building permit.
34. Project applicant shall, at Project Applicant expense, shall prepare and submit a Dust Emission Control Plan for Project Grading. The Plan shall require that contractor work specifications shall include provisions for adequate water to be applied during construction in order to control dust disturbance resulting from grading operations. The Plan and related contractor work specifications shall be reviewed and approved by the City and Clean Water Services.
35. Prior to City issuance of a grading permit, dust control measures shall be applied in accordance with all ordinances, rules and regulations of the City, including regarding use of water for compaction or dust control purposes.
36. The Applicant shall submit a grading plan to the City Engineer for approval which reflects the recommendations of a final Geologic and Geotechnical study, including construction procedures and/or design criteria. Construction plans submitted to the City Engineering shall conform to the City Engineering Design Standards and include specifications necessary to minimize potential impacts resulting from soil conditions on the project site. The City Engineer or his representative shall verify in the field that all conditions have been satisfied.
37. The project plans shall include erosion control measures to prevent soil, dirt and debris from entering the storm drain system, in accordance with Clean Water Service standards. Drainage from parking lots and private streets to the public right-of-way will be filtered through a City approved systems. The system shall be located on the development property and maintained by the property owner.
38. Pre-development flow from adjacent properties onto the project site shall be maintained or accounted for in the final design.
39. The on-site drainage system must be properly designed to maximize infiltration of roof and/or surface runoff into the underlying soil before discharging into public storm drain, street or alley. Also, the

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storm drainage from project site can not become a nuisance to surrounding property.

40. Storm pipe video inspection shall be provided to the Engineering Division prior to final approval.

RIGHT OF WAY IMPROVEMENTS

41. Any existing damage or damage incurred during construction to the approaches, curb, gutter and/or sidewalk shall be repaired and/or replaced to the approval of the City Engineer.

42. A State Encroachment permit shall be secured prior to the construction of improvements on State or County Facilities.

43. All street improvements shall conform with the requirements of the Americans with Disabilities Act, including the placement of sidewalk at the rear of the driveway at all driveway locations and adjacent to the back of curb at all non-driveway locations.

44. All proposed streets shall be fully improved in conformance with the City standards to the width required by the City. The Project shall install normal and necessary public improvements along the property street frontages to the satisfaction of the City Engineer.

45. These improvements may include, but are not necessarily limited to, grading, curb and gutter, sidewalk, paving, make-up paving and wheel chair ramps, along with construction of all standard utilities necessary including water facilities, sanitary sewer, and storm drainage systems, street lighting, underground utilities, traffic control devices, landscaping, and automatic irrigation systems. All approved driveway locations shall be constructed to City standards.

46. Public sidewalk location shall be shown on the approved plans. Sidewalks (parallel with public streets) shall be located near property/R.O.W. line unless approved otherwise by the City Engineer. Unless designated otherwise on the approved plans, sidewalks shall be installed concurrent with development of lot(s) of record.

TRAFFIC & LIGHTING

47. Arrange for relocation of all utilities, poles, signals, street lights, etc.

48. Developer shall provide and install the following : (1) all signing including, but not limited to, street names, speed, warning, no parking, vehicular and pedestrian traffic protection and direction, for public rights-of-way and easements; and (2) pavement striping, marking and reflective pavement markers. All such signing, striping and marking shall be shown on the approved plans.

49. All signing shall conform to the City Sign Ordinance in regards to size, design, and location. All signs shall be reviewed, approved, and a sign permit obtained prior to installation.

50. Prior to acceptance of improvements by the City, the developer shall perform roadway surface improvements, such as slurry seal or overlay as required by the City Engineer, and shall install any additional traffic signs, striping and pavement markings determined necessary by the City's Traffic

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Engineer, after inspection of the final physical improvement, to insure safe operation of all intersections and segments of streets before any building can be occupied.

51. Establishment of new pedestrian crossings at uncontrolled intersections or at mid-block locations on roadways under control of the City shall be based upon an engineering study by applicant, and reviewed and approved by the City Engineer according to evaluation process set by Washington County.

STORM AND SANITARY SEWER IMPROVEMENTS

52. Sewer pipe video inspection shall be provided to the Engineering Division prior to final approval.
53. Regarding septic systems, the applicant must identify if the project will impact existing surrounding systems. The applicant shall submit a plan showing enough detail to address the mitigation of impacts on these existing surrounding uses or to conclusively show that there will be no impacts to the satisfaction of the City Engineer. The mitigation of these impacts is the financial responsibility of the Applicant until the City formally accepts the mitigation. Additionally, the Applicant shall bear the financial responsibility of, and shall dedicate to the City, runoff control easements, as needed. County standards on setbacks to existing system shall be followed.
54. Public Storm Drain and Sewer pipe materials shall be in accordance with the latest Clean Water Services design and construction standards.
55. Location of sewer and storm mains shall follow City standards or approved otherwise by the City Engineer.
56. Submit Drainage Report. Include (therein) data relevant to treatment and detention of storm and surface water runoff.

EXCAVATION, PAVING, and GRADING

57. Paving shall be per City Standards.
58. Limits of Paving Restoration shall be determined by the City Engineer or Public Works Inspector.
59. All site grading and public improvement work shall conform with the City of Forest Grove Municipal Code, development Conditions of Approval, City of Forest Grove Standard Specifications, Uniform Building Code Appendix Chapter 33-Excavation and Grading, and, if applicable, the Agreement Allowing Developer to Construct Public Improvements.

WATER

60. Water facilities must comply with plumbing cross-connection control standards as required by City Ordinance and State law for the protection of water supplies. Information on acceptable back-flow assemblies is available from the City Water Division.

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61. The size and location of all water meters shall be determined by the Engineer/Architect or authorized representative. All water meters will be furnished and installed by the Water Division at the expense of the Applicant.
62. All public water system components must be constructed within public right-of-way or public easements.
63. All water connections to the City Water Distribution system shall be shown on the construction plan submittal review. This includes irrigation water meters for general open areas in a development project. Water irrigation meters and related impact fees will be paid before the Civil/Grading plans are approved and will be based on the City current meter fee schedules.
64. Municipal Code requires that water systems shall be designed to flow a minimum 2000 gpm (medium density) with 20 psi residual pressure at all new fire hydrants. New public water mains shall be sized 8-inch minimum dia. and be D.I.P. unless approved otherwise by the City Engineer.
65. Standard location for public water mains is on the West and/or South side of the public street R.O.W. and additionally, West and/or South of public storm drains unless approved otherwise by the City Engineer.
66. Public Fire Hydrant spacing and location shall conform to City Code and as otherwise required by the City Fire Marshal.
67. All new Fire Hydrants shall conform to current City Standards. City Standards require that all hydrants be equipped with a 4-inch Storz fitting. Where possible, each hydrant location shall be identified with installation of blue reflective pavement marker, adjacent to hydrant, near centerline of street or as determined otherwise by the City Fire Marshal. Hydrants situated outside of public street R.O.W. shall be clearly marked and protected from damage as deemed necessary by the City Fire Marshall.
68. Size of the new water meter service shall be shown on the plans and shall be installed by the Applicant at his/her expense per City Standard Specifications.
69. Domestic and fire backflow-prevention devices, designed to protect the public water supply, shall be approved by the City Engineer in addition to the City Building & Plumbing Official.
70. Water used in conjunction with construction of the project shall be obtained only from pre-approved sources. A permit to take City water for this purpose shall be secured by applicant or representative prior to start of construction activity.

SPECIAL CONDITIONS

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If you have any questions about any of the above items, please contact me at yourname@forestgrove-or.gov or (503) 992-3XXX.

Project Engineer: [Your name here]

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 11500 15th Street, Suite 100
 Denver, CO 80202
 Tel: 303.733.1111
 Fax: 303.733.1112
 www.pagearch.com

PROJECT:
 Crane Data Centers
 Forest Grove Building 1
 3975 Heather Street,
 Forest Grove, OR 97116

DATE:
 15 APR 2024

SCALE:
 1/8" = 1'-0"

ARCHITECTURAL - EXTERIOR ELEVATIONS

REVISED

DESCRIPTION

DATE

BY

CHECKED

APPROVED

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERVIEW UNDER THE MECHANICAL, ELECTRICAL, PLUMBING AND MECHANICAL (M.E.P.) ACT. IT IS NOT TO BE USED FOR REGULATORY APPROVAL, BUILDING PERMIT, OR CONSTRUCTION PURPOSES.



**CRANE DATA CENTERS
 FOREST GROVE
 BUILDING 1**

**3975 HEATHER STREET,
 FOREST GROVE, OR 97116**

**100% SD
 15 APR 2024**

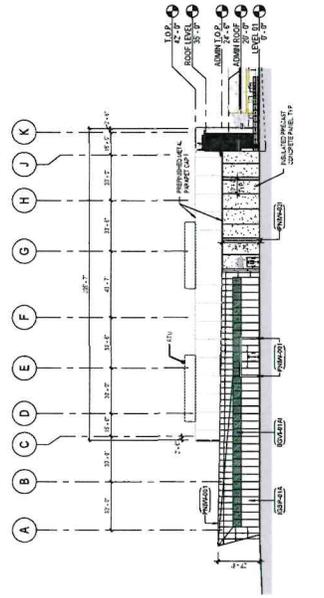
ARCHITECTURAL - EXTERIOR ELEVATIONS

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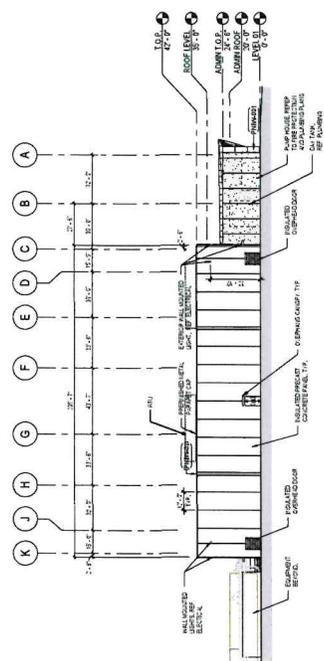
EXTERIOR MATERIAL LEGEND

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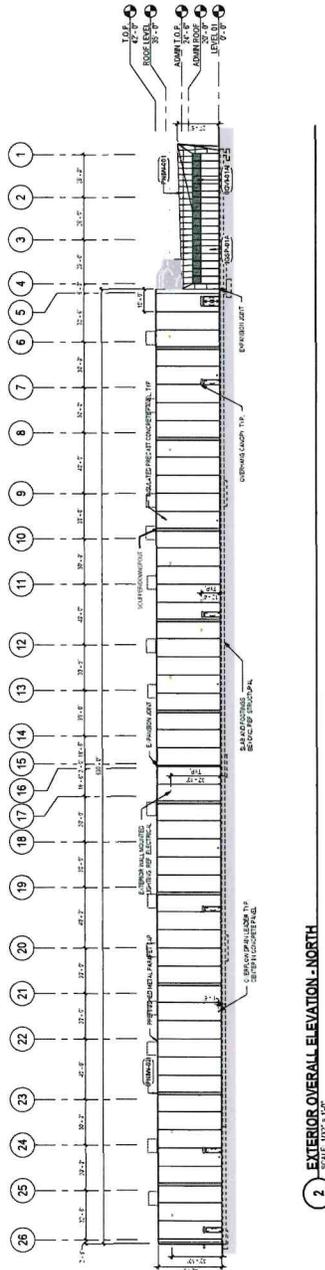
EXTERIOR ELEVATION LEGEND



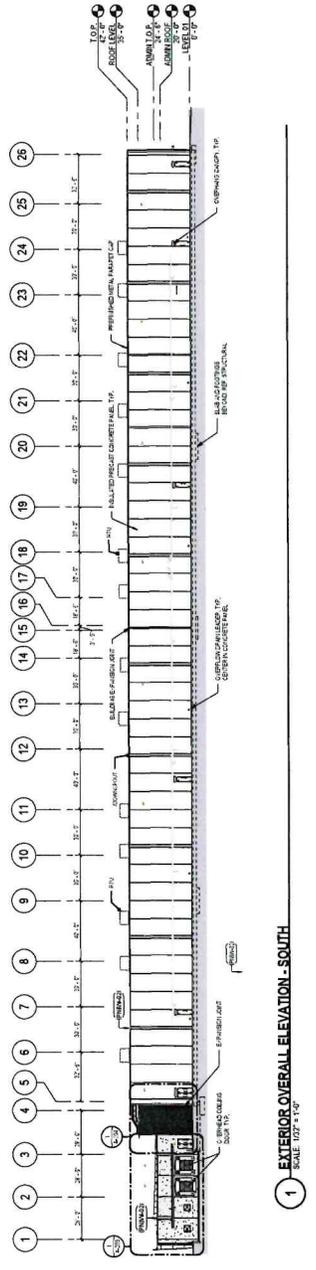
3 EXTERIOR OVERALL ELEVATION - WEST
 SCALE: 1/8" = 1'-0"



4 EXTERIOR OVERALL ELEVATION - EAST
 SCALE: 1/8" = 1'-0"



2 EXTERIOR OVERALL ELEVATION - NORTH
 SCALE: 1/8" = 1'-0"



1 EXTERIOR OVERALL ELEVATION - SOUTH
 SCALE: 1/8" = 1'-0"









