



City of Sandy

Agenda

City Council Meeting

Meeting Date: Monday, May 18, 2020

Meeting Time: 6:00 PM

Page

1. MEETING FORMAT NOTICE

The Council will conduct this meeting electronically using the Zoom video conference platform. Members of the public may listen, view, and/or participate in this meeting using Zoom. Using Zoom is free of charge. See the instructions below:

- To login to the electronic meeting online using your computer, click this link: <https://us02web.zoom.us/j/95229828689>. Note: using this option may require you to download the Zoom app to your device. Downloading Zoom is free of charge.
- If you would rather access the meeting via telephone, dial 1-669-900-6833. When prompted, enter the following meeting number: 952 2982 8689.
- If you do not have access to a computer or telephone and would like to take part in the meeting, please contact City Hall by Friday May 15 and arrangements will be made to facilitate your participation.

2. CITY COUNCIL WORK SESSION - 6:00 PM

- | | | |
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| 2.1. | Proposed Childcare Grant Program
Proposed Childcare Grant Program - Pdf | 4 - 6 |
| 2.2. | Private Sewer Lateral Replacement Options
Private Sewer Lateral Replacement Options - Pdf | 7 - 9 |

3. CITY COUNCIL REGULAR MEETING - 7:00 PM

4. PLEDGE OF ALLEGIANCE

5. ROLL CALL

6. CHANGES TO THE AGENDA

7. PUBLIC COMMENT

PLEASE NOTE: There will be a separate opportunity for public comment on the Bailey Meadows development agreement later in the meeting. Also note: the open record period for the Bailey Meadows appeal decision ended on May 4, 2020.

The Council welcomes your comments. Please see the instructions below:

- If you are participating online, click the "raise hand" button and wait to be recognized.
- If you are participating via telephone, dial *9 to "raise your hand" and wait to be recognized.

8. CONSENT AGENDA

- | | | |
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| 8.1. | City Council Minutes
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| 8.2. | Business Oregon Funding - Detailed Discharge Alternatives Analysis
Detailed Discharge Alternatives Analysis | 18 |

9. NEW BUSINESS

- | | | |
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| 9.1. | Development Agreement with Geo Development LLC | 19 - 81 |
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The Council welcomes your comments on this agenda item. Please see the instructions below:

- If you are participating online, click the "raise hand" button and wait to be recognized.
- If you are participating via telephone, dial *9 to "raise your hand" and wait to be recognized.

[Development Agreement with Geo Development LLC - Pdf](#)
[Public Comments received before 5PM 5.18.20](#)

10. OLD BUSINESS

- | | | |
|-------|--|-------------|
| 10.1. | Bailey Meadows Subdivision Appeal (Land Use File # 20-009 AP)
20-009 AP Bailey Meadows subdivision appeal (continued) - Pdf | 82 - 1674 |
| 10.2. | Utility Assistance Program - 90 Day Review
Utility Assistance Program - 90 Day Review - Pdf
Public Comment from Dave Freeman | 1675 - 1679 |
| 10.3. | Transit Operations Contract Authorization
Transit Operations Contract authorization - Pdf | 1680 - 1879 |

11. REPORT FROM THE CITY MANAGER

12. COMMITTEE /COUNCIL REPORTS

13. STAFF UPDATES

13.1. [Monthly Reports](#)

14. ADJOURN



Staff Report

Meeting Date: May 18, 2020
From David Snider, Economic Development Manager
SUBJECT: Proposed childcare grant program

Background:

To assist in achieving one of the 2019-2021 City Council Goals, staff has been contemplating the development of an incentive program for the establishment and/or expansion of childcare businesses (defined as day care centers and pre-schools) in Sandy to further the statewide goal of the expansion of these businesses in our community. Oregon has recently been defined as a “childcare desert” -- currently, there are eight infants and toddlers for every available slot, and three preschool-aged children for every available slot in the state – and Sandy is no exception. Establishment of this type of business is difficult due to a number of factors, but one of the biggest challenges is that childcare businesses are often under-capitalized, which makes it exceptionally difficult to meet the requirements the State of Oregon has mandated for this type of business. The following information is a proposed framework for a two-part grant program for new or expanding childcare businesses.

Staff proposes a two-part grant program for childcare businesses. The two parts relate to infrastructure improvements and marketing assistance.

Infrastructure Grant:

The infrastructure grant would be very similar to the [Tenant Improvement Program](#) for restaurants. This grant would reimburse businesses or commercial property owners for a percentage of the costs involved with the modification of a building or property in preparation for occupation by a childcare business. The TI Program currently reimburses 50% of these costs, but this percentage in this proposed program could be increased based on the level of need recognized by Council.

The following items would be reimbursable through this proposed infrastructure grant program, up to a maximum of \$25,000 in reimbursement dollars:

Interior

Any ADA improvements

Adding a fully ADA compliant restroom or modifying an existing restroom for ADA/compliance with state childcare business regulations

Constructing, demolishing or moving interior walls

Plumbing and plumbing fixtures

Flooring
Interior lighting
Any electrical upgrades (adding outlets, circuits, etc.)

Exterior

Any ADA improvements (building entries, ADA pathways)
Exterior lighting
Fencing and play equipment (including installation) for required outdoor play areas

Marketing Grant:

The marketing grant speaks to business viability. Staff has observed that while childcare businesses may excel at their core function of childcare administration, they often lack a web presence and other marketing and advertising tools associated with their business. As a result, the public has a difficult time identifying when they have new childcare slots open.

To help alleviate this issue, staff proposes that each business that takes advantage of the infrastructure grant is eligible for the marketing grant. The marketing grant could assist with the following:

- Up to \$5,000 of total assistance available
- City of Sandy would pay **100%** of the cost for this assistance – City to contract with web developer directly on behalf of the childcare company.
- Qualified expenses include:
 - Development of a website for the business
 - An initial (grand opening) marketing campaign in the local community via print advertising and social media marketing
 - Initial assistance with workforce recruitment (i.e. advertising on websites, Sandy Post, etc.)
 - A 1-year Associate (\$170) or Partner (\$555) level membership in the Sandy Area Chamber of Commerce for the purposes of advertising in the local community, networking and workforce development.
 - Installation of SandyNet Fiber (if needed) and one year of pre-paid SandyNet 300 Mbps service.

Funding:

When considering funding for this childcare grant, please note that of Sandy's three current commercial childcare businesses, only one of them is in the urban renewal district, so an additional source of funding outside of urban renewal will need to be identified similar to the Tenant Improvement Program for businesses outside the urban renewal district. Staff still needs to determine if the marketing grant can be paid for with urban renewal funds for qualifying businesses.

Recommendation:

Staff seeks Council guidance on the details and parameters of this proposed grant program.

Code Analysis:

n/a

Budgetary Impact:

We anticipate that this grant could potentially be used for one business per calendar year. Funding levels for this program should be set for this target -- approximately \$30,000 annually, with funding sources dependent on the location of the applicant business.



Staff Report

Meeting Date: May 18, 2020
From Mike Walker, Public Works Director
SUBJECT: Private Sewer Lateral Replacement Options

Background:

As part of the rehabilitation for the sewer collection system in basins 2 and 8 we intend to replace or reline all public sewer mains and public sewer laterals (the pipe that goes from the main to the property line). Flow monitoring in the collection system was performed City-wide during the winter of 2017-18. Basins 2 and 8 had the greatest ratio of dry to wet weather flows indicating that inflow and infiltration (I&I) was the highest in these two basins. Experience in other cities has demonstrated that replacing or relining only the public portion of the collection system, (mains and laterals) did not always produce the expected reduction in flows and that the greatest flow reductions occurred when public *and* private lines were replaced or relined.

Listed below are several options for replacing or relining private sewer laterals:

1. City pays the entire cost of replacing or relining the pipe on private property
2. City purchases the private pipe from the property owner, obtains an easement for the line and pays the entire cost of replacing or relining the pipe on private property
3. City requires property owner to replace or reline the private pipe at their expense. The City secures bids for this work and lets the owner decide whether to solicit bids on their own or use the City's contractor. Typically, the City would finance all or part of the cost of this work secured by a lien against the property.
4. Same as #3 above but the City contributes a fixed sum towards the cost of the work and charges the difference to the property owner. McMinnville used this method for their collection system rehab project.

This project would be financed with approximately \$3.0M of the \$6.0M State Revolving Fund (SRF) loan from DEQ. We cannot use SRF loan money for any work on privately-owned pipes (option 1) and if option 2 was chosen the expenses in negotiating the purchase of the private pipe and identifying, securing and recording an easement on private property would likely equal or exceed the cost of replacing the lateral.

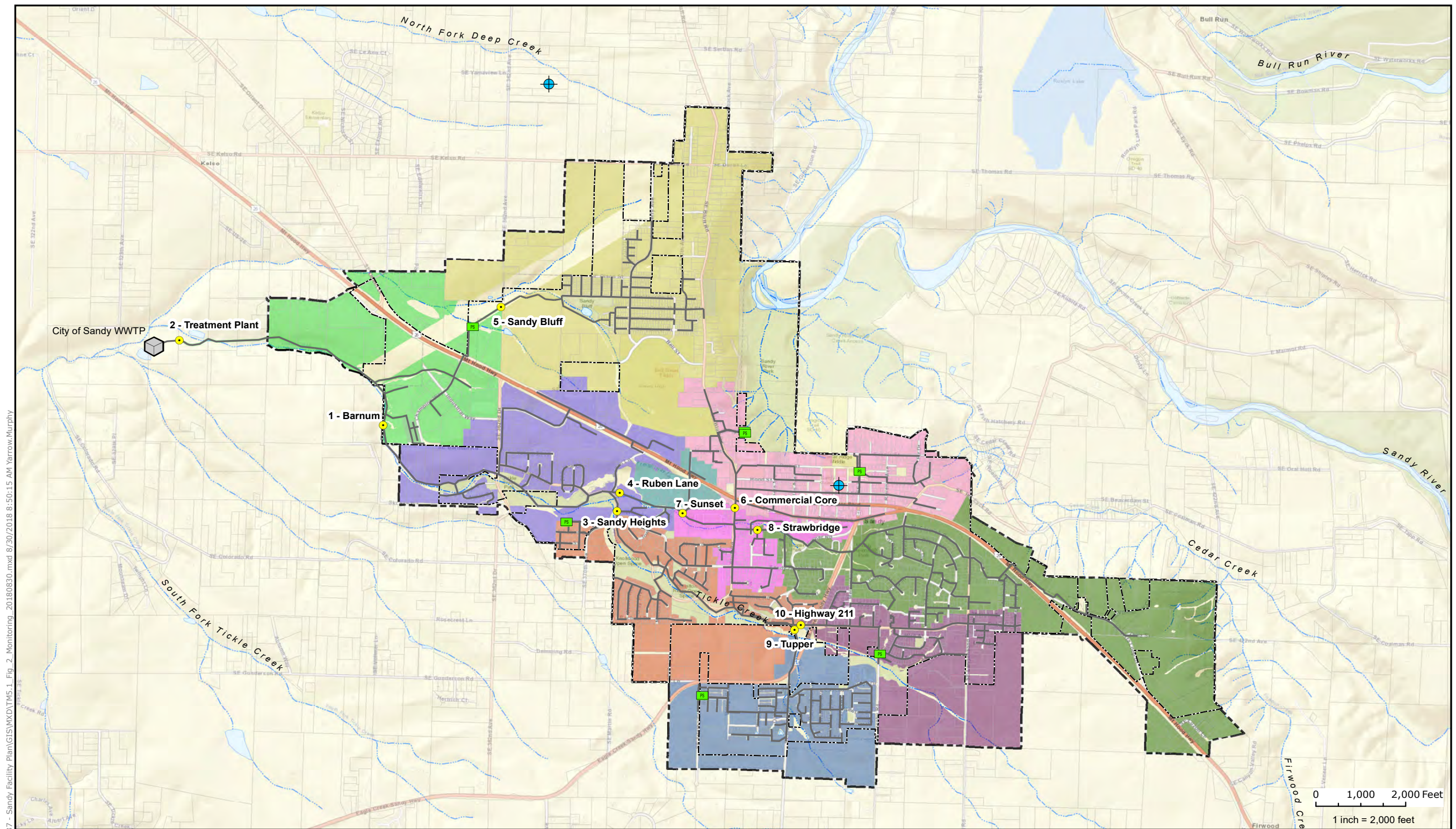
We could explore issuing revenue bonds or borrowing money to replace the lateral on private property and pursue option 1 but there would be additional staff time in securing financing and interest rates would likely be higher than the 1.93% rate for a DEQ loan.

For these reasons we recommend that the Council only consider options 3 and 4. Staff is sensitive to the fact that sewer rates recently doubled for nearly all customers and that adding the expense of replacing or relining a private sewer lateral for some of these same customers would not be popular. On the other hand, a City subsidy for a portion of the cost or the entire cost of replacing a private pipe for properties in basins 2 and 8 may not be popular with other ratepayers should partial or complete subsidies not be available when it becomes necessary to replace or reline their private laterals in the future.

Rob Lee with Leeway Engineering Solutions will be calling into the workshop and can offer his perspective on the project and the options available to the City.

Recommendation:

Provide direction to staff on which option(s) to use for the collection system rehab project. Staff would return later at a regular meeting with any new ordinance language or modifications to existing ordinances necessary to implement the chosen solution.



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City of Sandy, Oregon Wastewater System Facility Plan

- | | | | | |
|-------------|--------------|--------------|---|----|
| Sandy UGB | WWTP | Rain Gage | 3 | 7 |
| City Limits | Pump Station | Meter Basins | 4 | 8 |
| Taxlots | Sewer Mains | 1 | 5 | 9 |
| Water Body | Temp Monitor | 2 | 6 | 10 |
| Stream | | | | |

**Figure 6-2
Metering Locations
and Basin Boundaries**

January 2019

17-213



MINUTES
City Council Meeting
Monday, May 4, 2020 City Hall- Council Chambers, 39250 Pioneer Blvd., Sandy, Oregon 97055 6:00 PM

COUNCIL PRESENT: Stan Pulliam, Mayor, Jeremy Pietzold, Council President, John Hamblin, Councilor, Laurie Smallwood, Councilor, Jan Lee, Councilor, Carl Exner, Councilor, and Bethany Shultz, Councilor

COUNCIL ABSENT:

STAFF PRESENT: Jordan Wheeler, City Manager, David Doughman, City Attorney, Tanya Richardson, Community Services Director, Sarah McIntyre, Library Director, Pamela Smithsted, Commissioner, Jeff Aprati, City Recorder, Greg Brewster, IT/SandyNet Director, Ernie Roberts, Police Chief, and Becky Hawley, Commissioner

MEDIA PRESENT: Sandy Post

1. MEETING FORMAT NOTE

The Council conducted this meeting electronically using the Zoom video conference platform. A recording of the meeting is available on the City's YouTube channel: https://www.youtube.com/channel/UCbYEclgC6VW_mV2UJGyvYfg

2. CITY COUNCIL WORK SESSION - 6:00 PM

2.1. Next Steps: Sandy Community Campus / Special District Formation

The **City Manager** recapped the recent public polling commissioned by the City regarding the aquatics and recreation special district formation concept, the results of which were not favorable. He highlighted particular takeaways from the polling consultants, including that delaying any such effort until 2022 may be prudent, and that the specific proposed tax rate does make a difference to voters, thus implying that an aquatics-only district may have a better chance of electoral success. He stated that staff can continue to develop strategies to improve the Community Campus site through urban renewal, and that the parks master planning process is continuing, which will provide useful public input.

Mayor Pulliam stated that the City needs to be able to pivot given the realities of the COVID-19 crisis and the change in voter sentiments. He stressed the importance of community engagement in building support for future plans.

Council President Pietzold pointed to actions that could be taken in the short to medium term, including removal of the old middle school building at the front of the property. This interim time can be used to prepare the site for future development.

Councilor Lee mentioned the possibility of engaging professional consultants to help develop further options for the site.

Councilor Exner highlighted the opportunity to redirect funds that are currently being used to maintain the pool (utilities, etc) to other uses. He also stated a desire to see some progress being made on the site, possibly including landscaping, safety improvements, and opening the gym facility, to demonstrate to the public that efforts are moving forward.

The **Community Services Director** discussed options for cost savings and commensurate risks regarding changing pool maintenance practices.

Councilor Shultz asked for a precise cost savings figure if all utilities are shut off to the pool. It was stated this figure is on the order of \$100,000 per month.

Councilor Smallwood expressed her stance that the Council should not leave this decision for a future council. She would like to revisit the topic in 4 months and make a final decision on a path forward.

The Council was supportive of the idea of saving approximately \$100,000 per month on pool utilities, which could potentially be redirected to a reserve fund. The consensus of the Council was to revisit the topic in 4 months, when the economic trajectory in the context of COVID-19 may be clearer. In the intervening period, staff will analyze options for reducing utility usage for the pool and removing the old middle school building

2.2. "Growing Together" Mural

Staff Report - 0258

Arts Commissioner Smithsted introduced the concept of the Growing Together mural, proposed to be located on Hoffman Street adjacent to Centennial Plaza. A link to a rendering of the mural is included in the meeting agenda packet. Becky Hawley would be the mural artist.

The Arts Commission recommended Council approval of the mural project at

its April 15 meeting. Their intention is to seeking financial underwriting of the project from the Urban Renewal Board at a future meeting. The project also envisions a community fundraising campaign to defray some of the cost.

Ms. Hawley explained the artistic vision of the mural is to create an inviting atmosphere for Sandy's main gathering space, to inspire thought and conversation, and to bring the community together. Individual features within the mural are explained in the proposal included in the meeting agenda packet.

Members of the Council were generally supportive of the mural proposal. **Mayor Pulliam** commended the Arts Commission, and raised the concept of urban renewal funds being used to match community donations. He also stressed the importance of developing a strategic plan for spending urban renewal funds. **Councilor Lee** proposed publicizing the mural and fundraising campaign on the City website. **Council President Peitzold** agreed with the **Mayor** that urban renewal funds need to be spent judiciously.

The consensus of the Council was that the mural project should proceed as proposed, though a funding decision from the Urban Renewal Board is still pending. The Council was also supportive of the idea of creating a broader master plan for arts in the city.

3. CITY COUNCIL REGULAR MEETING - 7:00 PM

4. Pledge of Allegiance

5. Roll Call

6. Changes to the Agenda

Council President Peitzold requested the addition of Agenda Item 10.2 "Council Discussion Regarding Group Communication"

7. Public Comment

(none)

8. Presentation

8.1. Friends of the Library: Fundraiser Follow-Up from Jack Frick

Mr. Frick reported that the recent efforts of the Friends of the Library to raise funds to replace library computers have been very successful, despite the challenges created by COVID-19. The group collected \$21,205. Expenses for

the campaign totaled \$337.92. 22 businesses donated \$8,950 and 75 individuals/families donated \$12,255. \$16,000 was received in matching funds, resulting in a grand total of \$36,867.08.

Mayor Pulliam thanked the Friends of the Library for their impressive and generous effort. **Councilor Exner** expressed a desire to celebrate this and the other great things being accomplished in Sandy. **Councilor Shultz** expressed her gratitude for the successful campaign.

9. Consent Agenda

9.1. City Council Minutes

Council President Pietzold questioned an apparent redaction on page 7 of the minutes. The **City Recorder** stated this redaction was inadvertent.

Moved by Jeremy Pietzold, seconded by Jan Lee

Add the text "Jarrett Walker and Associates" in place of the redaction on page 7 of the minutes, and approve the consent agenda as amended.

CARRIED. 7-0

Ayes: Stan Pulliam, Jeremy Pietzold, John Hamblin, Laurie Smallwood, Jan Lee, Carl Exner, and Bethany Shultz

10. New Business

10.1. COVID-19 Discussion: "Reopening Oregon Plan" and "Clackamas County Recovery Plan"

The **City Manager** provided an overview of the City's COVID-19 response and the Governor's framework for reopening the state, including the graduated phases and gating criteria. The Governor's plan is available online at <https://govstatus.egov.com/or-covid-19>. He also highlighted the County's draft plan, which is currently focused on long-term disaster recovery. He stated that the City is focused on doing everything possible to be ready to open when allowed under the framework announced by the Governor, with an emphasis on protecting staff and members of the public.

Mayor Pulliam stated that it had been important to be aggressive in responding to the virus in the initial stages, and that he agreed with the Governor's stay at home order to flatten the curve and allow time to increase capacity to respond to the threat. He is increasingly focused on the importance of reopening businesses, given the dramatic and serious impact

the closure is having on the economy and people's livelihoods. Other mayors in the area share his concerns. **The Mayor** stated that COVID-19's effect on Oregon had not been as bad as initially feared. He stated that despite certain media reports, he has no intention of defying the Governor's orders and acknowledged that he is only one of seven voices on the Council. **The Mayor** asserted his First Amendment right to state his opinions publicly and that voters knew his views when they elected him. He acknowledged the importance of indicating when he is speaking only for himself in public, rather than stating the official position of the Council.

Council President Pietzold expressed concern that some of the **Mayor's** comments could have been interpreted as the position of the Council as a whole. He concurred with the importance of reopening, but underlined the need to follow the law. He stated that the Council should make any lobbying/advocacy decisions together as a group.

Councilor Exner expressed his full support for following the law and he takes the threat seriously, though he is concerned about the impact the quarantine is having on the community.

Councilor Hamblin stated that the lower incidence of COVID-19 in Oregon constitutes proof of the importance and success of social distancing. He commended the initial decision to shut down the state, and pointed to states like Oklahoma that are experiencing more serious impacts. He expressed concern that if Sandy businesses open, they will attract a wave of customers from out of town that could spread new infections. He stated that lobbying the Governor on this topic would lead to politicization of a health issue that should remain non-political. He stated that the **Mayor** represents the Council and City publicly and should not take stands that are not necessarily supported by the Council as a whole.

Councilor Lee agreed that safety is the highest priority. She stated that the idea of reopening being the purview of individual cities is not the consensus of the Council.

Councilor Shultz agreed with **Councilors Lee** and **Hamblin**, stating that City Councilors are not medical experts and it is not appropriate for cities to push to reopen faster. She stated this is not an appropriate time to be political.

Councilor Smallwood stated that Councilors are elected to represent and advocate for the interests of local people, whose livelihoods are currently under threat. She stated that many COVID deaths have involved underlying

health conditions, and that society needs to learn how to move forward given that the virus is not going away. She stated she is confident that businesses can operate responsibly and implement social distancing practices. She also underlined the importance of mental health.

Councilor Lee responded that Oregon has relatively low rates of COVID testing, which may be affecting the statistics. She expressed her concern that if Sandy opens earlier than other places, people will be attracted to the area and potentially spread the virus.

Councilor Exner encouraged the Council to focus on areas of common ground and develop strategies to facilitate success once reopening is allowed, such as procuring masks and establishing operational plans. **Councilor Hamblin** encouraged staff to carefully consider how the City is positioned for reopening.

The **City Manager** reiterated that the City is focused on doing everything possible to be ready to open when allowed under the framework announced by the Governor, with an emphasis on protecting staff and members of the public.

Council President Pietzold expressed appreciation for the Council's ability to conduct constructive dialogue even through disagreement.

Mayor Pulliam emphasized that the City's elected leaders need to advocate for the interests of the local community and businesses. If Sandy is grouped with more urban areas with respect to reopening timelines, it will be to the city's detriment. He also expressed concerns that local businesses may choose to reopen on their own initiative, contrary to emergency orders, and asked how local law enforcement would respond. **Councilor Smallwood** shared the **Mayor's** concerns.

Council President Pietzold cautioned the Council against sending a message that could be interpreted as encouraging businesses to open without authorization, and stated that police officers are commissioned by the State.

Councilor Shultz expressed concern that childcare providers would not be able to survive if not allowed to operate at full capacity, and encouraged staff to find ways to assist them.

Mayor Pulliam stated he will endeavor to more clearly differentiate when he is expressing his own personal views in public rather than positions of the

Council as a whole, but he does not intend to stop advocating for his views.

The **City Attorney** emphasized the importance of elected officials being clear when they are only speaking for themselves. He commended the Council for their ability to disagree in a civil and respectful manner.

10.2. Council Discussion Regarding Group Communication

Discussion combined with item 10.1 above

11. Report from the City Manager

The **City Manager** discussed a recent request from the owner of the Best Western hotel in Sandy, asking for authorization to temporarily retain lodging tax funds during the COVID-19 emergency, rather than remit them to the City. The Council expressed understanding of the difficulties being faced by the hotel, but raised concerns about equity, precedent-setting, and the impact on a city budget that may experience revenue pressures in the months to come. The Council asked staff to gather additional information for further consideration.

The **City Manager** also shared that a local resident who is a public administration master's degree candidate is pursuing a project to develop a social services master plan for the City, with the cooperation of the **City Manager** and **Councilor Lee**. Members of the Council are encouraged to respond to the student's recent survey. Public comments received for the Bailey Meadows subdivision appeal have been posted to the City's website.

12. Committee /Council Reports

Councilor Exner: the Arts Commission is pursuing an idea to document COVID-19's impact on the community in visual terms. An Arts Commission vacancy is currently being advertised.

Councilor Lee: the Resiliency Planning Committee has begun operating, and staff are gathering information on the work already being done by the City to promote resilience as well as ideas for future enhancements.

Councilor Smallwood: the Gift Cards for Good program has been successful thus far, and everyone is encouraged to participate. Public safety agencies have participated in birthday parades for local children, which have been well received.

Council President Pietzold: commended everyone involved with the Emergency Small Business Assistance Program. SandyNet staff have been assisting area efforts to increase WiFi availability in rural areas. Sandy's trails remain open and are an excellent place to recreate, especially during COVID-19.

Mayor Pulliam: the Clackamas County Coordinating Committee (C4) will meet remotely on Thursday. Sandy Connect continues to make meaningful impacts with local community service organizations. The volume of applications for the Emergency Small Business Assistance Program highlights the pressures facing local businesses. He thanked staff for their efforts during the crisis, and he expressed his appreciation and respect for members of the Council.

13. Staff updates

13.1. [Monthly Reports](#)

14. Adjourn

Mayor, Stan Pulliam

City Recorder, Jeff Aprati

Draft



Staff Report

Meeting Date: May 18, 2020

From Mike Walker, Public Works Director
Authorize Staff to Sign Application and Enter into for Business

SUBJECT: Oregon Funding (Green Alternatives Plan)

Background:

The City was awarded \$500K in funding from the Oregon Legislature to complete a detailed analysis of the discharge options for the Sandy River basin. Business Oregon requires a motion or resolution from the governing body authorizing signatures on applications and agreements.

Recommendation:

Move to authorize staff to sign applications and agreements related to funding for the Detailed Discharge Alternatives Analysis.

Code Analysis:

N/A

Budgetary Impact:

N/A



Staff Report

Meeting Date: May 18, 2020

From Jordan Wheeler, City Manager

SUBJECT: Development Agreement with Geo Development LLC

Background:

Since late last year, the City and the applicant for the proposed Bailey Meadows subdivision development (Geo Development LLC dba Allied Homes and Development) have been negotiating a non-statutory development agreement. The development agreement was proposed as a unique and creative solution to making an arterial connection to highway 211 as envisioned in the city's Transportation System Plan and reducing the impact of the new subdivision on the existing the Nicholas Glen neighborhood. With this connection, the existing Nicholas Glen residents would have less traffic in their neighborhood and the road would provide more connectivity options to the future residents of Bailey Meadows and other potential developments in the area.

Ideally, the developer would pay to construct the Gunderson Road and Highway 211 connection to adequately provide public facilities to serve the subdivision. But despite the city's strong desire and the appellant's arguments, as advised by the city attorney there is a real risk that the development could ultimately be built without the second access if it was appealed to the Land Use Board of Appeals. Given the reality of the situation, the development agreement was proposed as a way for the developer to contribute to this infrastructure project and reduce the direct cost of the project to the city while addressing some concerns from the public regarding the subdivision.

The development agreement identifies the commitments from the development and the city to accomplish the construction of Gunderson Road including the connection to highway 211. The key commitments are:

- The developer would build Gunderson Road. The city would provide transportation system development charges (SDCs) credits and surplus SDC credits in exchange for the road construction. In addition, the city would set the building plan review fee at \$300 for the subdivision which provides an estimated savings to the developer of \$70,000.
- The developer would dedicate 2.38 acres for future parkland. The property is located between the new Gunderson Road and southeast portion of the proposed subdivision. This amount is approximately one acre more than the city's code requires.
- The developer would apply to ODOT to use Gunderson Road as the construction access for building the new subdivision.

- The developer would pay the city \$500,000 as a cash contribution towards the Highway 211 improvements and intersection with Gunderson road.

Costs for Gunderson Road/TSDC Credits

The developer's estimate for Gunderson Road is approximately \$700,000. The city will reimburse the developer \$382,485 in transportation SDCs. In addition, the city will provide excess credits that the developer may transfer to another developer or builder to use towards other street improvement projects. The city council will need to amend Sandy Municipal Code chapter 15.28 to allow surplus credits to be issued and transferred. Other Oregon cities allow this practice and it is a method in which qualified public infrastructure projects can be accomplished during the time of development.

In addition to the credits, the developer will offset the costs of constructing the road via a fee discount on the plan review charges for the new homes in the development. The plan review fee will be set at \$300 for the subdivision, rather than a percentage of the permitted value. The estimated value of this plan review fee discount is \$70,000.

The developer must submit a report of the final costs to construct the road, without any markup, and the credits the city issues will not exceed the final costs.

The credits and fee discount represent future revenue that will be foregone and not an expense to the city. The SDC credits will expire ten years after they are issued.

Gunderson Road Construction Access

Gunderson Road would be constructed by the developer and accepted by the city prior to the city issuing the 30th certificate of occupancy for the subdivision. The developer committed to pursuing all necessary permits from ODOT in order to use the new right of way as the construction access for all construction activity. Construction access and traffic was another issue that the Nicholas Glen neighborhood expressed. Taking the construction traffic off Melissa will reduce the impact to the neighborhood as the subdivision is built.

Highway 211 Improvements and Gunderson Road Intersection Project

Per the developer's final proposed condition, the developer would contribute up to \$500,000 towards the highway 211 improvements and intersection with Gunderson Road. The payment will be due no later than the recording of the final plat for the subdivision. The city's and developer's cost estimates range between \$1.5 million and \$1.8 million for the project. The cost estimate in the development agreement splits the difference at \$1.7 million.

If the cost for the project is less than the estimate, the developer will be reimbursed up to \$100,000. After the first \$100,000, the developer will receive 25% of the savings. As

an example, if the final project cost is \$1.5 million, the developer would receive \$125,000 (the first 100,000 plus 25% of the savings below \$1.6 million).

The high cost of the project reflects the extent of the improvements that are needed to highway 211 to ensure the intersection is safe and meets the appropriate standards. For example, a portion of the highway will need to be re-graded to reduce the slope at the adjoining intersection, turn lanes will need to be added, and guardrails will need to be installed for some portion of the highway. The city will seek to reduce the posted speed of that stretch of highway to 45 mph. This could lower the costs of the improvements. The economic conditions as a result of the COVID-19 pandemic, while very unfortunate broadly speaking, are also anticipated to result in lower construction costs.

The city and ODOT have negotiated the transfer of jurisdiction highway 211 to the city for this portion of the highway to Proctor Blvd. This gives the city local control over the design and permitting for this project as well as future improvements that need to be made along this important stretch of highway.

Budget Impact and Street Fund Projection

The city has available resources for the highway 211 improvement project. The street fund's beginning balance for the biennium was \$3.6 million. Given the estimated project cost and the developer's contribution, the estimated total cost to the city would be \$1.2 million. The other projects planned for 2019-21 include the 362nd and Bell Street extension and Ten Eyck to Vista Loop sidewalk project. Even with the anticipated decrease in gas tax revenue from the impact of the coronavirus pandemic, the street fund has the available resources for the project.

The proposed jurisdiction transfer of highway 211 includes a one-time \$500,000 payment from ODOT to the city for maintenance and accessibility improvements. All or a portion of those funds could be used as a resource for the highway and intersection improvement project.

Parkland Dedication

The developer has offered to dedicate 2.38 acres to the city for parkland rather than pay the fee in lieu. The parkland is located between the SE portion of the subdivision and the proposed route of Gunderson Road. A local park was another issue that was brought up by residents as an amenity that was needed in the area.

Conditions and Next Steps

The agreement is contingent upon several conditions.

- The developer must receive final approval to expand the City's urban growth boundary. The City Council approved the UGB expansion on March 2. The

Clackamas County Board of Commissioners are scheduled to hear the application on June 3.

- The developer must receive final approval from the City Council to annex the UGB property to the city. This is planned for June 15.
- The city must obtain jurisdiction over highway 211 within the first six months of the date of the agreement. The draft transfer agreement is currently under legal review by the State.
- The city must amend its street capital improvement plan to add Gunderson Road as a project. This is planned for June 15.
- The city must amend the Sandy Municipal Code chapter 15.28 to allow for surplus TSDC credits and for credits to be transferred. These changes are also planned to come before the City Council on June 15.

Recommendation:

The development agreement was the best path for funding and constructing a second access to the new development that would reduce the impact to our existing residents in Nicholas Glen. Gunderson Road accomplishes a city goal of having an arterial connection to Highway 211 in that area and it improves safety and connectivity for the new and existing neighborhoods.

The road will be built through SDC credits and fee discount and not a direct cost to the city, and at least a portion of the cost of the highway improvements will be paid by the developer. without a direct cost At least part of the road and connection to highway 211 will be built without a direct cost to the city and in a less expensive manner than as a public works project, where prevailing wages would apply. It would also ensure that the existing Nicholas Glen residents would have less traffic in their neighborhood as heard in much of the public testimony.

The alternative is the likely scenario that the developer would gain an approval via an appeal and construct the development without Gunderson Road. Consequently, the city would need to expand the urban growth boundary and build the road someday in the future and Melissa Ave would absorb all the traffic from the neighborhood until Gunderson or another southern access to highway 211 is constructed. If the developer is successful on appeal, the city would likely be obligated to pay for the developer's legal fees (in addition to the city's own costs), as was true in the recent case involving the City of Silverton.

The agreement is a fair compromise to a complex and contested development. It is important to note that the public's impassioned involvement in the land use application and appeal and the Council's careful consideration of the development had a significant positive effect on the application and the provisions in the development agreement for the city. We believe the community's interests are represented well in this agreement as a direct reflection of the public's testimonies and engagement.

Going forward, staff intends to bring forward amendments to the development code to address the issues that were present with this application.

Staff recommends the City Council approve the development agreement with Geo Development dba Allied Homes and Development and authorize the city manager to sign the agreement on behalf of the city.

AFTER RECORDING RETURN TO:

Jordan Wheeler, City Manager
City of Sandy
39250 Pioneer Blvd.
Sandy, OR 97055

NON-STATUTORY DEVELOPMENT AGREEMENT

The City of Sandy, a municipal corporation of the State of Oregon (the “City”), and Geo Development, LLC (d/b/a Allied Homes and Development), an Oregon limited liability company (the “Developer”), enter into this Development Agreement (the “Agreement”). This Agreement refers to the City and Developer jointly as the “Parties” and individually as a “Party.” This Agreement is entered into pursuant to City’s home rule authority and not pursuant to the authority granted by ORS 94.504 *et seq.*

Recitals

- A. Developer applied to City for approval of a tentative subdivision application to subdivide approximately 23.5 acres of land into a 100-lot residential subdivision known as Bailey Meadows (the “Subdivision”) (City File No. 19-023 SUB/VAR/TREE). The Subdivision is shown and legally described in **Exhibit A**.
- B. On or about _____, 2020, the City issued its final written decision approving the Subdivision application, subject to various conditions of approval (the “Approval”).
- C. Among other requirements, the conditions of approval required Developer to apply to expand the City’s Urban Growth Boundary (the “UGB”) in order to: (i) permit Developer to dedicate the land for and to construct Gunderson Road between the south boundary of the Subdivision and Oregon Highway 211 (as detailed below); and (ii) allow Developer to dedicate land to the City to be used as a City park. A condition of approval proposed by Developer pursuant to ORS 197.522 also required Developer to pay up to \$500,000.00 towards the Oregon Highway 211 improvements as a City project, as determined in this Agreement.
- D. The Parties enter into this Agreement in order to: (i) ensure the timely dedication of the land for, and the construction of, Gunderson Road; (ii) ensure the timely dedication of the land to City for public park purposes; (iii) reduce the impact of the Subdivision on the Nicolas Glen Subdivision abutting the Subdivision; (iv) address the timing and extent of the Oregon Highway 211 improvements the City will make after the construction of Gunderson Road and receipt of money from Developer towards the cost of such improvements; and (v) memorialize their respective obligations with respect to same and the conditions precedent that affect the obligations.

Agreement

The Parties agree as follows:

1. Transportation Improvements.

- 1.1. Gunderson Road. Prior to the City issuing the 30th certificate of occupancy for a dwelling unit in the Subdivision, the Developer shall:

Development Agreement
City of Sandy and Geo Development, Inc.

Page 1 of 12

- 1.1.1. Dedicate the Gunderson Road right-of-way and construct or cause to be constructed the transportation improvements shown and described in **Exhibit B.1** and **Exhibit E** (“Gunderson Road”). The Gunderson Road right-of-way dedication will be in a form substantially similar to the one attached as **Exhibit B.2**.
 - 1.1.2. The City shall review and accept the Gunderson Road improvements in its normal course, subject to Section 5.7.
 - 1.2. Costs. Subject to the reimbursement mechanisms identified Section 4 below, the costs to construct Gunderson Road shall be at the Developer’s sole expense. These costs include but are not limited to:
 - 1.2.1. Permitting, financing, bonding insurance, construction, supervision and other reasonable costs to manage the construction of Gunderson Road;
 - 1.2.2. The costs of acquiring the right-of-way for the dedication and any other properties or easements necessary to construct Gunderson Road, including but not limited to permanent slope, signage, stormwater and drainage easements, temporary construction easements and any other necessary temporary or permanent easements;
 - 1.2.3. Engineering, design, surveying and other professional services costs; and
 - 1.2.4. Requirements of third-party agencies or utility providers.
 - 1.3. Right-of-Way Permit. Prior to beginning construction of Gunderson Road, Developer or its agent will apply for and receive a right-of-way permit from City. The City shall waive this fee.
 - 1.4. Construction Standards. Construction of Gunderson Road will comply with the City’s Public Works Standards for construction of streets, sidewalks, utilities, lighting and storm water and drainage facilities as those standards apply to the transportation improvements shown and described in **Exhibit B.1** and **Exhibit E** and with any third-party (e.g. PGE) whose standards would apply to the construction of Gunderson Road with the Public Works Standards being those in effect on the effective date of this Agreement.
 - 1.5. Construction Access. Developer shall use its best efforts to obtain all necessary Oregon Department of Transportation (“ODOT”) permits to access Oregon Highway 211 in order to use Gunderson Road for construction access to the Subdivision and, if such approval is obtained, Developer shall use Gunderson Road as the access for construction activity related to the construction of the Subdivision.
 - 1.6. Highway 211 Improvements. No later than recording a final plat for the Subdivision (or recording a final plat for the first phase of the Subdivision, if the Developer proceeds in phases), Developer shall pay to City the sum of Five-Hundred Thousand Dollars (\$500,000.00) towards future improvements the City will make to Oregon Highway 211 to connect it to Gunderson Road (the “Developer Contribution”). The improvements to Oregon Highway 211 are described in **Exhibit B.3**. As of the date of this Agreement, the estimated cost of these improvements is One Million Seven-Hundred Thousand Dollars (\$1,700,000.00) (the “211 Estimate”). The City will make the improvements to the intersection within three (3) years of the date it accepts the Gunderson Road improvements described in Section 1.1. Notwithstanding any language to the contrary in this Agreement, if Gunderson Road is not constructed, or if Developer has not paid the City the Developer Contribution, the City is not obligated to make the improvements to the intersection.

- 1.6.1. If the final costs of the intersection improvements are less than the 211 Estimate, the City shall provide Developer a refund of a certain amount of the Developer Contribution as follows:
 - 1.6.1.1. A dollar-for-dollar refund up to \$100,000.00 if the final costs of the intersection improvements are between \$1,600,000.00 and \$1,700,000; and
 - 1.6.1.2. A twenty-five cents to the dollar refund if the final costs of the intersection improvements are less than \$1,600,000.00.

2. Park Dedication. Prior to recording the final plat of the Subdivision, Developer shall dedicate to City for public park purposes the property “as is” identified and described in **Exhibit C** (the “Park Dedication”). The Park Dedication will be in a form substantially similar to the one attached as **Exhibit D**. The City’s acceptance of the Park Dedication is subject to:

- 2.1. The Developer completing a Phase I environmental site assessment on the property in accordance with the American Society of Testing and Materials E1527 standards for such assessments. If the assessment recommends that a Phase II assessment be conducted, the City may decline to accept the Park Dedication and instead require Developer to pay City \$310,890 as a fee-in-lieu of dedication prior to final plat approval.
- 2.2. If the City accepts the Park Dedication, the City will not pay for or otherwise compensate Developer relative to the Park Dedication for any reason, including compensating Developer for any difference between an appraised value of the property and the fee-in-lieu amount Developer would otherwise pay.
- 2.3. If the City accepts the Park Dedication, the Developer will not pay a fee-in-lieu of dedication to the City.

3. Other Improvements. This Agreement relates only to the improvement and land dedication expressly described in Sections 1 and 2. The Agreement does not reduce, expand or otherwise affect Developer’s obligations to make other improvements, whether public or private, or take other actions that are required by the Approval or as may be lawfully imposed or required by a party other than the City.

4. Financing of Gunderson Road.

- 4.1. Introduction. This section addresses how Gunderson Road will be financed. An estimate of the amount it will cost to construct Gunderson Road is attached as **Exhibit E**.
- 4.2. Final Costs for Gunderson Road. Prior to the City’s acceptance of the improvements to Gunderson Road, the Developer shall submit for the City’s review and approval an itemized report identifying the costs the Developer reasonably incurred to construct the improvements (“Final Gunderson Costs”). The Final Gunderson Costs shall include only the Developer’s actual costs as those costs are defined in Section 1.2, above, but shall not include any Developer markup, profit or additional charge. Upon request, the Developer shall provide the City with invoices, tickets, proofs of payment, or other documentation to substantiate the Final Gunderson Costs. The Parties will use the Final Gunderson Costs as the

basis for measuring reimbursement to the Developer pursuant to Section 4 of this Agreement.

- 4.3. Reduction of Plan Review Fees. The City will charge Developer \$300.00 as a plan review fee for each dwelling unit in the Subdivision. Based upon the estimated value of the dwelling units in the Subdivision, the reduction of the plan review fee to \$300.00 will result in approximately \$70,000.00 in savings to Developer. Notwithstanding that the precise amount of savings may vary from this estimate, the Parties agree to fix this amount at \$70,000.00 for the purpose of this Agreement.
- 4.4. Transportation System Development Charge Credits. Pursuant to ORS 223.304(4) and (5) and Section 15.28.130 of the Sandy Municipal Code (“SMC”), upon acceptance of the improvements to Gunderson Road, the City will grant the Developer a full credit of the City’s Transportation System Development Charge (“TSDC”) for each dwelling unit, or its equivalent in the Subdivision. The TSDC credit will be granted at the time of building permit approval. For any building permits issued prior to the City’s acceptance of Gunderson Road, Developer will pay the TSDC, which the City will reimburse without interest upon its acceptance of Gunderson Road. The TSDC value shall be based on present TSDC values and an increased TSDC amount will not be credited as provided for in Sections 4.3-4.6. The present value of the TSDC is \$382,485 (\$3824.85/dwelling unit x 100 units).
 - 4.4.1. Upon the acceptance of the improvements to Gunderson Road, the City will, pursuant to ORS 223.304(5)(c), grant Developer excess TSDC credits that Developer may transfer to a third-party, subject to City amending SMC Chapter 15.28 to permit the transfer of TSDCs. The City will undertake this amendment at the same time it amends its CIP pursuant to Section 5.4, below. The amount of the excess TSDC credits will be the difference between the Final Gunderson Costs, less the sum the \$70,000.00 in savings under Section 4.3 and the \$382,485.00 TSDC credit under Section 4.4.
 - 4.4.2. The credits available to the Developer under this section shall expire 10 years from the date the credits are granted.
- 4.5. Limits on Payments and Credits. At any time, if the sum of the savings identified in Section 4.3 and the credits identified in Section 4.4 meets or exceeds the Final Gunderson Costs, the City may cease awarding additional TSDC credits or reducing other fees or credits to Developer. For example, if the Final Gunderson Costs are \$600,000, the City will satisfy its obligation to Developer by: (i) charging a plan review fee of \$300.00 for each dwelling unit in the Subdivision (representing \$70,000.00 in savings); (ii) granting \$382,485.00 in TSDC credits (representing a credit of \$3824.85 per dwelling unit); and (iii) granting Developer \$147,515.00 in excess TSDC credits that Developer may transfer to a third-party.

5. Conditions Precedent. The Parties rights and obligations under this Agreement are contingent upon the following:

- 5.1. UGB Approval. Developer must receive final approval for an application to expand City’s UGB to accommodate Gunderson Road and the Park Dedication. “Final Approval” is defined to mean acknowledgment of the UGB amendment under ORS 197.625(1).

- 5.2. Annexation and Zone Change Approval. Developer must receive final approval for an application to annex and assign City zoning to the property that is the subject of the UGB application. Developer will request that the property for Gunderson Road be zoned "SFR," with a corresponding Comprehensive Plan Designation but with a condition that the only allowed use of the Gunderson Road property is for road and utility purposes. Developer will request the property for the Park Dedication be zoned "POS," with a corresponding Comprehensive Plan Designation but with a condition that the only allowed use of the property is for use as a public park. This condition shall be satisfied if the City approves the annexation application and no one appeals the City's decision or, if an appeal is filed, if and when the City's decision is ultimately affirmed and the Oregon Secretary of State approves the annexation of the property to the City.
- 5.3. Highway 211 Jurisdiction Transfer. Within six months of the date of this Agreement, the City obtains jurisdiction over Highway 211 such that the City will be responsible for approving the design and construction of the intersection of Gunderson Road and Highway 211.
- 5.4. CIP Amendment. Not later than July 8, 2020, the City shall seek to amend its Capital Improvement Program ("CIP") in accordance with ORS 223.309(2) to add Gunderson Road as a project on the CIP and, at City's option, increase the TSDC. The addition of Gunderson Road to the CIP shall be based upon the estimated value of the full buildout of Gunderson Road as a Minor Arterial Road in accordance with the TSP. This condition shall be satisfied if no one appeals the City's decision or, if an appeal is filed, if and when the City's decision is ultimately affirmed.
- 5.5. Approval of Subdivision. If the parties enter into this Agreement before the City makes a final decision regarding the Subdivision, this Agreement shall be null and void if the City does not approve the Subdivision or if approved but finally reversed or remanded on appeal with no subsequent City approval.
- 5.6. Gunderson Road Construction Drawings Submittal, Review and Approval. City shall complete all approvals within the City's authority that are necessary to allow the construction of Gunderson Road within 45 days of Developer submitting the construction drawings for Gunderson Road to City, excluding any time Developer may take in responding to comments or redlines regarding the construction drawings. Otherwise, the Developer shall not be obligated to proceed with construction of Gunderson Road and City shall reimburse Developer for its soft costs for the UGB annexation and zoning map expansion applications to provide for Gunderson Road outside of the UGB and Gunderson Road construction drawing costs, and costs for preparing the dedication and easement documents, including engineering, surveying, traffic studies, application fees and other administrative costs necessary for Developer to have proceeded with the UGB expansion application and Gunderson Road construction drawings and the value of the Gunderson Road right-of-way dedication or easement and an easement for the public park.
- 5.7. Effect of Failure of Certain Conditions.
 - 5.7.1. With respect to Gunderson Road, if the condition in Section 5.1 is satisfied, but one or more of the remaining conditions are not satisfied, Developer shall dedicate the right-of-way for Gunderson Road identified in **Exhibit B**. If the condition in Section 5.1 is not

satisfied, Developer shall grant City an exclusive easement for right-of-way purposes for Gunderson Road consistent with the boundaries identified in **Exhibit B** to permit eventual dedication to the City and such easement cost shall be reimbursed by the City to the Developer through TSDC credits in accordance with Section 4.4 of this Agreement. In this event, the City is not obligated to construct the 211 Improvements.

5.7.2. With respect to the Park Dedication, if one or both of the conditions under Section 5.1 and 5.2 are not satisfied, then Developer will pay City \$310,890 as a fee-in-lieu of dedication prior to final plat approval.

5.8. Obligations of Parties. Except as expressly provided in Section 5.7, the rights and obligations of the Parties under this Agreement are null and void if one or more of the conditions in Section 5 are not satisfied.

6. Nature of Agreement. The City confirms that it can approve and execute this Agreement pursuant to its home rule authority and not pursuant to ORS 94.504 *et seq.*, and confirms that this Agreement does not constitute or concern the adoption, amendment, or application of the Statewide Planning Goals, a comprehensive plan provision, or a land use regulation. The City and Developer acknowledge and agree that Developer must obtain any and all land use approvals required to implement the Agreement in due course in accordance with all applicable laws and regulations. Approval and execution of this Agreement does not annex, zone, divide, or grant any other land use approval and does not impinge upon the City's future review of Developer's applications necessary to implement the Agreement. The Parties further agree that each Party has the authority to adopt this Agreement outside of ORS Chapter 94 and the adoption of this Agreement is not, nor does it establish, a local improvement district.

7. Assignability of Agreement. Developer may not assign this Agreement, in whole or in part, unless it obtains the prior written approval of the City, which shall not be unreasonably withheld or delayed, and provides City a duly executed instrument evidencing the assignee's intent to be bound to the Agreement's terms and conditions. The terms and conditions contained in this Agreement shall, subject to the provisions of this section, apply to and bind the heirs, successors, personal representatives, and assigns of the Parties hereto.

8. Remedies and Limited Release.

8.1. Each Party shall have all available remedies at law or in equity to recover damages and compel the performance of the other Party pursuant to this Agreement. The rights and remedies afforded under this Agreement are not exclusive and shall be in addition to and cumulative with any and all rights otherwise available at law or in equity. The exercise by either Party of any one or more of such remedies shall not preclude that Party's exercise, at the same or different time, of any other such remedy for the same default or breach or of any of its remedies for any other default or breach by the other Party, including, without limitation, the right to compel specific performance.

8.2. Developer, for itself and its successors, assigns, predecessors, agents, employees, officers, directors, members, insurers, authorized representatives, and all other affiliated persons, firms,

or corporations fully and unconditionally waives its right to bring or assert and releases City and its officers, employees, agents, insurers and contractors from, any claim, demand, obligation, cause of action, or damages of any kind, known and unknown, the basis for which now exists or may exist in the future, related to the construction of Gunderson Road, the dedication of right-of-way or easements related to Gunderson Road, the land for the Park Dedication (or the fee-in-lieu, as applicable), the Developer Contribution and the Approval, including but not limited to any claims premised upon a taking of private property or exactions beyond those required by this Agreement or the Approval, but not including any claims related to intentional acts or gross negligence. Developer for itself and others reserves any and all rights to challenge any takings or exactions imposed by the City in subsequent land use applications necessary to implement this Agreement or the Approval or which are not described in this Agreement. This Section does not limit future actions or claims arising from interpretation, implementation or requirements of the approval of the construction of the Subdivision.

9. Miscellaneous Provisions.

- 9.1. When Effective. This Agreement will become effective when both Parties have signed it. The latest date identified next to or below the signature of a Party will be deemed the date of the Agreement.
- 9.2. Exhibits. Each exhibit attached to this Agreement is expressly incorporated into and made a part of this Agreement, and all references to this Agreement shall include the exhibits. In the event of any inconsistency between the body of this Agreement (without reference to the exhibits) and the exhibits, the body of this Agreement shall govern.
- 9.3. Notice. Any notice or communication required to be delivered to one Party under this Agreement by the other Party must be in writing and be dispatched by registered or certified mail, postage prepaid, return receipt requested, or delivered by either personal delivery or nationally-recognized overnight courier (such as UPS or Federal Express) or by facsimile transmission, and sent to:
 - 9.3.1. Developer Contact: Cody Bjugan, 12042 SE Sunnyside Road, Suite 706, Clackamas, OR 97086
With a copy to: Michael C. Robinson, Schwabe, Williamson & Wyatt, P.C., 1211 SW Fifth Avenue, Suite 1900, Portland, OR 97204
 - 9.3.2. City Contact: City Manager, 39250 Pioneer Blvd, Sandy, OR 97055
With a copy to: Beery Elsner & Hammond, 1750 SW Harbor Way, Ste. 380, Portland, OR 97201
- 9.4. Headings. Any titles of the sections of this Agreement are inserted for convenience of reference only and will be disregarded in construing or interpreting any of its provisions.
- 9.5. Counterparts. In the event this Agreement is executed in two (2) or more counterparts, each counterpart will be deemed to be an original, and the counterparts constitute one and the same instrument.
- 9.6. Waivers. No waiver made by either Party with respect to the performance, or manner or time thereof, of any obligation of the other Party or any condition inuring to its benefit under

this Agreement will be considered a waiver of any other rights of the Party making the waiver. No waiver by the City or Developer of any provision of this Agreement or any breach thereof will be of any force or effect unless in writing; and no such waiver will be construed to be a continuing waiver.

- 9.7. Choice of Law. The laws of the State of Oregon govern this Agreement without respect to conflict of laws principles.
- 9.8. Severability. If any clause, sentence or any other portion of the terms and conditions of this Agreement becomes illegal, null or void for any reason, the remaining portions will remain in full force and effect to the fullest extent permitted by law.
- 9.9. Venue. Any action or suit to enforce or construe any provision of this Agreement by any Party must be brought in the Circuit Court of the State of Oregon for Clackamas County, or, if the dispute may only be brought in a federal forum, the United States District Court for the District of Oregon, Portland Division.
- 9.10. Good Faith and Reasonableness. The Parties intend that the obligations of good faith and fair dealing apply to this Agreement generally and that no negative inferences be drawn by the absence of an explicit obligation to be reasonable in any portion of this Agreement. The obligation to be reasonable shall only be negated if arbitrariness is clearly and explicitly permitted as to the specific item in question, such as in the case of a Party being given “sole discretion” or being allowed to make a decision in its “sole judgment.
- 9.11. Condition of City Obligations. The City has funds currently available and authorized for expenditure to meet its obligations under this Agreement for the current biennium. City will propose to include monies sufficient to meet its obligations under this Agreement as part of a preliminary budget for each budget cycle during the term of this Agreement. However, all City obligations pursuant to this Agreement that require the expenditure of funds beyond the current biennium are contingent upon future appropriations by the City as part of the local budget process. Nothing in this Agreement implies an obligation on the City to appropriate any such monies.
- 9.12. Cooperation in Challenge to Agreement. If any legal action instituted by a third party or other governmental entity or official challenges the validity of any provision of this Agreement, the Parties agree to cooperate in defending such action.
- 9.13. Time is of the Essence. Time is of the essence under this Agreement. The parties agree that in the event that any date on which performance is to occur falls on a Saturday, Sunday or state or national holiday, then the time for such performance shall be extended until the next business day thereafter occurring.
- 9.14. Force Majeure. Neither Party shall be liable for any failure or delay in the performance of its obligations under this Agreement if the failure or delay arises out of or is caused by circumstances beyond its reasonable control, including, without limitation: acts of God; earthquakes; fires; floods; wars; civil or military disturbances; acts of terrorism; sabotage; strikes; epidemics; or riots. Notwithstanding the foregoing, each Party shall use its best efforts to ameliorate the effects of any such failure or delay and shall use reasonable efforts to resume performance as soon as practicable under the circumstances.

- 9.15. Indemnity. With respect to a dedication of right-of-way or the grant of an easement related to Gunderson Road and a dedication of land for the Park Dedication, if Developer does not own such property at the time of dedication, Developer will indemnify, defend and hold harmless the City and its officials, employees, agents and insurers from and against any claims, actions, damages, awards, liabilities, judgments, costs or fees (including reasonable attorney fees) arising out of or related to a claim or action brought against the City by the owner of such property premised upon an unlawful taking or exaction of the property that is subject to the dedication or easement.
- 9.16. Integration. This Agreement constitutes the entire agreement between the Parties as to its subject matter and supersedes all prior agreements, whether oral or written, covering its subject matter.
- 9.17. Interpretation. This Agreement is the result of arm's length negotiations between the Parties and shall not be construed against any Party by reason of its preparation of this Agreement.
- 9.18. Capacity to Execute; Mutual Representations. The Parties each warrant and represent to the other that this Agreement constitutes a legal, valid, and binding obligation of that Party. Without limiting the generality of the foregoing, each Party represents that its governing authority has authorized the execution, delivery, and performance of this Agreement by it. The individuals executing this Agreement warrant that they have full authority to execute this Agreement on behalf of the entity for whom they purport to be acting. Each Party represents to the other that the execution and delivery of this Agreement, and performance of the obligations under this Agreement, do not conflict with, result in a breach of, or constitute a default under, any other agreement to which it is a party or by which it is bound.
- 9.19. Amendment or Modification. No amendment, change, or modification of this Agreement shall be valid, unless in writing and signed by the Parties.
- 9.20. Recording; Covenant. The City shall cause this Agreement to be recorded among the Deed Records in and for Clackamas County, Oregon. This Agreement shall constitute a covenant running with the Subdivision and shall be binding upon and be enforceable by the Parties and their successors and assigns.

[SIGNATURES ON FOLLOWING PAGE]

SIGNED:

Geo Development, LLC

Printed Name: _____

Title _____

Date: _____

STATE OF OREGON)
) ss.
County of Clackamas)

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____ as _____ of Geo Development, LLC, an Oregon limited liability company, on behalf of said company.

Notary Public for Oregon
My Commission Expires: _____

City of Sandy

Printed Name: Jordan Wheeler
Title: City Manager
Date: _____

STATE OF OREGON)
) ss.
County of Clackamas)

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____ as City Manager of the City of Sandy, duly authorized by the City Council to execute this Agreement on behalf of said City.

Notary Public for Oregon
My Commission Expires: _____

APPROVED AS TO FORM:

David Doughman, City Attorney
Date: _____

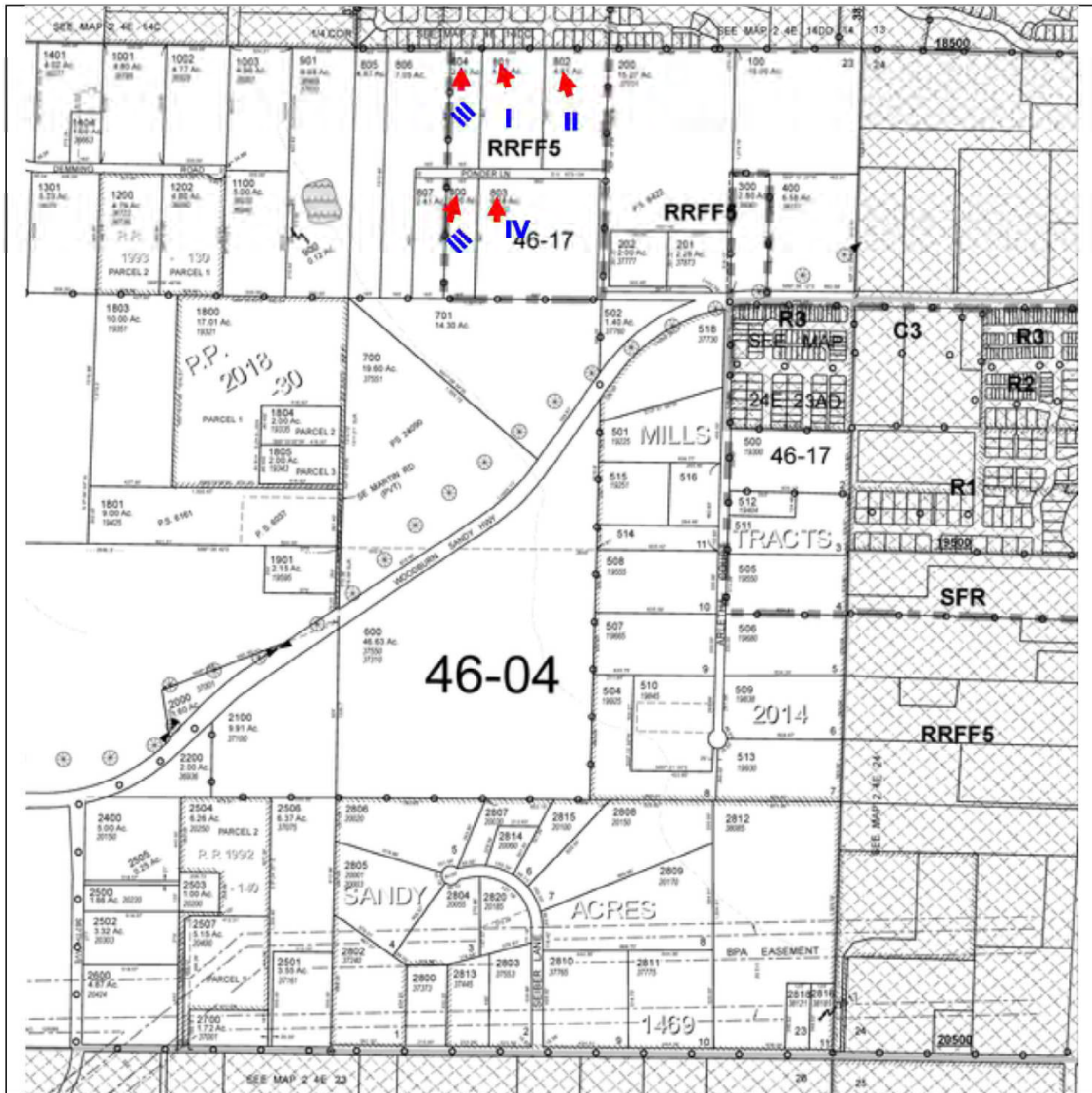
LIST OF EXHIBITS

- EXHIBIT A** Subdivision location and legal description
- EXHIBIT B.1** Gunderson Road location and improvements
- EXHIBIT B.2** Gunderson Road dedication form
- EXHIBIT B.3** Oregon Highway 211 improvements
- EXHIBIT C** Park land location
- EXHIBIT D** Park land dedication form
- EXHIBIT E** Gunderson Road construction cost estimate

Pursuant to ORS 93.660, real property may be described by reference to the document number of a public record that has been previously recorded and that contains a legal description.

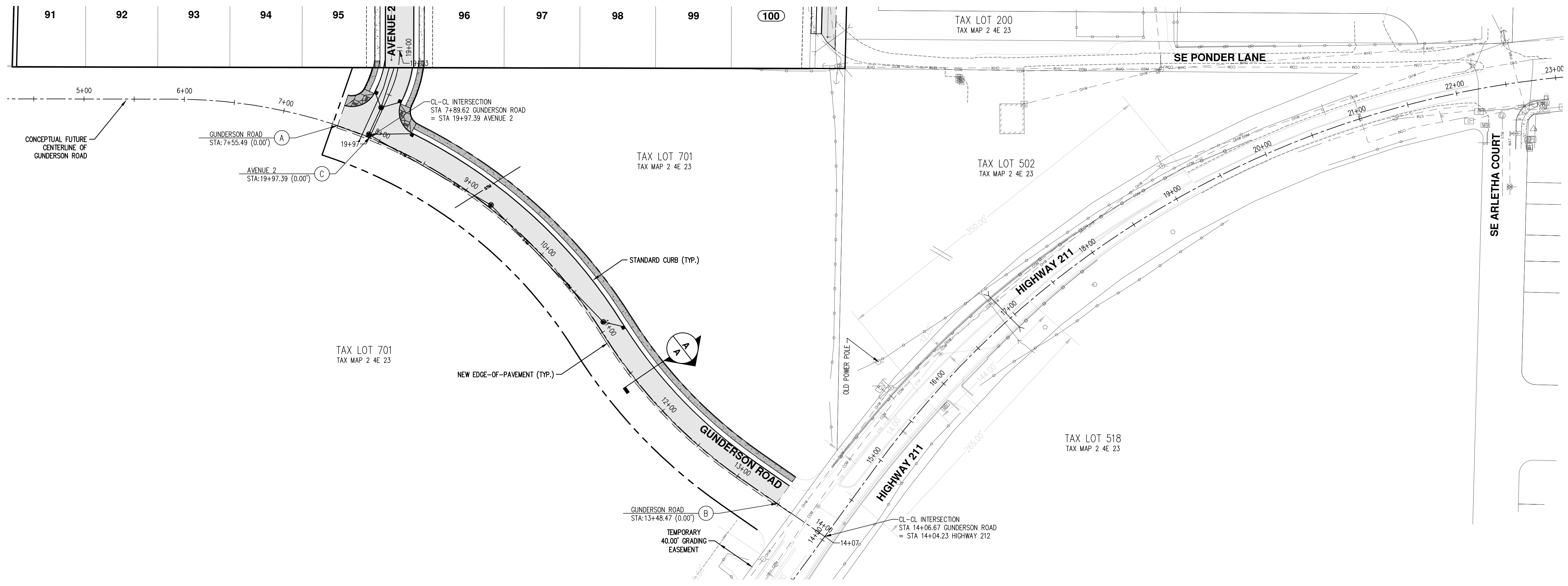
The legal description of the property that is proposed to be subdivided, and that is defined as the "Subdivision" in the Agreement, is contained in **Exhibit A of Clackamas County Document No. 2016-026546**, a statutory warranty deed from the Grant Sturm Trust to the Sturm Family Trust. A map of the property that contains five parcels is attached on the following page.

Development Agreement Exhibit A
Page 1 of 2



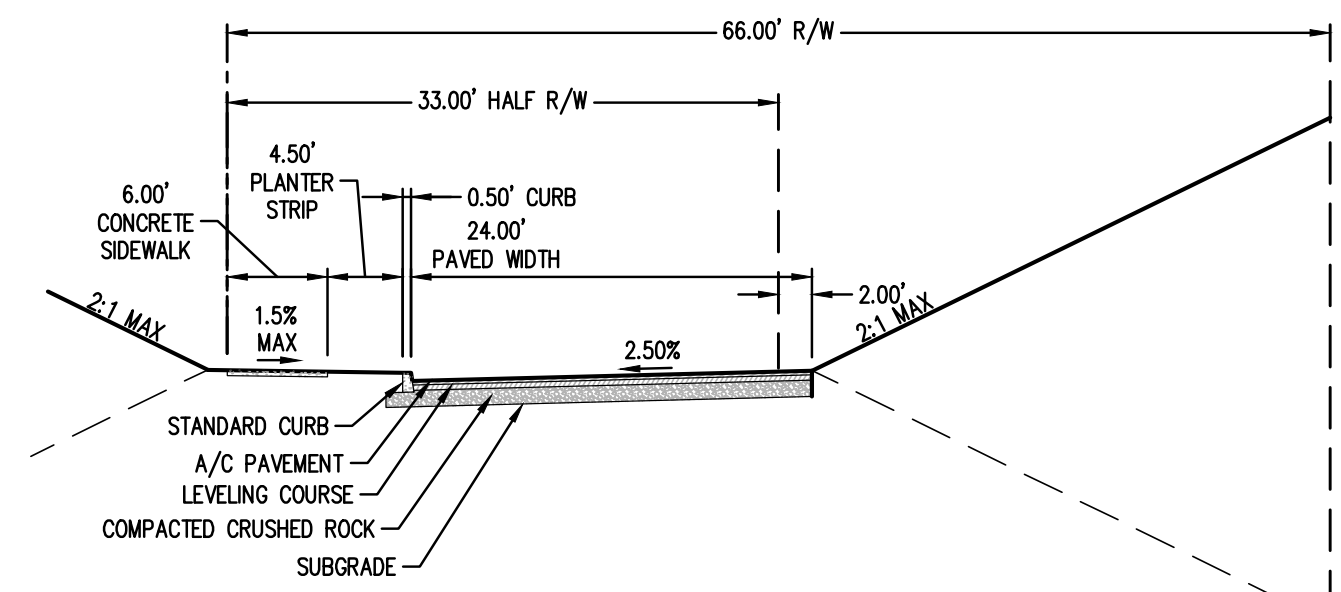
This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

Development Agreement Exhibit A
Page 2 of 2

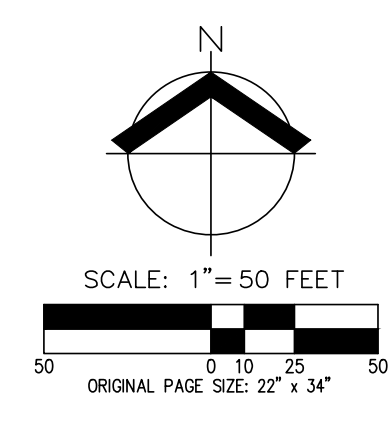


EASEMENT LEGEND	
PUE	PUBLIC UTILITY EASEMENT
TPAE	TEMPORARY PUBLIC ACCESS EASEMENT (CONCEPTUAL LOCATION)
PSSE	PUBLIC SANITARY SEWER EASEMENT
PSDE	PUBLIC STORM DRAINAGE EASEMENT

- KEYED NOTES**
- A. BEGIN HALF-STREET IMPROVEMENTS
 - B. END HALF-STREET IMPROVEMENTS
 - C. END STREET IMPROVEMENTS



A TYPICAL GUNDERSON ROAD HALF STREET SECTION
1" = 10'



DATE: 05/08/2020

PRELIMINARY OFFSITE STREET IMPROVEMENTS GUNDERSON ROAD PLAN	EXHIBIT
Development Agreement Exhibit B1	

After recording, return to:

City of Sandy
Att: City Recorder
39250 Pioneer Blvd.
Sandy, OR 97055

Until a change is requested, all

Tax statements shall be sent to:
NO CHANGE IN TAX STATEMENTS

RIGHT-OF-WAY DEDICATION DEED

_____ (GRANTOR), does on behalf of GRANTOR, GRANTOR'S heirs, successors and assigns, grant, convey, dedicate, and warrant to the City of Sandy, an Oregon municipal corporation (GRANTEE), the real property described in Exhibit A (legal description) and depicted in Exhibit B (map), free from all monetary liens or encumbrances. The GRANTEE (and other entities or persons GRANTEE deems appropriate) shall have the perpetual right to use the property for public right-of-way and utility purposes.

The true consideration for this conveyance is \$ 0.00 and includes other value given or promised.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY , UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424 OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 to 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 1195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 to 7, CHAPTER 8, OREGON LAWS 2010.

Dated this ____ day of _____, 2020.

(See following page for signatures and acknowledgment)

Development Agreement Exhibit B2
Page 1 of 4

GRANTOR:

By: _____

Name: _____

Title: _____

STATE OF OREGON)
)
COUNTY OF CLACKAMAS)

On this ____ day of _____, 2020, before me personally appeared to me known as
(Name) _____, (Title) _____,
of GRANTOR _____ and who executed
this Right-of-Wat Dedication Deed, and who acknowledged the same to be in behalf of
GRANTOR _____, and said acknowledged said instrument to
be the free act and deed of GRANTOR _____.

(seal)

Notary Public

Name
My Commission Expires:

APPROVAL AND ACCEPTANCE BY GRANTEE PURSUANT TO ORS 93.808

The City of Sandy approves and accepts the foregoing
dedication this ____ day of _____, 2020.

By: _____

Name: _____

Title: City Manager



AKS ENGINEERING & FORESTRY, LLC
 12965 SW Herman Road, Suite 100, Tualatin, OR 97062
 P: (503) 563-6151 | www.aks-eng.com

AKS Job #7107

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Public Right-of-Way Dedication Description

A tract of land located in the Northeast One-Quarter of Section 23, Township 2 South, Range 4 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the northeast corner of Parcel 1 of Partition Plat 2018-030, Clackamas County Plat Records; thence along the north line of Document Number 93-28438, Clackamas County Deed Records, South 89°52'25" East 823.67 feet to the Point of Beginning; thence continuing along said north line, South 89°52'25" East 80.87 feet; thence leaving said north line along a non-tangent curve to the right (Radial Bearing of North 83°57'02" West) with a Radius of 125.00 feet, a Delta of 17°34'30", a Length of 38.34 feet, and a Chord of South 14°50'13" West 38.19 feet; thence South 23°37'27" West 1.54 feet; thence along a curve to the left with a Radius of 19.00 feet, a Delta of 85°25'41", a Length of 28.33 feet, and a Chord of South 19°05'23" East 25.78 feet; thence along a curve to the right with a Radius of 533.00 feet, a Delta of 29°56'48", a Length of 278.58 feet, and a Chord of South 46°49'50" East 275.42 feet; thence along a curve to the left with a Radius of 467.00 feet, a Delta of 23°05'54", a Length of 188.27 feet, and a Chord of South 43°24'23" East 187.00 feet; thence South 54°57'21" East 46.00 feet; thence along a curve to the left with a Radius of 19.00 feet, a Delta of 90°00'00", a Length of 29.85 feet, and a Chord of North 80°02'39" East 26.87 feet to a point of non-tangency (Radial Bearing of North 54°57'21" West) on the northwesterly right-of-way line of Woodburn-Sandy Highway (40.00 feet from centerline); thence South 35°02'39" West 104.00 feet; thence along a non-tangent curve to the left (Radial Bearing of North 54°57'21" West) with a Radius of 19.00 feet, a Delta of 90°00'00", a Length of 29.85 feet, and a Chord of North 09°57'21" West 26.87 feet; thence North 54°57'21" West 46.00 feet; thence along a curve to the right with a Radius of 533.00 feet, a Delta of 23°05'54", a Length of 214.88 feet, and a Chord of North 43°24'23" West 213.42 feet; thence along a curve to the left with a Radius of 467.00 feet, a Delta of 41°16'55", a Length of 336.48 feet, and a Chord of North 52°29'54" West 329.25 feet to a point of non-tangency (Radial Bearing of South 16°51'38" West); thence North 23°37'27" East 93.53 feet to the Point of Beginning.

The above described tract of land contains 1.02 acres, more or less.

1/7/2020

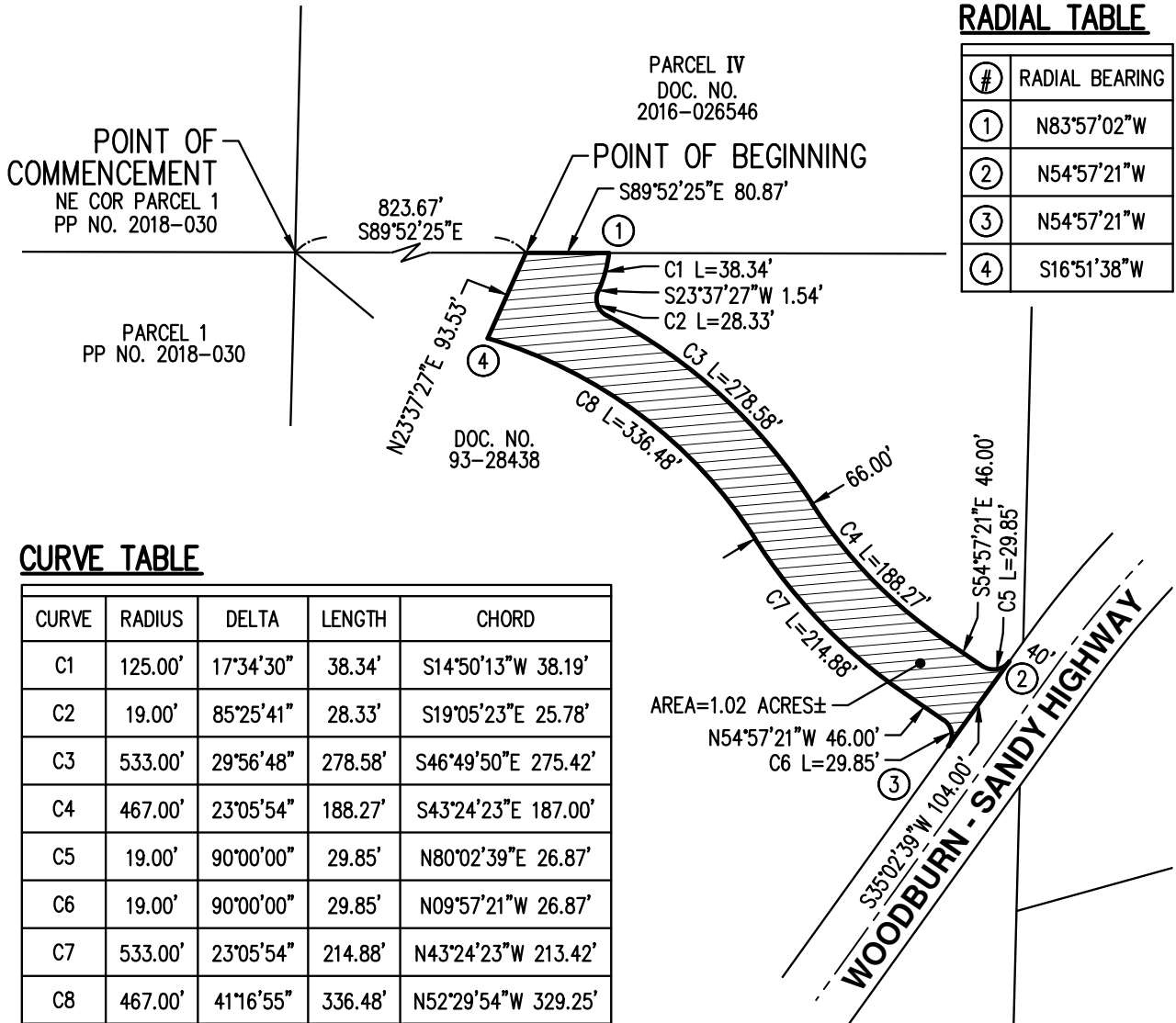


Development Agreement Exhibit B2

Page 3 of 4

EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 23,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN,
CLACKAMAS COUNTY, OREGON



RADIAL TABLE

#	RADIAL BEARING
①	N83°57'02"W
②	N54°57'21"W
③	N54°57'21"W
④	S16°51'38"W

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	125.00'	17°34'30"	38.34'	S14°50'13"W 38.19'
C2	19.00'	85°25'41"	28.33'	S19°05'23"E 25.78'
C3	533.00'	29°56'48"	278.58'	S46°49'50"E 275.42'
C4	467.00'	23°05'54"	188.27'	S43°24'23"E 187.00'
C5	19.00'	90°00'00"	29.85'	N80°02'39"E 26.87'
C6	19.00'	90°00'00"	29.85'	N09°57'21"W 26.87'
C7	533.00'	23°05'54"	214.88'	N43°24'23"W 213.42'
C8	467.00'	41°16'55"	336.48'	N52°29'54"W 329.25'

1/7/2020

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Benjamin R Huff

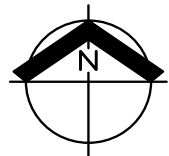
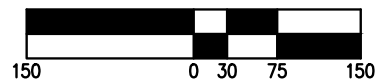
OREGON
MARCH 14, 2017
BENJAMIN R HUFF
84738PLS

RENEWS: 6/30/21

PREPARED FOR

ALLIED HOMES & DEVELOPMENT
12042 SE SUNNYSIDE ROAD, SUITE 706
CLACKAMAS, OR 97015

SCALE: 1" = 150 FEET



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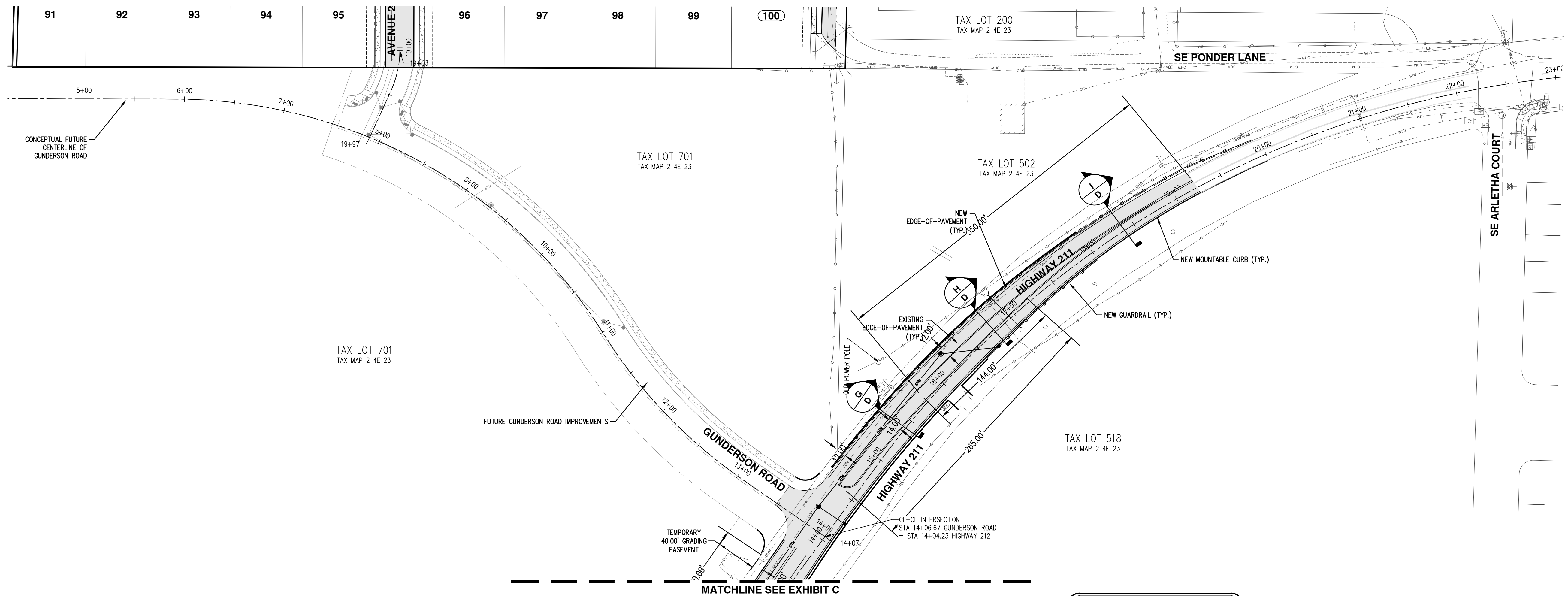
Development Agreement Exhibit B2

Page 4 of 4

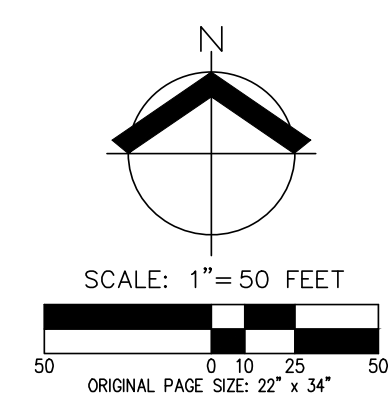
AKS ENGINEER
12965 SW HER
TUALATIN, OR
503.563.6151

WWW.AKS-ENG.COM

7107

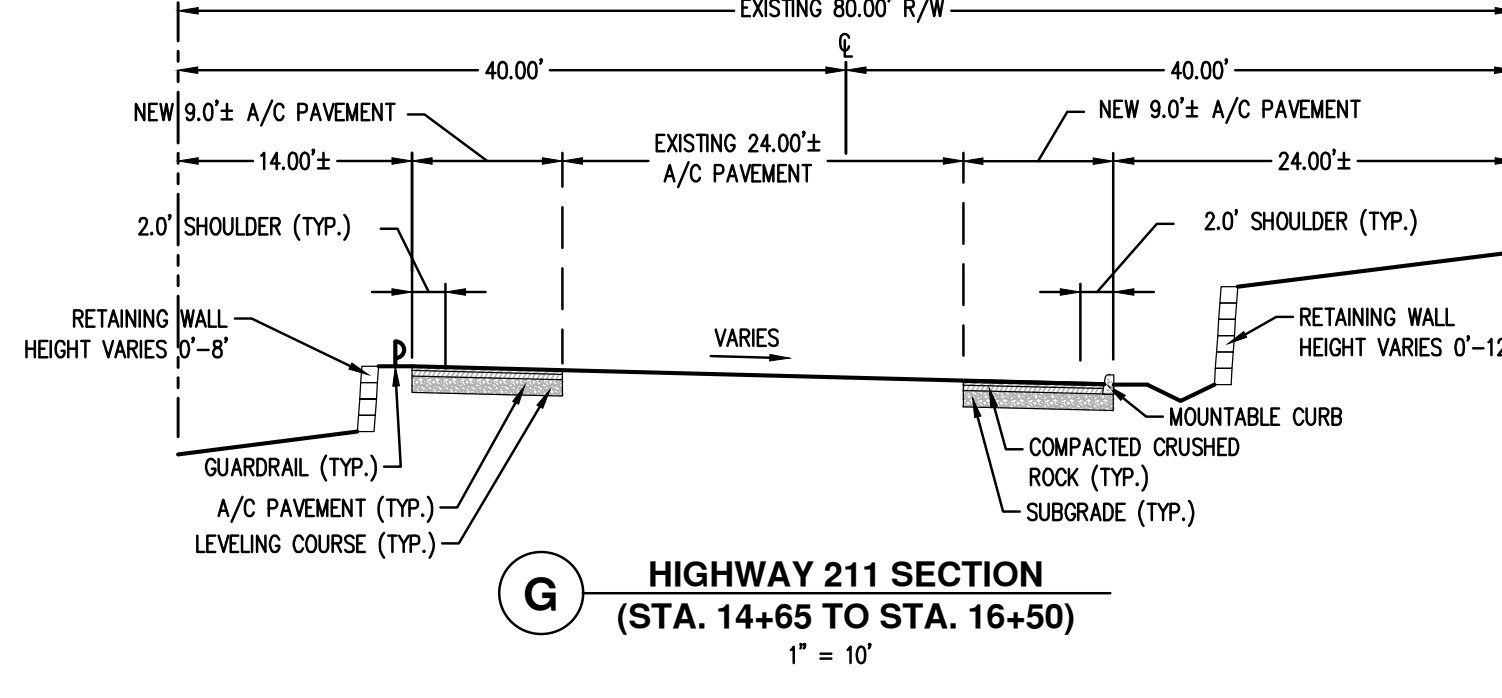
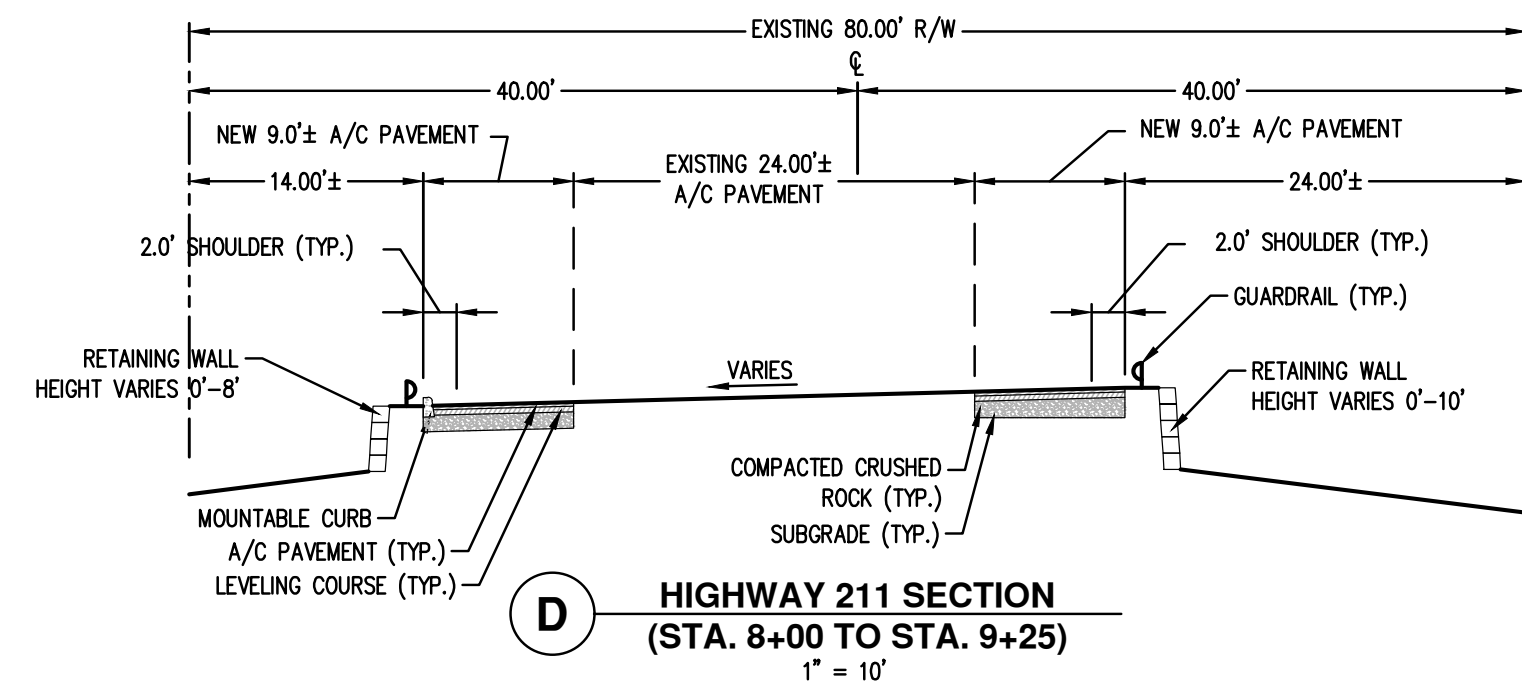
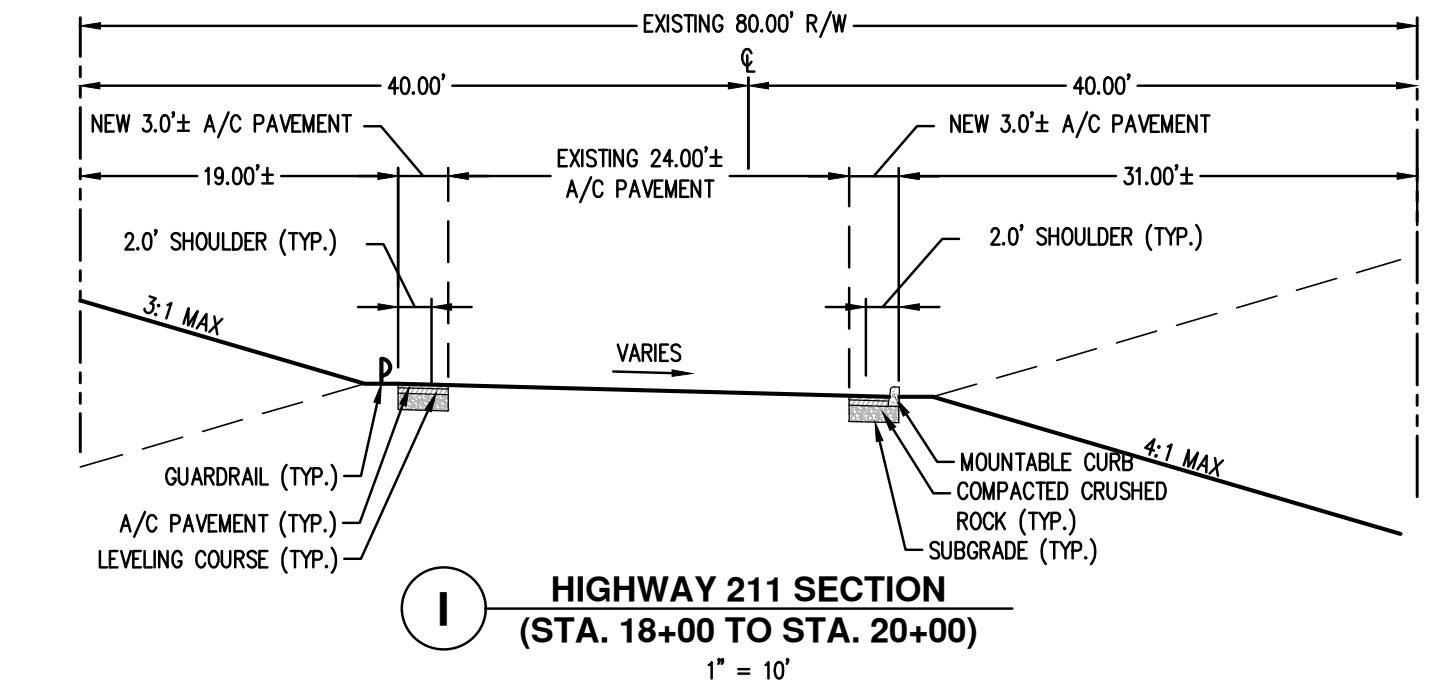
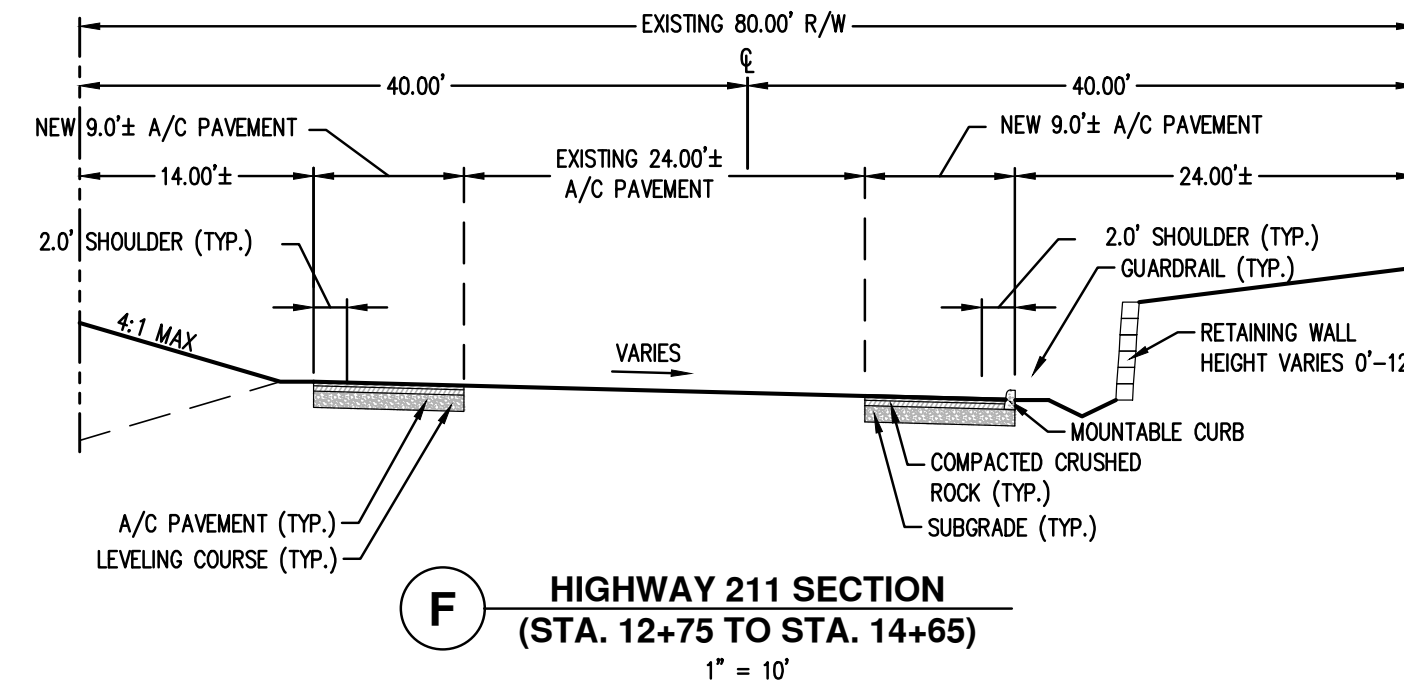
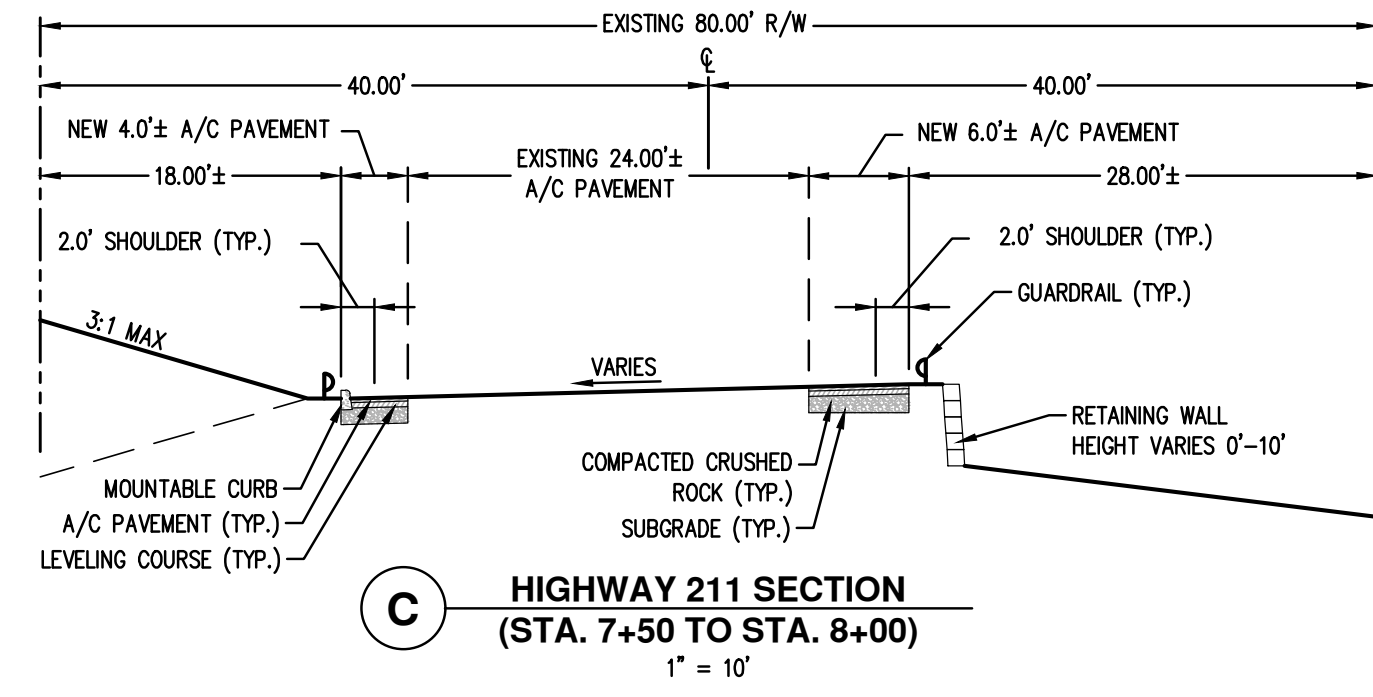
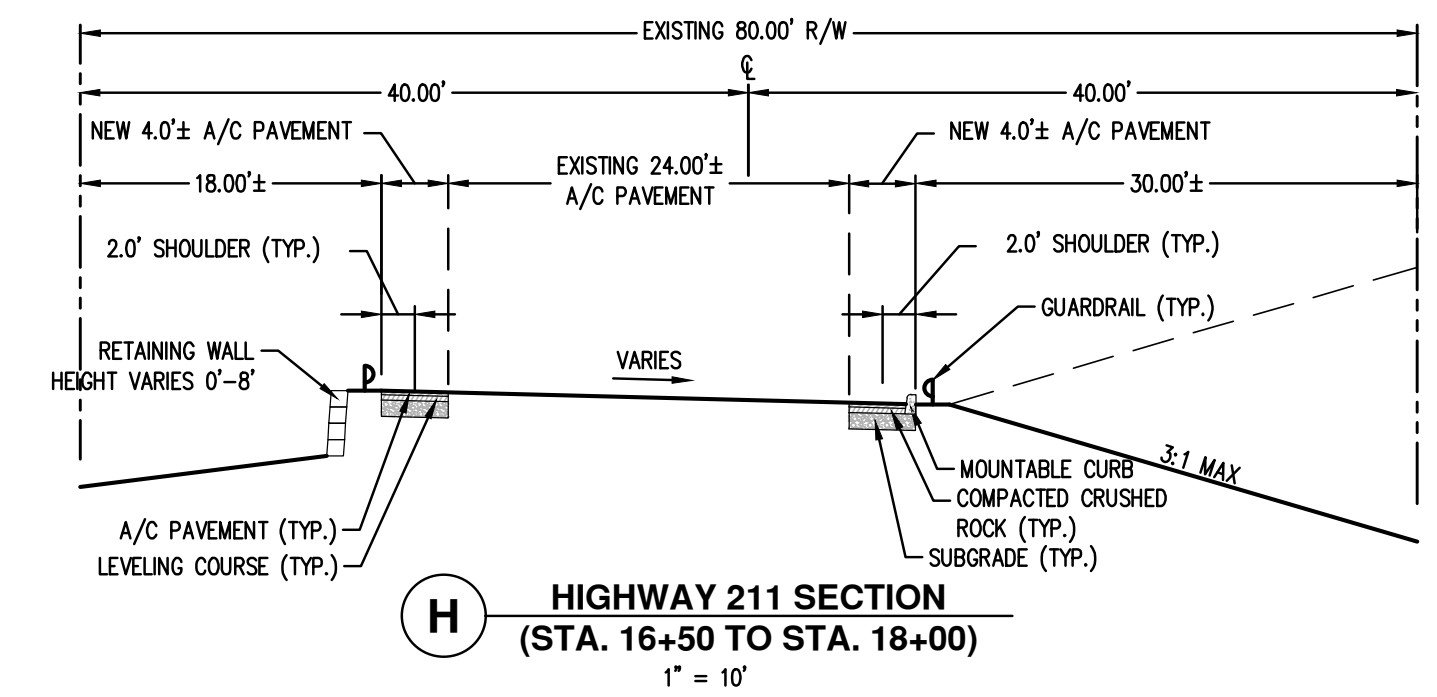
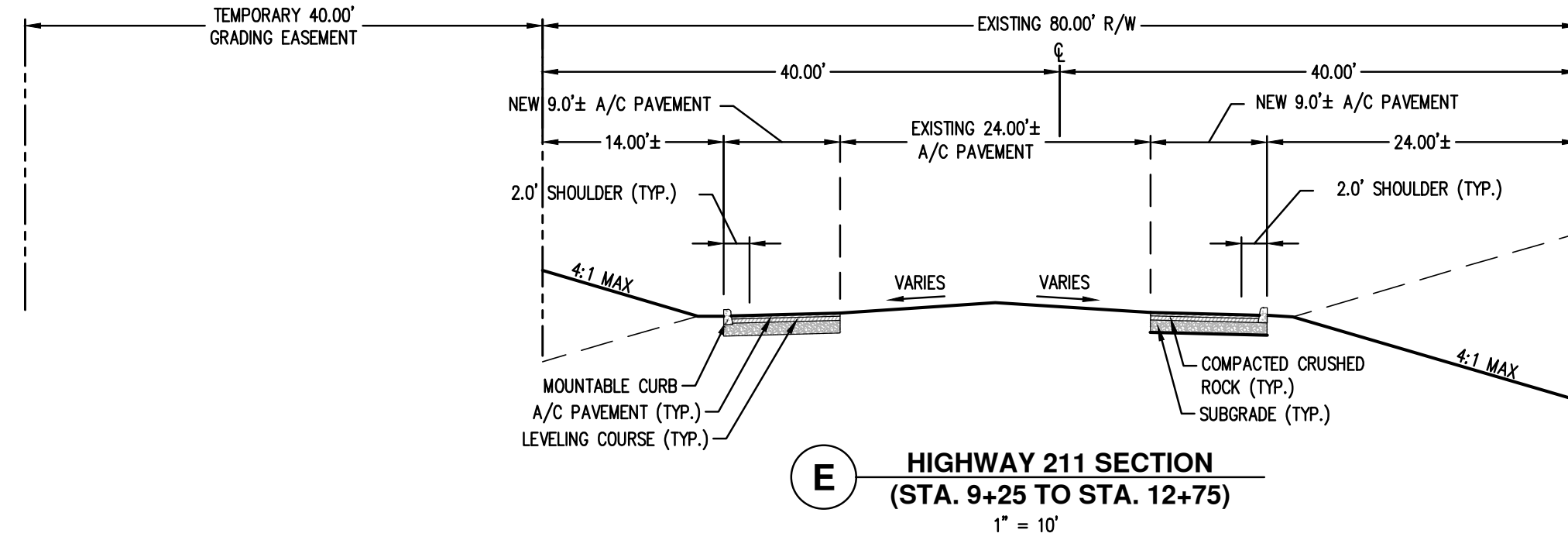
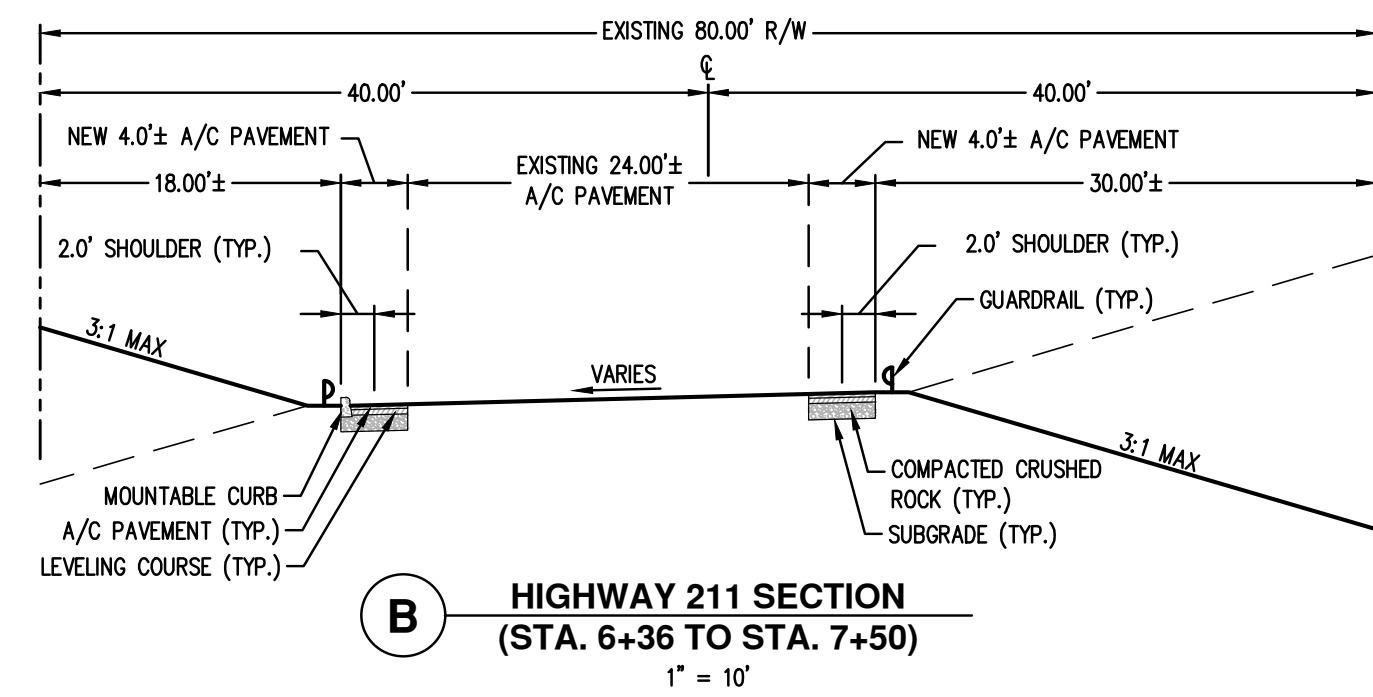


EASEMENT LEGEND	
PUE	PUBLIC UTILITY EASEMENT
TPAE	TEMPORARY PUBLIC ACCESS EASEMENT (CONCEPTUAL LOCATION)
PSSE	PUBLIC SANITARY SEWER EASEMENT
PSDE	PUBLIC STORM DRAINAGE EASEMENT



DATE: 05/08/2020

PRELIMINARY OFFSITE STREET IMPROVEMENTS		EXHIBIT
<p style="color: red; font-size: 1.2em;">Development Agreement Exhibit B3</p> <p style="color: red; font-size: 1.2em;">Page 1 of 3</p>		



DATE: 05/08/2020

PRELIMINARY OFFSITE STREET IMPROVEMENTS EXHIBIT

Development Agreement Exhibit B3
Page 3 of 3



AKS ENGINEERING & FORESTRY, LLC
 12965 SW Herman Road, Suite 100, Tualatin, OR 97062
 P: (503) 563-6151 | www.aks-eng.com

AKS Job #7107

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Legal Description

A tract of land located in the Northeast One-Quarter of Section 23, Township 2 South, Range 4 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the northeast corner of Parcel 1 of Partition Plat 2018-030, Clackamas County Plat Records; thence along the north line of Document Number 93-28438, Clackamas County Deed Records, South 89°52'25" East 904.54 feet to the Point of Beginning; thence continuing along said north line, South 89°52'25" East 414.66 feet to the northeast corner of said deed; thence along the east line of said deed, South 01°24'04" West 388.51 feet to the northwesterly right-of-way of Woodburn-Sandy Highway (40.00 feet from centerline); thence along said northwesterly right-of-way line, South 35°02'39" West 23.73 feet; thence leaving said northwesterly right-of-way line along a curve to the right with a Radius of 19.00 feet, a Delta of 90°00'00", a Length of 29.85 feet, and a Chord of South 80°02'39" West 26.87 feet; thence North 54°57'21" West 46.00 feet; thence along a curve to the right with a Radius of 467.00 feet, a Delta of 23°05'38", a Length of 188.23 feet, and a Chord of North 43°24'32" West 186.96 feet; thence along a curve to the left with a Radius of 533.00 feet, a Delta of 29°57'02", a Length of 278.62 feet, and a Chord of North 46°49'43" West 275.46 feet; thence along a curve to the right with a Radius of 19.00 feet, a Delta of 85°25'41", a Length of 28.33 feet, and a Chord of North 19°05'23" West 25.78 feet; thence North 23°37'27" East 1.54 feet; thence along a curve to the left with a Radius of 125.00 feet, a Delta of 17°34'29", a Length of 38.34 feet, and a Chord of North 14°50'13" East 38.19 feet to the Point of Beginning.

The above described tract of land contains 2.38 acres, more or less.

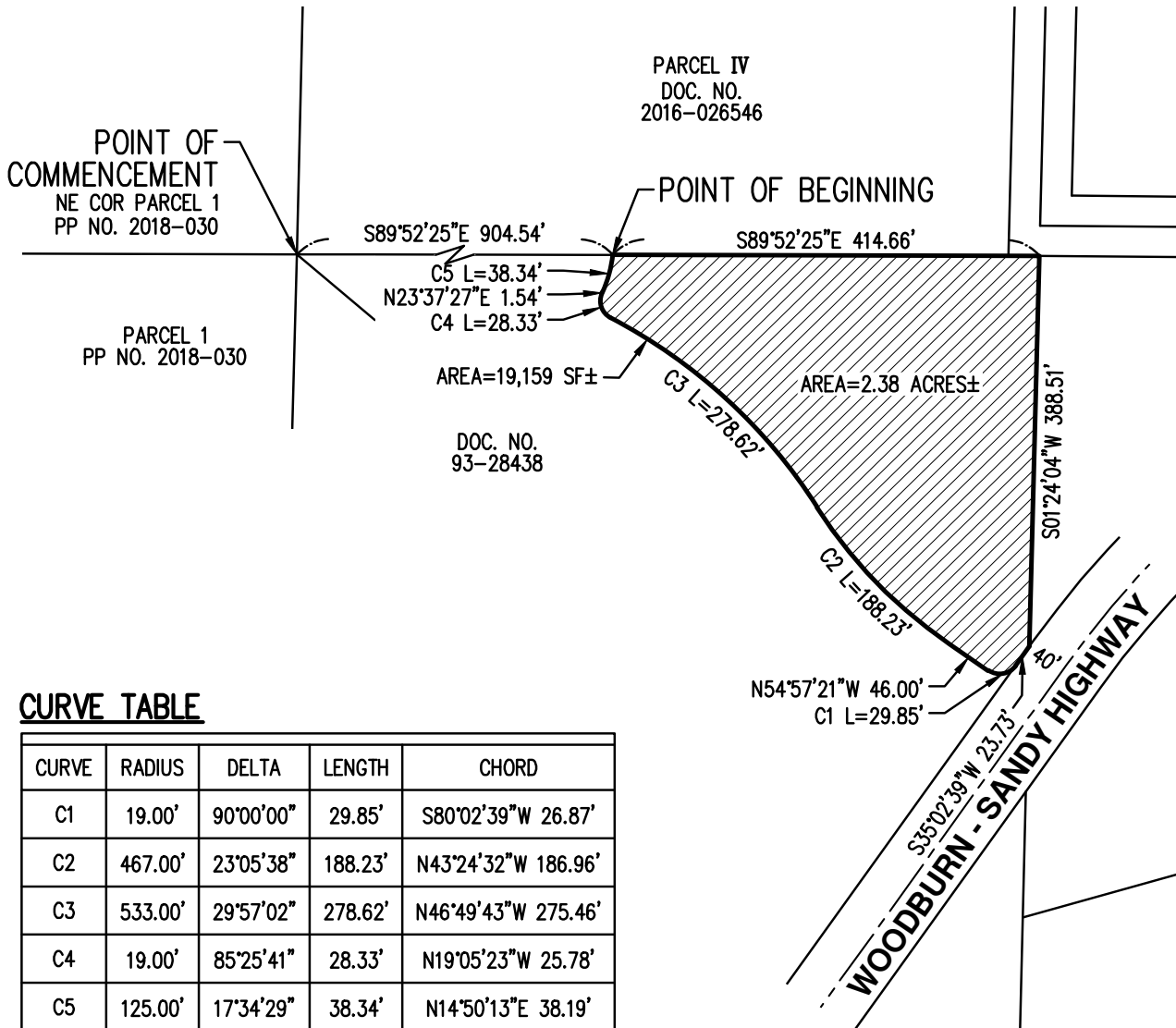
1/9/2020



Development Agreement Exhibit C
Page 1 of 2

EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 23,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN,
CLACKAMAS COUNTY, OREGON



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	19.00'	90°00'00"	29.85'	S80°02'39"W 26.87'
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C5	125.00'	17°34'29"	38.34'	N14°50'13"E 38.19'

1/9/2020

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Benjamin R Huff

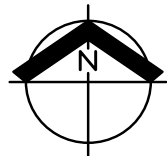
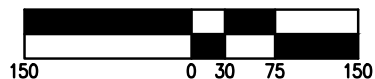
OREGON
MARCH 14, 2017
BENJAMIN R HUFF
84738PLS

RENEWS: 6/30/21

PREPARED FOR

ALLIED HOMES & DEVELOPMENT
12042 SE SUNNYSIDE ROAD, SUITE 706
CLACKAMAS, OR 97015

SCALE: 1" = 150 FEET



EXHIBIT

Development Agreement Exhibit C
Page 2 of 2

AKS ENGINE
12965 SW H
TUALATIN, O
503.563.6151

WWW.AKS-ENG.COM

7107

After recording, return to:

City of Sandy
Att: City Recorder
39250 Pioneer Blvd.
Sandy, OR 97055

Until a change is requested, all

Tax statements shall be sent to:
NO CHANGE IN TAX STATEMENTS

PARK LAND DEDICATION DEED

_____ (GRANTOR), does on behalf of GRANTOR, GRANTOR'S heirs, successors and assigns, grant, convey, dedicate, and warrant to the City of Sandy, an Oregon municipal corporation (GRANTEE), the real property described in Exhibit A (legal description) and depicted in Exhibit B (map), free from all monetary liens or encumbrances. The GRANTEE (and other entities or persons GRANTEE deems appropriate) shall have the perpetual right to use the property for park, open space and recreational purposes.

The true consideration for this conveyance is \$ 0.00 and includes other value given or promised.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY , UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424 OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 to 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 1195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 to 7, CHAPTER 8, OREGON LAWS 2010.

Dated this ____ day of _____, 2020.

(See following page for signatures and acknowledgment)

Development Agreement Exhibit D
Page 1 of 4

Exhibit A

(Legal Description)

Exhibit B

(Map)



BEND, OR
 3052 NW Merchant Way, Suite 100
 Bend, OR 97703
 (541) 317-8429
 www.aks-eng.com

KEIZER, OR
 4300 Cherry Avenue NE
 Keizer, OR 97303
 (503) 400-6028

TUALATIN, OR
 12965 SW Herman Road, Suite 100
 Tualatin, OR 97062
 (503) 563-6151

VANCOUVER, WA
 9600 NE 126th Avenue, Suite 2520
 Vancouver, WA 98682
 (360) 882-0419

**PRELIMINARY FEASIBILITY COST ESTIMATE FOR GUNDERSON OFFSITE IMPROVEMENTS -
 BAILEY MEADOWS - SANDY**

Job No.: 7107
 Estimate By: VHN
 # of Units/Lots: GUNDERSON ROAD

	GUNDERSON ROAD
PRELIMINARY CONSTRUCTION COST ESTIMATE	\$ 311,346
CONTINGENCY (20%)	\$ 62,269
TOTAL PRELIMINARY CONSTRUCTION COST ESTIMATE WITH CONTINGENCY	\$ 373,615

	GUNDERSON ROAD
PRELIMINARY SOFT COST ESTIMATE	\$ 250,729
CONTINGENCY (20%)	\$ 50,146
TOTAL PRELIMINARY SOFT COST ESTIMATE WITH CONTINGENCY	\$ 300,875

	GUNDERSON ROAD
TOTAL PRELIMINARY COSTS	\$ 562,075
TOTAL CONTINGENCY (20%)	\$ 112,415
TOTAL PRELIMINARY COSTS FOR PROJECT WITH CONTINGENCY	\$ 674,490

PRELIMINARY LAND COSTS	GUNDERSON ROAD
	\$ 102,000

	GUNDERSON ROAD
TOTAL PRELIMINARY HARD, SOFT, AND LAND COSTS	\$ 664,075
TOTAL PRELIMINARY HARD/SOFT COSTS WITH CONTINGENCY AND LAND COSTS	\$ 776,490

PRELIMINARY COST ESTIMATE

AKS ENGINEERING & FORESTRY, LLC.
 12965 SW HERMAN ROAD, SUITE 100
 TUALATIN, OREGON 97062
 503-563-6151



PRELIMINARY FEASIBILITY COST ESTIMATE FOR GUNDERSON OFFSITE IMPROVEMENTS -

BAILEY MEADOWS - SANDY

Job # 7107
 Estimate By VHN
 No. of Lots: GUNDERSON ROAD

ITEM	SCHEDULE 1 - OFFSITE MINOR ARTERIAL (INCLUDES UTILITIES)	UNIT	UNIT PRICE	QUANTITY	COST
	Off-Site Gunderson Road				
1-1	2" AC Pavement - Top Lift	S.Y.	\$ 8.00	1,850	\$ 14,800.00
1-2	2" AC Pavement - Bottom Lift	S.Y.	\$ 8.00	1,850	\$ 14,800.00
1-3	12" Crushed Rock (1"-0 Base Course)	S.Y.	\$ 12.00	1,960	\$ 23,520.00
1-4	Standard Curb (Type "C")	L.F.	\$ 15.00	680	\$ 10,200.00
1-5	6' Wide Concrete Sidewalk	S.F.	\$ 6.00	3,600	\$ 21,600.00
1-6	Street Trees	EA.	\$ 200.00	20	\$ 4,000.00
1-7	Landscape Strip (Topsoil, Irrigation, etc.)	S.F.	\$ 5.00	2,700	\$ 13,500.00
1-8	Clearing and Grubbing (Includes Haul Off and Disposal)	L.S.	\$ 2,000.00	1	\$ 2,000.00
1-9	Stripping and Stockpiling *	B.C.Y.	\$ 5.00	700	\$ 3,500.00
1-10	Haul-off Strippings	B.C.Y.	\$ 20.00	700	\$ 14,000.00
1-11	Grading - Cut	B.C.Y.	\$ 5.00	1,250	\$ 6,250.00
1-12	Grading - Fill (Structural)	B.C.Y.	\$ 5.00	1,250	\$ 6,250.00
1-13	Low point Drain and Culvert **	L.S.	\$ 15,000.00	1	\$ 15,000.00
1-14	12" Storm Main ***	L.F.	\$ 75.00	410	\$ 30,750.00
1-15	Storm Drain Manhole, 48"	EA.	\$ 4,000.00	4	\$ 16,000.00
1-16	Catch Basin	EA.	\$ 2,000.00	4	\$ 8,000.00
1-17	12" Catch Basin Leads ***	L.F.	\$ 65.00	90	\$ 5,850.00
1-18	Striping and Signage	L.S.	\$ 2,500.00	1	\$ 2,500.00
1-19	ADA Ramp (Includes 2 Ramps and Curb Returns)	EA.	\$ 3,500.00	2	\$ 7,000.00
1-20	Onsite Stormwater Facility Upsizing ****	L.S.	\$ 1.00	40,000	\$ 40,000.00
1-21	Street Light	EA.	\$ 5.00	4,000	\$ 20,000.00
1-22	Erosion Control Measures	L.S.	\$ 1.00	12,000	\$ 12,000.00
1-23	Tree Protection Fence	L.S.	\$ 5,000.00	1	\$ 5,000.00
1-24	Mobilization, Demobilization, and Cleanup (Includes incidentals) - 5% of Hard Costs	L.S.	\$ 14,826.00	1	\$ 14,826.00
	TOTAL				\$311,346.00

* Stripping depth is assumed to be 8"±. ** Includes Placement, inlet/outlet armoring and culvert bedding material.
 *** Trench spoils to be used in subdivision.
 **** This is for upsizing the onsite stormwater facility and CDS manhole to account for additional impervious area from the Gunderson Road extension.

PRELIMINARY SOFT COST ESTIMATE

AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN ROAD, SUITE 100
 TUALATIN, OREGON 97062
 503-563-6151



PRELIMINARY FEASIBILITY COST ESTIMATE FOR GUNDERSON OFFSITE IMPROVEMENTS

Job No.: 7107
 Estimate By: VHN
 UNITS: GUNDERSON ROAD

			GUNDERSON RD
CONSULTING ESTIMATE - BY AKS	QTY	UNIT	COST
Land Surveying and Civil Engineering (15% Hard Costs)	1	EST.	\$ 46,702
Arborist Services	1	EST.	\$ 5,000
DEQ 1200c Erosion Control Inspection	1	EST.	\$ 5,000
Gunderson and 211 Preliminary Design, UGB, Annexation, Zoning	1	EST.	\$ 90,000
SUBTOTAL (A)			\$ 146,702

CONSULTING ESTIMATE - BY OTHERS	QTY	UNIT	COST
Traffic Engineering	1	EST.	\$ 10,000
Geotechnical Engineering	1	EST.	\$ 5,000
Geotechnical Compaction / Plan Review / Soil Testing / Final Report	1	EST.	\$ 5,000
Street Lighting and Conduit Design	1	EST.	\$ 5,000
SUBTOTAL (B)			\$ 25,000

JURISDICTIONAL/AGENCY/UTILITY COMPANY FEE ESTIMATE	QTY	UNIT	COST
Miscellaneous Permit Fees (DEQ 1200c etc.)	1	EST.	\$ 5,000
Public Improvement Plan Review Fee*	0	EST.	\$ -
UGB and Annexation/Zoning	1	EST.	\$ 15,000
SUBTOTAL (C)			\$ 20,000

BOND FEES	QTY	UNIT	COST
Performance Bond	1	EST.	\$ 6,227
Maintenance Bond	1	EST.	\$ 1,245
SUBTOTAL (D)			\$ 7,472

DEVELOPER COSTS	QTY	UNIT	COST
Financing	1	EST.	\$ 51,555
SUBTOTAL (E)			\$ 51,555

SUBTOTAL (A+B+C+D+E)			\$ 250,729
CONTINGENCY - (20%)			\$ 50,146

TOTAL WITH CONTINGENCY			\$ 300,875
-------------------------------	--	--	-------------------

*Assumes the City will waive all permit fees.

SOFT COSTS

Development Agreement Exhibit E
Page 3 of 3

5/18/2020

City of Sandy Mail - Geo development agreement



Jeff Aprati <japrati@ci.sandy.or.us>

Geo development agreement

christine parker <whitengayle@hotmail.com>

Sat, May 16, 2020 at 6:24 PM

To: "recorder@ci.sandy.or.us" <recorder@ci.sandy.or.us>

Where are you people from? Not Sandy. Why are you paying for this when you won't pay for a swimming pool for our kids! That pool was put in because kids were drowning every year in the rivers. Nobody wants all these damn houses put in in the first place. Now you will pay this fee for the developers? I had to set up a payment program for ONE house. I have lived here all my life and you people are RUINING Sandy. Take a good look at this town. There are only two roads in to Hwy 26 on the south side. They are both plugged up now so we have to wait and wait at the lights. There are no stores worth shopping at. The grocery stores are saturated with people. But you vote for more housing? Do you get paid more for per house. Go back to your big city's you came from. Stop making Sandy into part of Portland. Stop helping big businesses like developers and help the current Sandy area. Christine Parker

Sent from my Verizon, Samsung Galaxy smartphone

5/18/2020

City of Sandy Mail - (no subject)



Jeff Aprati <japrati@ci.sandy.or.us>

(no subject)

Lynda 111 <LyndaOregon@hotmail.com>
To: "Recorder@ci.sandy.or.us" <Recorder@ci.sandy.or.us>

Sat, May 16, 2020 at 6:27 PM

Please refuse the Geo Development Agreement! Developer should pay!

Sent from [Mail](#) for Windows 10

5/18/2020

City of Sandy Mail - Bailey Meadows development



Jeff Aprati <japrati@ci.sandy.or.us>

Bailey Meadows development

Steven M. Wolf <suntek101@gmail.com>
To: Recorder@ci.sandy.or.us

Sat, May 16, 2020 at 6:57 PM

To the Sandy City Council -

Why do we have codes if the city just chooses to ignore them? If developers don't like the rules then they can go elsewhere. It's not like they are the only ones who would be interested in developing land here. Someone else who respects and abides by our policies and codes will be happy to develop within the city. I'm sure the money that the council plans to give the developers could be used in better ways for all taxpayers of Sandy, not just Geo Development which is a Clackamas based company. After all, the road will eventually get built one way or the other. Why rush to use taxpayer dollars for it when, by city code, it's rightly the developer's responsibility? Honestly, it's such a sweet deal for the developer, it sounds like a situation where kickbacks are the motivator. If the city agrees to it this time, it will be common practice from here on out with the winners being the developers and the losers being Sandy taxpayers, over and over again.

Steve Wolf
Sandy, OR



Jeff Aprati <japrati@ci.sandy.or.us>

SANDY CITY COUNCIL VOTING TO GIVE DEVELOPER OVER \$2.6 MILLION IN FUNDS FOR ROAD DEVELOPERS

Mary Wiseman <marysue.wiseman@gmail.com>
To: Recorder@ci.sandy.or.us

Sat, May 16, 2020 at 7:24 PM

Is this factual? Our experience with the City of Sandy is that they are very developer friendly. So much that their decisions are generally biased and the citizen concerns are not considered. If this indeed is true, it is very concerning especially with a new mayor.

Vote for what is right not what is easy.

Mary Wiseman
38255 Heia Ct
Sandy

SANDY CITY COUNCIL VOTING TO GIVE DEVELOPER OVER \$2.6 MILLION IN FUNDS FOR ROAD DEVELOPERS ARE LEGALLY RESPONSIBLE FOR BUILDING!

Before Monday May 18, send a quick email to the Sandy City Council at Recorder@ci.sandy.or.us asking the City Council to refuse the Geo Development Agreement! Insist the developer pay those costs as outlined in our City code.

The Bailey Meadows developer for 100 new homes costing half a million dollars each, is REQUIRED to pay for the \$700,000 cost to build Gunderson Road (not including the Hwy 211 intersection) as well as pay transportation system development charges (SDC's) of over \$382,000 for a total of \$1,082,000. The road system development charges are intended to be spent on an existing list of Sandy road priority projects in the City and Gunderson is not on that list. Gunderson Road is proposed to be 700 feet long

INSTEAD, the Sandy City Council is voting to "credit" the \$382,000 of road system fees that would go to other Sandy priority projects, and instead let the developer use that plus giving the developer credit for additional future "surplus system development charges" totalling the entire \$700,000 cost for the road – something not even allowed under our current code. Allowing the developer to use the \$700,000 for his neighborhood road, means the City then has to come up with another \$700,000 for the priority road project list. So Sandy is really out \$1.4 million for this use of taxpayer and city funds that are being given as a gift to this developer. But wait – there's more!

The Hwy 211 intersection (like the nearby SE Village Blvd/Hwy 211 intersection built and paid for by another developer) was estimated BY THE DEVELOPER to cost \$1.5 to \$1.8 million dollars. The developer says he will pitch in \$500,000 of that and the City taxpayers and City road funds will be paying the rest (at least \$1.2 million)! And if the developer spends less than his likely over-estimated cost of \$1.7 million to build the road (using mostly our funds), he gets even more money as a reward! First he gets \$100,000 if he spends \$1.00 less than \$1.7 million. Then he gets an additional 25% of the "savings".

Total gift to the developer coming out of our pockets is over \$2.7 million for both Gunderson and the Hwy 211 intersection!!

These actions are in response to City Council's direction to City staff to be more "business and developer friendly" and this developer's threat to sue the city. Now we are getting unprecedented growth because the City is saddling development costs with residents instead of developers! This can only be corrected if people let their voices be heard and also by voting. Send an email to Recorder@ci.sandy.or.us or call one of your City Council members up to let them know what you think about this giant secret (until the last minute) stinky giveaway! Remind them of SE Village Blvd and Hwy 211 intersection that was built and paid for by that developer! Our City code and Sandy residents insist that developers pay for their own infrastructure!

Sent from my iPhone

5/18/2020

City of Sandy Mail - Geo Development Agreement



Jeff Aprati <japrati@ci.sandy.or.us>

Geo Development Agreement

Danielle Barnard <dbarnard@rockwoodprep.org>
To: "Recorder@ci.sandy.or.us" <Recorder@ci.sandy.or.us>

Sat, May 16, 2020 at 7:43 PM

Council Members,

Just as the SE Village Blvd and Hwy 211 intersection was built and paid for by the developer, as should the Bailey Meadows developer be responsible for new road system development! Not only does the Geo Development Agreement go against current city code, it also puts the economic responsibility of infrastructure development back on the residents of Sandy, which is irresponsible. Please do not approve this agreement!

A Concerned Resident,
Danielle Barnard

5/18/2020

City of Sandy Mail - Not happy



Jeff Aprati <japrati@ci.sandy.or.us>

Not happy

'dragonfly1273' via City Recorder <recorder@ci.sandy.or.us>
Reply-To: dragonfly1273 <dragonfly1273@yahoo.com>
To: Recorder@ci.sandy.or.us

Sat, May 16, 2020 at 8:29 PM

Is this true... I am a taxpayer and I don't agree with this. Let the developers pay their own fees!!

SANDY CITY COUNCIL VOTING TO GIVE DEVELOPER OVER \$2.6 MILLION IN FUNDS FOR ROAD DEVELOPERS ARE LEGALLY RESPONSIBLE FOR BUILDING!

Before Monday May 18, send a quick email to the Sandy City Council at Recorder@ci.sandy.or.us asking the City Council to refuse the Geo Development Agreement! Insist the developer pay those costs as outlined in our City code.

The Bailey Meadows developer for 100 new homes costing half a million dollars each, is REQUIRED to pay for the \$700,000 cost to build Gunderson Road (not including the Hwy 211 intersection) as well as pay transportation system development charges (SDC's) of over \$382,000 for a total of \$1,082,000. The road system development charges are intended to be spent on an existing list of Sandy road priority projects in the City and Gunderson is not on that list.

Gunderson Road is proposed to be 700 feet long

INSTEAD, the Sandy City Council is voting to "credit" the \$382,000 of road system fees that would go to other Sandy priority projects, and instead let the developer use that plus giving the developer credit for additional future "surplus system development charges" totalling the entire \$700,000 cost for the road – something not even allowed under our current code. Allowing the developer to use the \$700,000 for his neighborhood road, means the City then has to come up with another \$700,000 for the priority road project list. So Sandy is really out \$1.4 million for this use of taxpayer and city funds that are being given as a gift to this developer. But wait – there's more!

The Hwy 211 intersection (like the nearby SE Village Blvd/Hwy 211 intersection built and paid for by another developer) was estimated BY THE DEVELOPER to cost \$1.5 to \$1.8 million dollars. The developer says he will pitch in \$500,000 of that and the City taxpayers and City road funds will be paying the rest (at least \$1.2 million)! And if the developer spends less than his likely over-estimated cost of \$1.7 million to build the road (using mostly our funds), he gets even more money as a reward! First he gets \$100,000 if he spends \$1.00 less than \$1.7 million. Then he gets an additional 25% of the "savings".

Total gift to the developer coming out of our pockets is over \$2.7 million for both Gunderson and the Hwy 211 intersection!!

These actions are in response to City Council's direction to City staff to be more "business and developer friendly" and this developer's threat to sue the city. Now we are getting unprecedented growth because the City is saddling development costs with residents instead of developers! This can only be corrected if people let their voices be heard and also by voting. Send an email to Recorder@ci.sandy.or.us or call one of your City Council members up to let them know what you think about this giant secret (until the last minute) stinky giveaway! Remind them of SE Village Blvd and Hwy 211 intersection that was built and paid for by that developer! Our City code and Sandy residents insist that developers pay for their own infrastructure!

Sent from my T-Mobile 4G LTE Device

<https://mail.google.com/mail/u/1?ik=e71d092bd2&view=pt&search=all&permmsgid=msg-f%3A1666906773753697634&simpl=msg-f%3A16669067737...> 1/1

5/18/2020

City of Sandy Mail - Geo Development Agreement



Jeff Aprati <japrati@ci.sandy.or.us>

Geo Development Agreement

Dori Miles <dorimiles@outlook.com>

Sat, May 16, 2020 at 10:01 PM

To: "Recorder@ci.sandy.or.us" <Recorder@ci.sandy.or.us>

Please refuse the Geo Development Agreement and insist the developer pay those costs as outlined in our City code.

Dori Miles

Sandy, OR

5/18/2020

City of Sandy Mail - Refuse the Geo Development Agreement



Jeff Aprati <japrati@ci.sandy.or.us>

Refuse the Geo Development Agreement

VandeBergh, Keri <Keri@vandebergh.org>
To: "recorder@ci.sandy.or.us" <recorder@ci.sandy.or.us>

Sat, May 16, 2020 at 10:39 PM

Please refute the Geo Development Agreement. The housing developer needs to pay the FULL cost of the road construction. Do not force taxpayers to pay what developers should.

Keri VandeBergh
City of Sandy Resident

5/18/2020

City of Sandy Mail - Stop building in sandy



Jeff Aprati <japrati@ci.sandy.or.us>

Stop building in sandy

'Cheryl Anders' via City Recorder <recorder@ci.sandy.or.us>
Reply-To: "cheryl250r@yahoo.com" <cheryl250r@yahoo.com>
To: "recorder@ci.sandy.or.us" <recorder@ci.sandy.or.us>

Sun, May 17, 2020 at 1:44 AM

Amazing that our city council is even considering this ridiculous idea. So much for being good stewards of taxpayer dollars ! This isn't "keep Sandy Wonderful "

Why are we forking out money to pay fee's for a contractor we dont want nor need, what your doing is wrong and not what sandy needs!!

Cheryl250r@yahoo.com

Sent from Yahoo Mail on Android

5/18/2020

City of Sandy Mail - Geo development agreement



Jeff Aprati <japrati@ci.sandy.or.us>

Geo development agreement

'Kelly French' via City Recorder <recorder@ci.sandy.or.us>
Reply-To: Kelly French <noslugno@yahoo.com>
To: recorder@ci.sandy.or.us

Sun, May 17, 2020 at 7:56 AM

Hello, I have read some disturbing information on Facebook about the "Geo Development Agreement", allowing a developer to do things traditionally not allowed. I will gladly find and copy the post for you if you have not seen it. Please consider refusing this agreement, it will not bring anything positive to our town and will open the door to letting other developers push you (and us) around. I'm very disappointed that it would even be considered, with all the other problems we currently have.

Thank you for your time,
Kelly French

5/18/2020

City of Sandy Mail - The Bailey Meadows Development



Jeff Aprati <japrati@ci.sandy.or.us>

The Bailey Meadows Development

Scott Sharman <bikemadd@msn.com>

Sun, May 17, 2020 at 12:48 PM

To: "recorder@ci.sandy.or.us" <recorder@ci.sandy.or.us>

As a citizen of Sandy, I would ask the City Council to refuse the Geo Development Agreement. I believe the developer should be responsible for these costs as stated in our city code! I feel our money should stay for what it was intended for, not for shady dealing. Please listen to the people of Sandy!

Jan Sharman

Sent from my iPad

5/18/2020

City of Sandy Mail - Refuse the geo



Jeff Aprati <japrati@ci.sandy.or.us>

Refuse the geo

'**asher anderson**' via **City Recorder** <recorder@ci.sandy.or.us>
Reply-To: asher anderson <asheranderson97@yahoo.com>
To: Recorder@ci.sandy.or.us

Sun, May 17, 2020 at 4:54 PM

Refuse the geo development agreement the developer should pay those costs as outlined in our city code.

Sent from my iPhone

5/18/2020

City of Sandy Mail - (no subject)



Jeff Aprati <japrati@ci.sandy.or.us>

(no subject)

Carol Hassebroek <kingfritz1@live.com>
To: "Recorder@ci.sandy.or.us" <Recorder@ci.sandy.or.us>

Sun, May 17, 2020 at 9:43 PM

SANDY Council,

Please refuse the Geo Development Agreement! & Insist the developer pay those costs as outlined in our City code. There is no doubt The Bailey Meadows developer for 100 new homes costing half a million dollars each, is REQUIRED to pay for the \$700,000 cost to build Gunderson Road (not including the Hwy 211 intersection) as well as pay transportation system development charges (SDC's) of over \$382,000 for a total of \$1,082,000. The road system development charges are intended to be spent on an existing list of Sandy road priority projects in the City and Gunderson is not on that list. Gunderson Road is proposed to be 700 feet long

WHY NSTEAD, the Sandy City Council is voting to "credit" the \$382,000 of road system fees that would go to other Sandy priority projects, and instead let the developer use that plus giving the developer credit for additional future "surplus system development charges" totalling the entire \$700,000 cost for the road – something not even allowed under our current code. Allowing the developer to use the \$700,000 for his neighborhood road, means the City then has to come up with another \$700,000 for the priority road project list. So Sandy is really out \$1.4 million for this use of taxpayer and city funds that are being given as a gift to this developer. But wait – there's more!

The Hwy 211 intersection (like the nearby SE Village Blvd/Hwy 211 intersection built and paid for by another developer) was estimated BY THE DEVELOPER to cost \$1.5 to \$1.8 million dollars. The developer says he will pitch in \$500,000 of that and the City taxpayers and City road funds will be paying the rest (at least \$1.2 million)! And if the developer spends less than his likely over-estimated cost of \$1.7 million to build the road (using mostly our funds), he gets even more money as a reward! First he gets \$100,000 if he spends \$1.00 less than \$1.7 million. Then he gets an additional 25% of the "savings".

Total gift to the developer coming out of our pockets is over \$2.7 million for both Gunderson and the Hwy 211 intersection!!

These actions are in response to City Council's direction to City staff to be more "business and developer friendly" and this developer's threat to sue the city.

I'm a lifelong resident and feel Sandy is abandoning its roots, & rural origin overdeveloping, not providing adequate infrastructure, off street parking, or lots large enough for kids to play outside in thier own yard.

Fix that please

Carol Hassebroek

Sent via the Samsung Galaxy S8+, an AT&T 5G Evolution capable smartphone

5/18/2020

City of Sandy Mail - Bailey meadows



Jeff Aprati <japrati@ci.sandy.or.us>

Bailey meadows

'Jessica Proctor' via City Recorder <recorder@ci.sandy.or.us>
Reply-To: "j_jproctor@yahoo.com" <j_jproctor@yahoo.com>
To: "Recorder@ci.sandy.or.us" <Recorder@ci.sandy.or.us>

Mon, May 18, 2020 at 8:02 AM

To whom it may concern,

I have lived here in Sandy since I was 10 years old. Before that I lived in Boring.

The town has more then doubled in size since then.

The town in the last 5 years has grown so much that peoples safety is at risk because of the sandy city council refusing to do what is necessary to keep a community thriving. And that is taking care of its citizens.

Please do not "gift" money to a big corporation to build more house!!!! Please do not help bring in more cars for all ready over crowded streets. Please Do not bring in more kids that will get pushed into an already crowded overworked school system. Please reconsider this decision and think of all the reasons people come here to begin with, it is the SMALL TOWN FEEL you are all helping in the destruction of something beautiful and turning it into exactly what everyone is running from.

Please reconsider and think of what you love about this town and why wouldn't you want to give that to your children, or your children's children?

Thanks for your time,
Jessica Proctor

5/18/2020

City of Sandy Mail - Bailey Meadows Subdivision



Jeff Aprati <japrati@ci.sandy.or.us>

Bailey Meadows Subdivision

'Courtney Fisher' via City Recorder <recorder@ci.sandy.or.us>

Mon, May 18, 2020 at 8:31 AM

Reply-To: "courtney_m_fisher@yahoo.com" <courtney_m_fisher@yahoo.com>

To: "recorder@cityofsandy.com" <recorder@cityofsandy.com>

To Whom It May Concern:

I am deeply concerned by the fact that there is talk of allowing the developers of Bailey Meadows Subdivision a pass at paying for the road. Our code says that developers are responsible for paying the sdc fees and building the required roads.

As a tax payer, I'm disappointed that the council and city are considering putting these fees on the citizens and their tax dollars. Will this require addition taxes from the citizens of Sandy?

Please require this developer to be the required fees. Otherwise, I fear, we are setting a precedence for other developers to also threaten to sue and get away without paying their due.

Thank you,

Courtney Fisher
38649 Galway St
Sandy, OR 97055

[Sent from Yahoo Mail on Android](#)

5/18/2020

City of Sandy Mail - Refuse the Geo Development Agreement



Jeff Aprati <japrati@ci.sandy.or.us>

Refuse the Geo Development Agreement

k noel <jknm25@hotmail.com>

Mon, May 18, 2020 at 9:56 AM

To: "Recorder@ci.sandy.or.us" <Recorder@ci.sandy.or.us>

Hello,

It was brought to my attention that the council members are wanting to gift \$2.7 billion to the developer of this project. Why? This developer should have to pay the costs himself and not be gifted anything. Stop the handouts!! We need to use this money for what it's supposed to be used for. Not to help some developer. The developer needs to pay these costs outlined in our city code.

Thanks,
K Noel

Sent from my iPhone

5/18/2020

City of Sandy Mail - Geo development agreement



Jeff Aprati <japrati@ci.sandy.or.us>

Geo development agreement

Caitlyn Bates <catemarieb@gmail.com>

Mon, May 18, 2020 at 10:19 AM

To: "recorder@ci.sandy.or.us" <recorder@ci.sandy.or.us>

Good morning,

I am writing this email as a citizen of Sandy to show my disapproval in the city's decision to approve the geo development agreement. I ask the city council to look back on past developments such as Village Blvd and the turn lane improvement on Hwy 211 that were paid by the developer, not the City which is what is being proposed in this geo development agreement.

Thank you for your time,

Caitlyn Bates



Jeff Aprati <japrati@ci.sandy.or.us>

Bailey Meadows

Bill <king540@frontier.com>

Mon, May 18, 2020 at 10:29 AM

Reply-To: Bill <king540@frontier.com>

To: spulliam@cityofsandy.com, jpietzold@cityofsandy.com, lsmallwood@ci.sandy.or.us, jhamblin@ci.sandy.or.us, jlee@ci.sandy.or.us, cexner@ci.sandy.or.us, bshultz@ci.sandy.or.us, recorder@ci.sandy.or.us

Mayor Pulliam and Council members,

As former Mayor of Sandy and a voter in the City of Sandy I believe **developers should pay their way and not stick the costs of their developments onto City taxpayers.**

It has long been a policy of the city that development pay its own way , as a way to protect the taxpayers from having to "foot the bill " for development ! You have all been elected to do what is in the

best interests of the residents of this great city.

I cannot believe that you are even considering paying for the street improvements that should have been required by developer to pay for as part of his development ! This WILL set a precedent for all future

development ! This is not the way to " KEEP SANDY WONDERFUL"

Do NOT make a decision like this based on fear of a lawsuit !

The rationale for your decision should be:

- Half of Gunderson Rd is located **on the site** of Bailey Meadows in the Transportation System Plan (TSP). This violates Subdivision Approval Criteria in 17.100.60 E3.
- Not requiring Gunderson Rd be constructed in this application, funnels almost 3 times the allowable daily traffic onto Melissa Ave, a local street, in violation of 17.84.50 and 17.100.100.
- The City Engineer identified the need to build Gunderson Rd. to meet code and for life and safety. (Sept, 2019 and Jan 2020 City Engineer Reports).
- Require Bailey Meadows developer build Gunderson Road and pay for the cost, because his 100 homes will be the primary residents using it, as required in Code 17.100.310.
- Use the existing City of Sandy code language, the TSP, and the City Engineer recommendations to require Bailey Meadows pay for their share of Gunderson Road to Hwy 211 as required in 17.84, 17.100

5/18/2020

City of Sandy Mail - Bailey Meadows

I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Please do the right thing here for the people you represent !

Sincerely,

Former Mayor William King



This email has been checked for viruses by Avast antivirus software.
www.avast.com



May 18, 2020

Michael C. Robinson

Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

**VIA E-MAIL (SUBMITTED TO THE CITY RECORDER ON
MAY 18, 2020 BEFORE 5:00 P.M.)**

Mr. Stan Pulliam, Mayor
City of Sandy City Council
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: Sandy City Council May 18, 2020 Public Meeting, Agenda Item 9.1,
Development Agreement Between the City of Sandy and Geo Development, LLC

Dear Mayor Pulliam and Members of the Sandy City Council (the “City Council”):

This law firm represents Geo Development, LLC (“Geo”). Geo requests that the City Council approve the Development Agreement (the “DA”) with the City of Sandy (the “City”) as recommended by your City Manager.

The DA provides that Geo will construct Gunderson Road and provide 2.38 acres of parkland to the City. In return, the City will provide Transportation System Development Charge (“TSDC”) credits for the qualified public improvement. Geo is also paying up to \$500,000 for the City to construct the intersection of Gunderson Road with Oregon Highway 211.

The DA, as the Staff Report to the City Council says, is a fair compromise. The DA provides that Geo will provide the right-of-way and construct Gunderson Road, a road that the neighbors asked Geo to construct. The DA also provides for a parkland area, a request of the neighbors. Geo has submitted and advocated for an expansion of the City’s Urban Growth Boundary to allow for the road and park. Gunderson Road will serve as the construction access for the subdivision’s improvements and will serve as a second way in and out of the subdivision, two things requested by the neighbors.

The Staff Report notes that TSDC credits are the normal method for paying back any developer for its construction of qualified public improvements and are not an expense to the City. The Staff Report also notes that the City has the funds for the project as anticipated by the DA.

Finally, the DA is a compromise that is the result of collaboration between the City and Geo. No developer would be fully responsible for these costs because the City and the public also benefit from the construction of the arterial street that the City has long planned for and that cannot be constructed without Geo’s cooperation and efforts.

Mr. Stan Pulliam, Mayor
May 18, 2020
Page 2

Geo respectfully requests that the City Council approve the DA.

Very truly yours,

A handwritten signature in blue ink that reads "Michael C. Robinson". The signature is written in a cursive style.

Michael C. Robinson

MCR:jmhi

cc Mr. Cody Bjugan (*via email*)
Mr. Jordan Wheeler (*via email*)
Mr. David Doughman (*via email*)

PDX\133569\245146\MCR\27985163.1

Kathleen Walker
15920 SE Bluff Rd.
Sandy, OR 97055

May 17, 2020

Dear City Council,

I am writing to question and discourage your, secret up till now, “non-statutory development agreement” with Geo Development LLC also doing business as Allied Homes. Your “non-statutory Development Agreement” did not follow the ORS 94.504 state statutes for transparency. Yes, it is technically legal to keep it secret, but as a Council who promised transparency in government, this completely fails that goal. Your secrecy benefits the developers, not the residents. It smacks of secret deals with the developer, in your continuing insistence to be more “business friendly”. Sandy residents will be insisting that our City code spell out that any future “development agreements” meet state statutes. While this developer will likely be contributing to future political campaigns, it is coming at great cost to Sandy voting residents. As they say, this fails to pass the smell test!

I am asking you to look at the basic math of your agreement rationale. You have stated that: *“Ideally, the developer would pay to construct the Gunderson Road and Highway 211 connection to adequately provide public facilities to serve the subdivision. But despite despite the city’s strong desire and the appellant’s arguments, as advised by the city attorney there is a real risk that the development could ultimately be built without the second access if it was appealed to the Land Use Board of Appeals. Given the reality of the situation, the development agreement was proposed as a way for the developer to contribute to this infrastructure project and reduce the direct cost of the project to the city while addressing some concerns from the public regarding the subdivision.”*

“Ideally”? Try legally! “City’s strong desires”? Try existing City code requirements! Perhaps we should change the City slogan to “City of Sandy – where developers call the shots!” Here are some facts and figures on our massive giveaway.

Developer’s responsible for paying to build Gunderson Rd.	\$700,000
Developer’s responsible for paying their transportation SDC’s	\$382,500
Developer’s responsible for paying a majority of Hwy 211 intersection	\$1,500,000
Developer’s building development fees	\$70,300
Developer’s in lieu of parkland fee (as proposed land does not meet 17.86)	\$310,890
TOTAL FEES AND COSTS THAT DEVELOPER SHOULD PAY	\$2,963,690
Total Developers propose to pay in Development Agreement	- \$500,000
TOTAL SANDY WILL BE PAYING OR FOREGOING TO OUR BUDGET (minimum – not including bonus rewards!)	\$2,463,690

Is the cost of **possibly** losing at LUBA worth more than \$2.5 million dollars? Even if you had to pay attorney fees – you are already paying for the road construction! This all stinks even more, when you are allowing the developer to estimate the road construction costs, then paying them to build the roads WITHOUT COMPETITION and then paying them REWARDS if they build the road for less than their estimate. My prediction is the cost will come in just slightly less than what will provide them another \$100,000 of reward money.

The road needs to get built and paid for by the developers with a reasonable amount of SDC credit based on the number of non-Bailey Meadows users using the road. Footing this huge bill for the

developer will come at the expense of other needed Sandy road projects that will benefit far more people than the 100 homes in Bailey Meadows. It has and will set a precedent for developers to insist on us paying their road, sewer and water infrastructure costs.

Much of this predicament is attributable to the Council direction to staff, to be more “business/developer friendly”, referenced most recently by Mr. O’Neil, when presenting the staff report on downtown parking changes. Rather than take a firm stand in pre-app(lication) meetings, the planning director tried to waive applicable code requirements, including allowing the developer to move the TSP’s Gunderson Road alignment off the Bailey Meadows development site and out of the City limits. Then the developer claims we could not make them build Gunderson and that the City needs to pay for it in this development agreement.

The ORS statutes referenced as the basis for LUBA appeal risk, have been around since the early 1990’s, with several court cases since then. Why wasn’t our legal team insisting on code changes years ago, or at least last summer when this came up, since it is now their advice that we spend \$2.5 million of City funds to “fix” this? How did we get Snowberry developer TJ Veenker to pay for the SE Village Blvd/Hwy 211 intersection 1/3 of a mile down from Gunderson Rd.? No development agreement there. The City paid nothing.

You as a Council have not publicly directed staff to make any changes to the City code to ensure this does not happen to the numerous other developments that have been filed since this debacle. Developers will be lining up to build in Sandy now that we are paying for their roads. I was told that was because it might look bad at LUBA to change it while still in the process. But since the City appears to be rolling over and paying the developers off to the tune of \$2.5 million dollars, why did you not make this change as soon as you were aware of it? Mr. Robinson is gaining new clients.

And now you are proposing to build the Bell Street to 362nd connection that will greatly benefit the big box developers that could easily afford that. The landowners must be over the moon with this gift, Expect another big political donation from those folks. Our road funds are supposed to be spent on projects that deal with capacity problems and overall growth. Where they benefit developers, those beneficiaries need to be paying. Yes that means that growth in Sandy may be slowed. So what? Being the 3rd fastest growing City in Oregon, means we can slow our roll! Talk to any resident and they will complain about growth – not wish there was more!

Your argument that more development will reduce anyone’s utility bills are preposterous in light of a \$2.5 million dollar payout. Also, past developments paid for their infrastructure and we grew despite that. Past City Councils defended their City code and insisted that development pay for their infrastructure. I hope you rethink this “developer friendly” emphasis and focus on “resident friendly” policies that hold developers responsible for the cost of their infrastructure when building in Sandy. Please stop giving developers more breaks and giveaways that cost our City funds and adversely impact residents.

Sincerely,

Kathleen Walker

5/18/2020

City of Sandy Mail - Baily Meadows and Subsidize developers



Jeff Aprati <japrati@ci.sandy.or.us>

Baily Meadows and Subsidize developers

Brian Fletcher <fourwheeldrive1@msn.com>
To: "Recorder@ci.sandy.or.us" <Recorder@ci.sandy.or.us>

Mon, May 18, 2020 at 12:58 PM

I, a citizen of Sandy, Oregon is not here to Subsidize developers. If you cant build without knowing your consequences or impact on the areas infrastructure of that development , then you don't need to build. Move to another city. It is well known the majority of citizens in this city do not want more residential development. We already have infrastructure issues based on current and past administrations decisions, and we need this to STOP.

Thank you for your consideration,

Brian Fletcher



Jeff Aprati <japrati@ci.sandy.or.us>

BAILEY MEADOWS GUNDERSON ROAD DEVELOPMENT

jessica.burnettsandyor@gmail.com <jessica.burnettsandyor@gmail.com>
To: "recorder@ci.sandy.or.us" <recorder@ci.sandy.or.us>
Cc: Jessica Burnett <jessica.burnettsandyor@gmail.com>

Mon, May 18, 2020 at 2:05 PM

Mayor Pulliam and Council members,

As a voter in the City of Sandy I believe **developers should pay their way and not stick the costs of their developments onto City taxpayers.**

It has long been a policy of the city that development pay its own way , as a way to protect the taxpayers from having to "foot the bill " for development ! You have all been elected to do what is in the best interests of the residents of this great city.

I cannot believe that you are even considering paying for the street improvements that should have been required by developer to pay for as part of his development ! This WILL set a precedent for all future development ! This is not the way to " KEEP SANDY WONDERFUL" or 'BRING ALL THE STAKEHOLDERS TO THE TALBE"

Do NOT make a decision like this based on fear of a lawsuit !

The rationale for your decision should be:

- Half of Gunderson Rd is located **on the site** of Bailey Meadows in the Transportation System Plan (TSP). This violates Subdivision Approval Criteria in 17.100.60 E3.
- Not requiring Gunderson Rd be constructed in this application, funnels almost 3 times the allowable daily traffic onto Melissa Ave, a local street, in violation of 17.84.50 and 17.100.100.
- The City Engineer identified the need to build Gunderson Rd. to meet code and for life and safety. (Sept, 2019 and Jan 2020 City Engineer Reports).
- Require Bailey Meadows developer build Gunderson Road and pay for the cost, because his 100 homes will be the primary residents using it, as required in Code 17.100.310.
- Use the existing City of Sandy code language, the TSP, and the City Engineer recommendations to require Bailey Meadows pay for their share of Gunderson Road to Hwy 211 as required in 17.84, 17.100

I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Please do the right thing here for the people you represent and voted you into office.

5/18/2020

City of Sandy Mail - BAILEY MEADOWS GUNDERSON ROAD DEVELOPMENT

Thank You,

Jessica King

[17960 Loundree Drive](#)

PO Box 1045

Sandy, OR 97055

503-314-6455

Sent from [Mail](#) for Windows 10

<https://mail.google.com/mail/u/1?ik=e71d092bd2&view=pt&search=all&permmsgid=msg-f%3A1667063796298324531&simpl=msg-f%3A16670637962...> 2/2

5/18/2020

City of Sandy Mail - No to the Geo Development agreement



Jeff Aprati <japrati@ci.sandy.or.us>

No to the Geo Development agreement

chris scott <cmskk2016@gmail.com>
To: Recorder@ci.sandy.or.us

Mon, May 18, 2020 at 4:21 PM

The developer should be responsible to pay for the costs as outlined in the city code. I do not want my tax dollars diverted to pay for something the developer should pay for. Use the money for what it was intended for, current city projects. I ask you to not divert the money.

Chris & Kimberlee



Staff Report

Meeting Date: May 18, 2020

From Kelly O'Neill, Development Services Director

SUBJECT: 20-009 AP Bailey Meadows subdivision appeal continued

Background:

During its deliberations at its meeting on April 20, 2020, a majority of the City Council indicated its view that the Bailey Meadows application should be denied. Given the particular type of application at issue, pursuant to ORS 197.522, the applicant had one additional opportunity to amend the proposal. The following schedule was set by City Council:

- **April 28th at 5:00 PM** – Deadline for the Applicant to submit proposed changes to the land use application.
- **May 4th at 5:00 PM** – Deadline for the public to submit comments limited to the proposed changes.
- **May 6th at 5:00 PM** – Deadline for the final written argument from the Applicant.
- **May 13th** – Deadline for the revised staff report.
- **May 18th** – City Council will review the proposal from the applicant, the additional public comments, and the staff report, at a public council meeting.
- **May 26th** – Revised 120-day deadline to issue final order.

**STAFF REPORT NO. 3
CITY COUNCIL
TYPE IV APPEAL**

PUBLISH DATE: May 13, 2020

FILE NO.: 20-009 AP

PROJECT NAME: Bailey Meadows Subdivision Appeal

APPELLANTS: Erin Findlay, Cary Mallon, Kathleen Walker, Emily and Richard Sheldon, and Midge Wadkins

PROPERTY OWNER: Grant & Myrtle Sturm

SUBDIVISION APPLICANT: Allied Homes & Development

LEGAL DESCRIPTION: T2S R4E Section 23 Tax Lots 800, 801, 802, 803, 804

This Type IV Appeal is of the Planning Commission's approval for 19-023 SUB/VAR/TREE Bailey Meadows Subdivision.

EXHIBITS:

Exhibits from File No. 19-023 SUB/VAR/TREE:

A. through JJJJJ. (detailed in the February 7, 2020 staff report)

Exhibits detailed in the Staff Report dated April 14, 2020:

KKKKKK. through ZZZZZZZ.

Exhibits since the April 20, 2020 public hearing:

AAAAAAAAA. Staff PowerPoint

BBBBBBBBB. Applicant letter dated April 28, 2020

CCCCCCCCC. Public comment from Kelli Accord dated April 29, 2020

DDDDDDDDD. Public comment from Jessica King dated May 1, 2020

EEEEEEEEEE. Public comment from Sarah Bettey dated May 2, 2020

FFFFFFFFF. Public comment from Brian Fletcher dated May 3, 2020

GGGGGGGGG. Public comment from Marie DeBatty dated May 3, 2020

HHHHHHHHH. Public comment from Cary Mallon dated May 3, 2020

IIIIIIIII. Public comment from Paul Savage dated May 3, 2020

JJJJJJJJJ. Public comment from Kathleen Walker dated May 4, 2020

KKKKKKKKK. Public comment from Erin and Jason Findlay dated May 4, 2020

LLLLLLLLL. Public comment from Roberta Evett dated May 4, 2020

MMMMMMMMMM. Public comment from Makoto Lane dated May 4, 2020
NNNNNNNNNN. Public comment from Donald Carlton dated May 4, 2020
OOOOOOOOOO. Public comment from Richard Sheldon dated May 4, 2020
PPPPPPPPPP. Public comment from Nicole Sellin dated May 4, 2020
QQQQQQQQQQ. Applicant's Final Written Argument dated May 6, 2020
RRRRRRRRRR. City Council Staff Report for April 6, 2020
SSSSSSSSSS. City Council Staff Report for April 20, 2020

FINDINGS OF FACT

General

1. On April 6, 2020 the City Council closed the public hearing, left the record open until 5:00 PM on April 13, 2020, and decided to reconvene on April 20, 2020 solely to deliberate and to render a decision on the Bailey Meadows subdivision appeal.
2. During its deliberations at its meeting on April 20, 2020, a majority of the City Council indicated its view that the Bailey Meadows application should be denied. Given the particular type of application at issue, pursuant to ORS 197.522, the applicant has one additional opportunity to amend the proposal. The amended proposal will be made public and additional public comment will be accepted on the changes only. The following schedule was set by City Council:
 - **April 28th at 5:00 PM** - Deadline for the Applicant to submit proposed changes to the land use application.
 - **May 4th at 5:00 PM** – Deadline for the public to submit comments limited to the proposed changes.
 - **May 6th at 5:00 PM** – Deadline for the final written argument from the Applicant.
 - **May 13th** – Deadline for the revised staff report.
 - **May 18th** - City Council will review the proposal from the applicant, the additional public comments, and the staff report, at a public council meeting.
 - **May 26th** - Revised 120-day deadline to issue final order.
3. On April 28, 2020 prior to the 5:00 PM deadline the applicant submitted a proposed condition of approval (Exhibit BBBB BBBB) that included the following:

“The Applicant shall construct Gunderson Road between the south boundary of the proposed subdivision and Oregon Highway 211 in the location shown in Exhibit W. The City shall provide the maximum extent of Transportation System Development Charges credits and waiver of applicable City fees as determined by the City Manager to the Applicant for Gunderson Road. In addition, the Applicant shall pay up to \$500,000.00 for the Oregon Highway 211 improvements as a City project, as determined in the Development Agreement.”

4. Prior to the deadline of 5:00 PM on the 4th of May the public entered 14 additional public comments regarding the additional condition proposed by the application (Exhibits CCCCCCCC through PPPPPPPP).
5. Prior to the deadline of 5:00 PM on the 6th of May the applicant submitted a letter detailing their Final Written Argument (Exhibit QQQQQQQQ).
6. While staff acknowledges the difficulties that are present with this application, based on advice from the City Attorney's office and evidence in the record, staff continues to believe that approval of the subdivision with the inclusion of the revised condition in Exhibit BBBBBBBBBB preserves the best opportunity for the neighborhood to have a second access into the subdivision and for the City to complete the Gunderson Road connection to Highway 211, as identified in the TSP.
7. Staff recommends the City Council adopt a finding that the front door of the houses on Lots 60-64 face the parkland consistent with Sandy Municipal Code Section 17.86.20.
8. If the City Council decides to approve the Bailey Meadows subdivision, then staff recommends the following modifications to the conditions in the decision from Planning Commission:

- i. Condition A. 3. (Planning Commission decision – page 25)

Existing condition: If the UGB application is approved, the applicant shall submit an analysis of the proposed Gunderson Road alignment at Highway 211 to properly connect with Cascadia Village Drive as identified in the TSP. The proposed alignment shall meet code standards such as tangency, or the applicant shall apply for a design exception.

Proposed condition: If the UGB application is approved, the applicant shall submit an application for a temporary approach permit to ODOT, if required by ODOT, in order to allow Gunderson Road to be used for construction traffic for the Bailey Meadows Subdivision.

- ii. Condition D. 3. (Planning Commission decision – page 28)

Existing condition: Construct all public improvements including streets and utilities, install street lights, and street signage. Complete street improvements for all streets within the subdivision as defined in this staff report, and for Gunderson Road and Highway 211 per the Development Agreement. The improvements shall include installation of sidewalks and planter strips on the west side of Ponder Lane.

Proposed condition: Construct all public improvements including streets and utilities, install street lights, and street signage. Complete street improvements for all streets within the subdivision as defined in this staff report, and for Gunderson Road per the Development Agreement. The improvements shall include installation of sidewalks and planter strips on the west side of Ponder Lane.

- iii. Condition G. 1. (Planning Commission decision - pages 30 and 31).

Existing condition: On January 7, the applicant submitted an application to the City to expand the City's UGB in order to: (1) allow the applicant to dedicate right-of-way and construct Gunderson Road from the south boundary of the subject property to Oregon Highway 211; and (2) to dedicate approximately 2.3 acres of parkland within TL 701. If the UGB application is approved and is ultimately deemed acknowledged:

- a. The applicant shall dedicate right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan, as shown in Exhibit W (page 4), subject to the terms of a non-statutory Development Agreement to be entered into between the applicant and the City (the "Development Agreement").
- b. The applicant shall construct Gunderson Road with a paved width of at least 24 feet to allow for two lanes of travel, as shown in Exhibit W (page 4), subject to the terms of the Development Agreement.

If the UGB application is not approved by either the City or Clackamas County, or an approval is finally reversed on appeal, the Applicant shall be allowed to proceed with an approval of the tentative subdivision application provided that it:

- a. Received final approval of the tentative subdivision application in the event of an appeal;
- b. Prior to final plat approval, pays the City a fee-in-lieu of parkland dedication of \$310,890 (1.29 acres of land to be dedicated x \$241,000) in accordance with SMC Chapter 17.86 and Resolution 2013-14;
- c. Prior to final plat approval, grants the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan; and
- d. All other conditions of approval in this decision are satisfied.

If the UGB application is approved and is appealed, the applicant will intervene in the appeal and exercise good faith and its best efforts in defending the approval.

Proposed condition: In accordance with a condition of approval in the Planning Commission's order, on January 7, the applicant submitted an application to the City to expand the City's UGB, which ultimately would: (1) allow the applicant to dedicate right-of-way and construct Gunderson Road between the south boundary of the proposed subdivision and Oregon Highway 211; and (2) to dedicate approximately 2.3 acres of parkland within TL 701. If the UGB application is approved and is ultimately deemed acknowledged:

- a. The applicant shall dedicate right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan, as shown in Exhibit W (page 4), subject to the terms of a non-statutory Development Agreement to be entered into between the applicant and the City (the "Development Agreement").
- b. The Applicant shall construct Gunderson Road between the south boundary of the proposed subdivision and Oregon Highway 211 in the location shown in **Exhibit W**. The City shall provide the maximum extent of Transportation System

Development Charges credits and waiver of applicable City fees as determined by the City Manager to the Applicant for Gunderson Road. In addition, the Applicant shall pay up to \$500,000.00 for the Oregon Highway 211 improvements as a City project, as determined in the Development Agreement.

- c. The applicant shall construct Gunderson Road with a paved width of at least 24 feet to allow for two lanes of travel, as shown in Exhibit W (page 4), subject to the terms of the Development Agreement.

If the UGB application is not approved by either the City or Clackamas County, or an approval is finally reversed on appeal, the Applicant shall be allowed to proceed with an approval of the tentative subdivision application provided that it:

- a. Received final approval of the tentative subdivision application in the event of an appeal;
- b. Prior to final plat approval, pays the City a fee-in-lieu of parkland dedication of \$310,890 (1.29 acres of land to be dedicated x \$241,000) in accordance with SMC Chapter 17.86 and Resolution 2013-14;
- c. Prior to final plat approval, grants the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan; and
- d. All other conditions of approval in this decision are satisfied.

If the UGB application is approved and is appealed, the applicant will intervene in the appeal and exercise good faith and its best efforts in defending the approval.

- iv. Condition G. 4. (Planning Commission decision – page 31)

Existing condition: The improvements to Highway 211 shall meet the requirements of ODOT -or- alternatively AASHTO standards if the highway is transferred to the City of Sandy.

Staff recommends deleting this condition. While the Highway 211 improvements will ultimately meet AASHTO standards, or alternative standards the City may approve, the applicant will not be making the improvements to Highway 211 and therefore this condition is no longer relevant to the approval of the application itself.

DECISION

Staff recommends City Council consider this appeal by reviewing the decision of the Planning Commission and weigh it against the merits as brought forth by the appellant and the subdivision applicant, including the proposed condition in Exhibit BBBB BBBB.

EXHIBIT A



LAND USE APPLICATION FORM

(Please print or type the information below)

Planning Department
 39250 Pioneer Blvd.
 Sandy OR 97055
 503-668-4886

Name of Project Bailey Meadows Subdivision

Location or Address SE Ponder Lane (Current access from Ponder Lane and Hwy 211)

Map & Tax Lot Number T 25 , R 4E , Section 23 ; Tax Lot(s) 800, 801, 802, 803, and 804

Plan Designation LDR Zoning Designation SFR Acres ± 23.42

Request:

Please see attached letter for project description.	Applicant's Consultant: AKS Engineering & Forestry, LLC 12965 SW Herman Rd., Suite 100 Tualatin, OR 97062 Contact: Chris Goodell Phone: 503-563-6151 Email: chrsg@aks-eng.com
---	--

I am the (check one) owner lessee of the property listed above and the statements and information contained herein are in all respects true, complete and correct to the best of my knowledge and belief.

Applicant Allied Homes & Development	Owner Grant E. & Myrtle J. Sturm
Address 12042 SE Sunnyside Rd Ste 706	Address 647 E Historic Columbia River Hwy
City/State/Zip Clackamas, OR 97015	City/State/Zip Troutdale, OR 97060
Phone Please contact Applicant's consultant	Phone Please contact Applicant's consultant
Email Please contact Applicant's consultant	Email Please contact Applicant's consultant
Signature <div style="border: 1px solid black; padding: 2px; display: inline-block;"> DocuSigned by: <i>Cody Egan</i> <small>769397736D25457</small> </div>	Signature <i>Grant E. Sturm Myrtle J. Sturm</i>

If signed by Agent, owner's written authorization must be attached.

File No.	Date	Rec. No.	Fee \$
Type of Review (circle one): Type I Type II Type III Type IV			

Bailey Meadows Subdivision

Date: July 2019

Submitted to: City of Sandy
39250 Pioneer Boulevard
Sandy, OR 97055

Applicant: Allied Homes & Development
12042 SE Sunnyside Road, Suite 706
Clackamas, OR 97015

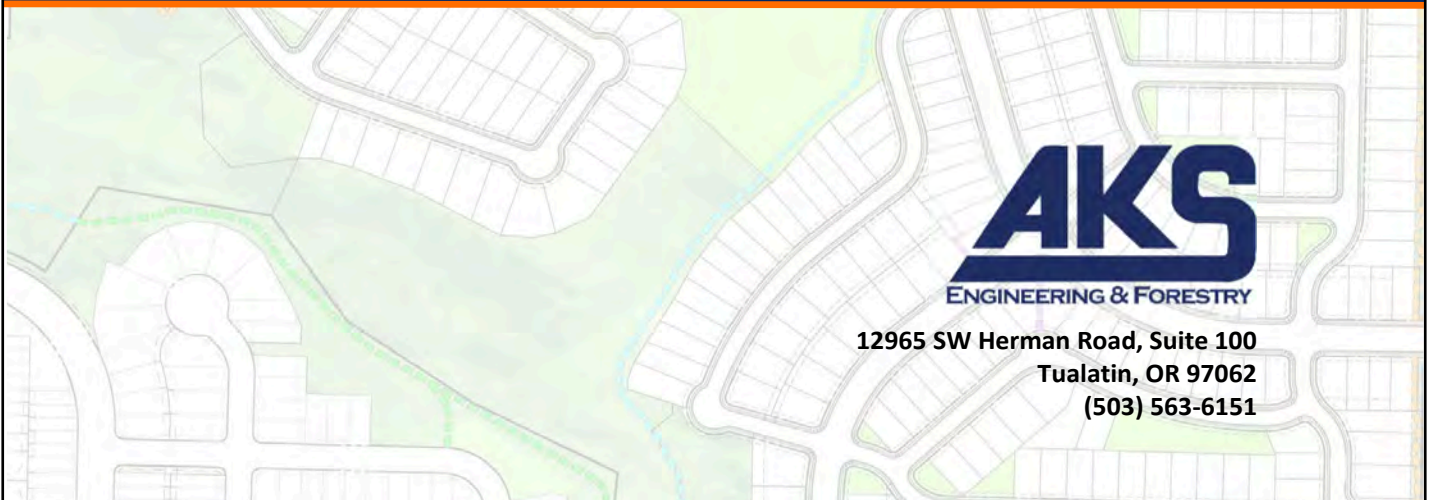


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Exhibits

- Exhibit A:** Preliminary Plans
- Exhibit B:** City of Sandy Land Use Application Forms and Checklists
- Exhibit C:** Property Ownership Information
- Exhibit D:** Clackamas County Assessor’s Map
- Exhibit E:** Public Notification
- Exhibit F:** Traffic Impact Analysis
- Exhibit G:** Preliminary Stormwater Report
- Exhibit H:** Flood & Slope Hazard (FSH) Analysis
- Exhibit I:** Documentation of Plat Name Reservation
- Exhibit J:** Geotechnical Engineering Report

Also Included with This Application

- Cover Letter from Applicant’s Legal Counsel
-

Bailey Meadows Subdivision

Submitted to:	City of Sandy Planning Department 39250 Pioneer Boulevard Sandy, OR 97055
Applicant:	Allied Homes and Development 12402 SE Sunnyside Road, Suite 706 Clackamas, OR 97015
Property Owner:	Myrtle J. Sturm and Grant E. Sturm, Trustees of the Sturm Family Trust 647 E Historic Columbia River Highway Troutdale, OR 97060
Applicant's Consultant:	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062 Contact(s): Chris Goodell, AICP, LEED ^{AP} Email: chrisg@aks-eng.com Phone: (503) 563-6151
Applicant's Legal Counsel:	Schwabe, Williamson & Wyatt Pacwest Center 1211 SW 5th Avenue, Suite 190 Portland, OR 97204 Contact(s): Michael Robinson Email: mrobinson@schwabe.com Phone: (503) 796-3756
Applicant's Transportation Engineer:	Lancaster Engineering 321 SW 4 th Avenue, Suite 400 Portland, OR 97204 Contact(s): Todd Mobley Email: todd@lancasterengineering.com Phone: (503) 248-0313
Applicant's Geotechnical Engineer:	GeoPacific Engineering, Inc. 14835 SW 72 nd Avenue Tigard, OR 97224 Contact(s): Jim Imbrie Email: jimbrie@geopacificeng.com Phone: (503) 598-8445
Clackamas County Assessor's Map:	24E 23 Tax Lots 800, 801, 802, 803, and 804



Site Size:

One subdivision affecting five lots at ±23.42 total acres:

±2.40 acres (Lot 800)

±4.74 acres (Lot 801)

±4.74 acres (Lot 802)

±9.17 acres (Lot 803)

±2.37 acres (Lot 804)

Land Use District:

Single-Family Residential (SFR)



I. Executive Summary

To address the City of Sandy's identified need for urban land for housing under statewide planning goal 10, "housing," the City of Sandy (City) in 2017 expanded its Urban Growth Boundary (UGB) south to include the subject site. In June 2017, the property was annexed to the City of Sandy. The UGB expansion is final and acknowledged by the state.

This application for the Bailey Meadows Subdivision (the "Subdivision") is part of the planned progression of land use planning for the area and involves the creation of "Needed Housing" under ORS 197-303(1) and 197.307(4) on residential land properly zoned for the proposed use within the incorporated limits of the City of Sandy. The Applicant is submitting this application to the City of Sandy for a Single-Family Residential Subdivision on the ±23.42-acre site, designated with Single Family Residential (SFR) zoning. Planned project site features include:

- 100 lots for single-family detached housing
- Interconnected system of sidewalks and local public streets
- On-street parking
- Three planned phases with concurrent infrastructure improvements
- Full range of underground utilities including sanitary sewer, water, and franchise utilities
- Fee-in-lieu payment for parkland dedication
- Fee-in-lieu payment for improvements to SE Ponder Lane

This application package includes the City of Sandy application forms, written materials, and Preliminary Plans necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City's approval of this Subdivision.

This application is a "Needed Housing" application under ORS 197.303(1)(a) as it provides housing within an acknowledged urban growth boundary. ORS 197.307(4) states that a local government may apply only clear and objective standards, conditions, and procedures regulating the creation of Needed Housing, and such standards, conditions, and procedures cannot have the effect, either in themselves or cumulatively, of discouraging Needed Housing through unreasonable cost or delay.

Oregon Courts and the Land Use Board of Appeals (LUBA) have held that an approval standard is not clear and objective if it imposes on an applicant "subjective, value-laden analyses that are designed to balance or mitigate impacts of the development." *Rogue Valley Association of Realtors v. City of Ashland*, 35 Or LUBA 139, 158 (1998) *aff'd*, 158 Or App 1 (1999). ORS 197.831 places the burden on local governments to demonstrate that the standards and conditions placed on Needed Housing applications can be imposed only in a clear and objective manner. While this application addresses all standards and conditions, the Applicant reserves the right to object to the application of standards or conditions that are not clear and objective and does not waive its right to assert that the Needed Housing statutes apply to this application. The exceptions in ORS 197.307(4)(a) and 197.307(5) do not apply to this application. ORS 197.307(7)(a) is controlled by ORS 197.307(4). The City has not taken an exception for Needed Housing under 197.303(3).

II. Site Description and Setting

The subject property is approximately ±23.42 acres and is comprised of five separate tax lots generally located directly south of the Nicolas Glen No. 2 Subdivision. The site is designated "SFR" with no existing structures on the site. The site is primarily used for agricultural purposes with a few trees along the southern border of Tax Lots 800 and 803.

Surrounding Land Uses

North: The site abuts 14 residential lots within the southern portion of the Nicolas Glen No. 2 Subdivision. These properties have a general lot size of ±0.12 acres and are zoned Medium Density Residential (MDR) and are in the City. The planned access for Bailey Meadows Subdivision is via the existing right-of-way street stub terminus at Melissa Avenue, directly north of the project boundary.

East: The property to the east is within both the City's UGB and unincorporated Clackamas County and is zoned Rural Residential Farm Forest 5-Acre (RRFF-5). It is currently improved with a single-family dwelling which accesses off Ponder Lane.

South/West: The properties south and west of the site are undeveloped and located outside of the City's UGB and are zoned Exclusive Farm Use District (EFU) by Clackamas County.

III. Applicable Review Criteria

CITY OF SANDY MUNICIPAL CODE

Title 17 – DEVELOPMENT CODE

CHAPTER 17.18 - PROCESSING APPLICATIONS

17.18.00 PROCEDURES FOR PROCESSING LAND USE APPLICATIONS

An application shall be processed under a Type I, II, III or IV procedure. The differences between the procedures are generally associated with the different nature of the decisions as described in Chapter 17.12.

When an application and proposed development is submitted, the Director shall determine the type of procedure the Code specifies for its processing and the potentially affected agencies.

If a development proposal requires an applicant to file a land use application with the city (e.g. a design review application) and if there is a question as to the appropriate procedure to guide review of the application (e.g. a Type II versus a Type III design review process), the question will be resolved in favor of the lower type number.

If a development proposal requires an applicant to file more than one land use application with the city (e.g. a design review application and a variance) and if the development code provides that the applications are to be reviewed under separate types of procedures (e.g. a Type II design review and a Type III variance):

- the Director will generally elevate all of the required applications to the highest number procedure for review (e.g. the Type II design review application would be reviewed by the Planning Commission along with the Type III variance).

In situations where an applicant has attended a pre-application conference and has reviewed the application with the Director prior to submitting the applications, the Director may exercise his/her discretion to review the Type II application(s) at the staff level and only schedule a public hearing for the Type III portion(s) of the development proposal.

Response: The application requires a Type III Review Procedure, following conclusions of the November 20, 2018 pre-application conference (see response below).



17.18.20 PRE-APPLICATION CONFERENCE

A pre-application conference is required for all Type II, III, and IV applications unless the Director determines a conference is not needed. A request for a pre-application conference shall be made on the form provided by the city and will be scheduled following submittal of required materials and payment of fees. The purpose of the conference is to acquaint the applicant with the substantive and procedural requirements of the Code, provide for an exchange of information regarding applicable elements of the Comprehensive Plan and development requirements, arrange such technical and design assistance which will aid the applicant, and to otherwise identify policies and regulations that create opportunities or pose significant constraints for the proposed development. The Director will provide the applicant with notes from the conference within 10 days of the conference. These notes may include confirmation of the procedures to be used to process the application, a list of materials to be submitted, and the applicable code sections and criteria that may apply to the application. Any opinion expressed by the Director or City staff during a pre-application conference regarding substantive provisions of the City's code is advisory and is subject to change upon official review of the application.

Response: A pre-application conference was held with the City of Sandy on November 20, 2018. An additional meeting with City staff was held on January 29, 2019. This requirement is met.

17.18.30 LAND USE APPLICATION MATERIALS

Unless otherwise specified in this code, an application shall consist of the materials specified in this section, plus any other materials required by this Code.

- A. A completed application form and payment of fees.
- B. List and mailing labels of Affected Property Owners.
- C. An explanation of intent, stating the nature of the proposed development, reasons for the request, pertinent background information, information required by the Development Code and other material that may have a bearing in determining the action to be taken.
- D. Proof that the property affected by the application is in the exclusive ownership of the applicant, that the applicant has the consent of all parties in ownership of the affected property, or the applicant is the contractual owner.
- E. Legal description of the property affected by the application.
- F. Written narrative addressing applicable code chapters and approval criteria.
- G. Vicinity Map showing site in relation to local and collector streets, plus any other significant features in the nearby area.
- F. Site plan of proposed development
- G. Number of Copies to be Submitted:
 1. One copy of items A through D listed above;(...)



4. Type III: 15 copies of site plan and other materials required by the Code

The Director may vary the quantity of materials to be submitted as deemed necessary.

Response: The application submittal materials include the items listed above. The list and mailing labels are applicable to property owners within 500 feet of the subject properties. The remainder of the Code Section discusses the processing requirements to be completed by the City. For purposes of brevity, those Sections are not included in this narrative. This requirement is met.

CHAPTER 17.30 - ZONING DISTRICTS

17.30.20 RESIDENTIAL DENSITY CALCULATION PROCEDURE

The number of dwelling units permitted on a parcel of land is calculated after the determination of the net site area and the acreage of any restricted development areas (as defined by Chapter 17.60). Limited density transfers are permitted from restricted development areas to unrestricted areas consistent with the provisions of the Flood and Slope Hazard Area Overlay District, Chapter 17.60.

Calculation of Net Site Area (NSA): Net site area should be calculated in acres based upon a survey of the property boundaries excluding areas dedicated for public use.

- A. Minimum and Maximum Dwelling Units for Sites with No Restricted Areas. The allowable range of housing units on a piece of property is calculated by multiplying the net site area (NSA) in acres by the minimum and maximum number of dwelling units allowed in that zone.

For example: A site (NSA) containing 10 acres in the Single-Family Residential Zoning District requires a minimum of 30 units and allows a maximum of 58 units. (NSA x 3 units/acre = 30 units minimum) (NSA x 5.8 units/acre = 58 units maximum)

Response: The subject site is zoned Single Family Residential (SFR). The planned subdivision includes a total of 100 units on a total net site area of ±18.21 acres resulting in a net residential density of ±5.49 units per acre. This planned density falls within the minimum number of dwelling units required of 3 and the maximum of 5.8 units per acre. The tables below provide the details of the density calculations. Note that the gross site area excludes existing SE Ponder Lane right-of-way. The criteria are met.

Gross Area (AC)	ROW (AC)	NSA (AC)= GROSS-ROW	Units Per Acre	Density	Total Density
23.42	5.21	18.21	MIN 3	54.63	55
			MAX 5.8	105.62	106

- B. Minimum and Maximum Dwelling Units for Sites with Restricted Areas

-
1. Unrestricted Site Area: To calculate unrestricted site area (USA): subtract all restricted development areas (RDA) as defined by Section 17.60.20(A) from the net site area (NSA), if applicable.

$$\text{NSA} - \text{RDA} = \text{USA}$$

2. Minimum Required Dwelling Units: The minimum number of dwelling units required for the site is calculated using the following formula:

$$\text{USA (in acres)} \times \text{Minimum Density (Units per Acre) of Zoning District} = \text{Minimum Number of Dwelling Units Required.}$$

3. Maximum Allowed Dwelling Units: The maximum number of dwelling units allowed on a site is the lesser of the results of these two formulas:

- a. $\text{NSA (in acres)} \times \text{Maximum Density of Zoning District (units/acre)}$

- b. $\text{USA (in acres)} \times \text{Maximum Density of Zoning District (units/acre)} \times 1.5$ (maximum allowable density transfer based on Chapter 17.60)

For example: suppose a site in a zone with a maximum density of eight (8) units per acre has 6 acres of unrestricted site area (USA= 6) and two acres of restricted development area (RDA=2), for a total net site area of 8 acres (NSA= 8). Then NSA (8) x 8 units/acre = 64 and USA (6) x 8 units/acre x 1.5 = 72, so the maximum permitted number of dwelling units is 64 (the lesser of the two results).

Response: The project site does not contain any restricted areas. See Exhibit H for Flood and Slope Hazard Analysis. The criteria do not apply.

- C. Lot Sizes: Lot sizes shall comply with any minimum lot size standards of the underlying zoning district.

- D. Rounding: A dwelling unit figure is rounded down to the nearest whole number for all total maximum or minimum figures less than four dwelling units. For dwelling unit figures greater than four dwellings units, a partial figure of one-half or greater is rounded up to the next whole number.

For example: A calculation of 3.7 units is rounded down to 3 units. A calculation of 4.2 units is rounded down to 4 units and a calculation of 4.5 units is rounded up to 5 units.

Response: The application involves subdividing the subject site into 100 lots suitable for future single-family detached dwellings, all complying with the minimum lot size of 7,500 square feet. The subdivision also includes one tract for stormwater management infrastructure. Rounding as stated above is demonstrated in the density calculation. The criterion is met.

CHAPTER 17.34 - SINGLE-FAMILY RESIDENTIAL (SFR)

17.34.10 PERMITTED USES

- A. Primary Uses Permitted Outright:



1. Single detached dwelling subject to design standards in Chapter 17.90;

Response: The Applicant plans on building model homes with this subdivision. To the extent this cannot be done, the Applicant will work with the City and build a new single-family home on each of the lots of record prior to plat recordation, similar to a model home scenario.

2. Single detached manufactured dwelling subject to design standards in Chapter 17.90;

17.34.30 DEVELOPMENT STANDARDS

Type	Standard
A. Minimum Lot Area – Single detached dwelling	7,500 square ft.
B. Minimum Average Lot Width – Single detached dwelling	60 ft.
C. Minimum Lot Frontage	20 ft, except as allowed by Section 17.100.160
D. Minimum Average Lot Depth	No minimum
E. Setbacks (Main Building) Front Yard Rear Yard Side Yard (interior) Corner Lot	10 ft. minimum 20 ft. minimum 7.5 ft. minimum 10 ft. minimum on side abutting the street ¹
F. Setbacks (Garage/Carport)	22 ft. minimum for front vehicle access 15 ft. minimum if entrance is perpendicular to street (subject to Section 17.90.220) 5 ft. minimum for alley or rear access

Response: This application proposes lots for the permitted use of “single detached dwelling” listed above. The minimum standards for newly created lots in the SFR district are included in the table above. As planned, each of the lots meets the 20-foot minimum lot frontage to the street and the 60-foot average lot width for a single detached dwelling. The Preliminary Subdivision Plat, included in Exhibit A, demonstrates that future homes can meet the minimum setback requirements at the time of future building permit submittal. As shown, each lot meets the 7,500 square-foot minimum lot size requirement. The criteria are met.

17.34.40 MINIMUM REQUIREMENTS

- A. Must connect to municipal water.
- B. Must connect to municipal sewer if service is currently within 200 feet of the site. Sites more than 200 feet from municipal sewer, may be approved to connect to an alternative disposal system provided all of the following are satisfied:
 1. A county septic permit is secured and a copy is provided to the city;
 2. The property owner executes a waiver of remonstrance to a local improvement district and/or signs a deed restriction agreeing to complete improvements, including but not limited, to curbs, sidewalks, sanitary sewer, water, storm sewer or other improvements which directly benefit the property;

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- 3. The minimum size of the property is one acre or is a pre-existing buildable lot, as determined by the city;
 - 4. Site consists of a buildable parcel(s) created through dividing property in the city, which is less than five acres in size.
 - C. The location of any real improvements to the property must provide for a future street network to be developed.
 - D. Must have frontage or approved access to public streets.

Response: The Preliminary plans include information illustrating how the subdivision is planned to be serviced with municipal water, sanitary sewer, planned street network and improvements, and frontage on public streets. These criteria will be met.

17.34.50 ADDITIONAL REQUIREMENTS

- A. Design review as specified in Chapter 17.90 is required for all uses.

Response: This application involves a subdivision; design review for specific uses will be reviewed at the time of future permit submittal, if necessary. The standard is understood.

- B. Lots with 40 feet or less of street frontage shall be accessed by a rear alley or a shared private driveway.

Response: As illustrated by the Preliminary Plans, each lot is planned with at least 40 feet of street frontage. This criterion does not apply.

- C. Lots with alley access may be up to 10 percent smaller than the minimum lot size of the zone.

Response: Alleys are not included in this project. The criterion does not apply.

- D. **Zero Lot Line Dwellings:** Prior to building permit approval, the applicant shall submit a recorded easement between the subject property and the abutting lot next to the yard having the zero setback. This easement shall be sufficient to guarantee rights for maintenance purposes of structures and yard, but in no case shall it be less than 5 ft. in width.

Response: Building setback requirements will be reviewed at the time of future building permit submittal. This criterion is understood.

CHAPTER 17.60 - FLOOD & SLOPE HAZARD (FSH) OVERLAY DISTRICT

17.60.10 INTERPRETATION AND MAPPING

The Director has the ultimate responsibility for maintaining the FSH Overlay District on the City of Sandy Zoning Map, determining on-site measuring methods, and otherwise interpreting the provisions of this chapter. Technical terms used in this chapter are defined in Chapter 17.10, Definitions. This chapter does not regulate development on lots or parcels entirely outside the FSH Overlay District.

- A. **FSH Overlay District.** The only areas subject to the restrictions and prohibitions of the FSH overlay district are those indicated on the City of Sandy Zoning Map on file in the Planning Department and areas of special flood hazard identified by the Federal Insurance



Administration in a scientific and engineering report entitled, "Flood Insurance Study (FIS) for Clackamas County, Oregon and Incorporated Areas," dated January 18, 2019, with accompanying Flood Insurance Rate Maps (FIRMs). This chapter does not regulate lots or parcels entirely outside the FSH Overlay District.

1. The FIS and FIRMs are hereby adopted by reference and declared to be a part of Section 17.60 and are on file at the City of Sandy.

Response: According to the current Zoning Map, the site is located inside the City limits, within the UGB and is unaffected by the FSH Overlay. However, the project site was not included on the City's Goal 5 Inventory to determine whether wetlands, streams, or the FSH Overlay applies to the site because that inventory was created prior to the site's inclusion within the UGB and annexation to the City. A FSH Analysis (Exhibit H) is included in the application materials demonstrating that the FSH Overlay District does not apply to the project site.

B. **Development Approval Required.** No development shall occur within the FSH overlay district without first obtaining City approval under the provisions of this chapter. The Director shall notify the Oregon Division of State Lands whenever any inventoried wetland is proposed for development, in accordance with ORS 227.350. In riverine situations, the Director shall notify adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notification to the administrator.

C. **Interpretation**

All provisions of the FSH overlay code shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

D. **Applicant Responsibilities.** The applicant for alteration or development within the FSH overlay district shall be responsible for preparing a survey of the entire site, based on site-specific field surveys or Corps of Engineers data that precisely maps and delineates the following areas:

1. The name, location and dimensions of affected streams or rivers, and the tops of their respective banks.
2. Area of Special Flood Hazard boundaries and elevations as determined by the January 18, 2019 FIS for Clackamas County and Incorporated Areas.

Response: According to Federal Emergency Management Area (FEMA) mapping, Special Flood Hazard Areas are not mapped within the project site.

3. The City of Sandy FSH overlay district boundary as depicted on the City of Sandy FSH Map.

Response: The subject site is not located within the City's FSH Overlay District.



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4. The water quality and slope setback area(s) as defined in Section 17.60.30.
 5. The size and location of locally significant wetlands shall be determined based on the City of Sandy Locally Significant Wetland Inventory (2002) unless modified by a wetland delineation approved by the Oregon Division of State Lands and submitted to the City. Wetland delineations that have formal concurrence from the Division of State Lands shall be valid for the period specified in that agency's administrative rules.

Response: The project site is located outside of the City of Sandy's Local Wetland Inventory.

6. Steep slope areas where the slope of the land is 25% or greater within the FSH overlay district boundary.
7. The area enclosed by a continuous line, measured 25 feet horizontally, parallel to and upland from the top of a steep slope area, where the top of the steep slope is within the FSH overlay district boundary.

Response: The FSH Analysis (Exhibit H) concludes that wetlands, waters, or slopes greater than 25% are not located on the subject site.

8. Existing public rights-of-way, structures, roads and utilities.
9. Natural vegetation, including trees or tree clusters and understory within the FSH Overlay District boundary.
10. Existing and proposed contours at 2-foot intervals.

Response: The FSH Analysis (Exhibit H) contains the applicable information as listed above. The criteria are met.

17.60.20 PERMITTED USES AND ACTIVITIES

This chapter lists permitted uses, or uses allowed under prescribed conditions, within the FSH overlay district. Where there are conflicts, this chapter supersedes the use provisions of the underlying district.

Response: The FSH Analysis (Exhibit H) documents that wetlands, waters, or slopes greater than 25% are not located on the subject site. Therefore, the FSH Overlay District does not apply to the project site and thus the criteria of Chapter 17.60 do not apply and have been omitted for brevity.

CHAPTER 17.84 - IMPROVEMENTS REQUIRED WITH DEVELOPMENT

17.84.20 TIMING OF IMPROVEMENTS

- A. All improvements required by the standards in this chapter shall be installed concurrently with development, as follows:
 1. Where a land division is proposed, each proposed lot shall have required public and franchise utility improvements installed or financially guaranteed in accordance with the provisions of Chapter 17 prior to approval of the final plat.



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2. Where a land division is not proposed, the site shall have required public and franchise utility improvements installed or financially guaranteed in accordance with the provisions of Chapter 17 prior to temporary or final occupancy of structures.

Response: As shown in the Preliminary Plans in Exhibit A, each lot is to be provided with utility, sanitary sewer, water, and stormwater infrastructure. The criterion is met.

- B. Where specific approval for a phasing plan has been granted for a planned development and/or subdivision, improvements may similarly be phased in accordance with that plan.

Response: As depicted in the Preliminary Plans, improvements are planned to be phased with the approved plans. See Exhibit A for detailed phasing logistics.

17.84.30 PEDESTRIAN AND BICYCLIST REQUIREMENTS

- A. Sidewalks shall be required along both sides of all arterial, collector, and local streets, as follows:

Response: As shown on the Preliminary Plans, sidewalks are planned to be provided on the streets within the subdivision and along the unimproved street stub section of Melissa Avenue.

1. Sidewalks shall be a minimum of 5 ft. wide on local streets. The sidewalks shall be separated from curbs by a tree planting area that provides separation between sidewalk and curb, unless modified in accordance with Subsection 3 below.

Response: As shown on the Preliminary Plans, sidewalks will be a minimum of 5 feet wide on the local street sections interior to the subdivision. See Exhibit A for detailed landscaping plans. The criterion is met.

2. Sidewalks along arterial and collector streets shall be separated from curbs with a planting area, except as necessary to continue an existing curb-tight sidewalk. The planting area shall be landscaped with trees and plant materials approved by the City. The sidewalks shall be a minimum of 6 ft. wide.

Response: The project site does not include proposed arterial or collector streets. The criterion does not apply.

3. Sidewalk improvements shall be made according to city standards, unless the city determines that the public benefit in the particular case does not warrant imposing a severe adverse impact to a natural or other significant feature such as requiring removal of a mature tree, requiring undue grading, or requiring modification to an existing building. Any exceptions to the standards shall generally be in the following order.

- a) Narrow landscape strips
- b) Narrow sidewalk or portion of sidewalk to no less than 4 feet in width



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- c) Eliminate landscape strips
 - d) Narrow on-street improvements by eliminating on-street parking
 - e) Eliminate sidewalks

Response: As shown on the Preliminary Plans, sidewalks are planned adjacent to the new streets within the subdivision. The criteria do not apply.

4. The timing of the installation of sidewalks shall be as follows:

- a) Sidewalks and planted areas along arterial and collector streets shall be installed with street improvements, or with development of the site if street improvements are deferred.

Response: The project site does not include proposed arterial or collector streets. The criterion does not apply.

- b) Sidewalks along local streets shall be installed in conjunction with development of the site, generally with building permits, except as noted in (c) below.

Response: Sidewalks are planned to be completed in conjunction with frontage improvements as phased with the approved plans. The criterion is met.

- c) Where sidewalks on local streets abut common areas, drainageways, or other publicly owned or semi-publicly owned areas, the sidewalks and planted areas shall be installed with street improvements.

Response: The project site does not abut drainageways, publicly owned areas, or common areas. The criterion does not apply.

B. Safe and convenient pedestrian and bicyclist facilities that strive to minimize travel distance to the extent practicable shall be provided in conjunction with new development within and between new subdivisions, planned developments, commercial developments, industrial areas, residential areas, public transit stops, school transit stops, and neighborhood activity centers such as schools and parks, as follows:

1. For the purposes of this section, “safe and convenient” means pedestrian and bicyclist facilities that: are reasonably free from hazards which would interfere with or discourage travel for short trips; provide a direct route of travel between destinations; and meet the travel needs of pedestrians and bicyclists considering destination and length of trip.

Response: Pedestrian routes as planned are safe, direct, and convenient and don’t deviate unnecessarily from a straight line, involve a significant amount of out-of-direction travel for likely users, or contain hazards. The criteria are met.

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2. To meet the intent of “B” above, right-of-ways connecting cul-de-sacs or passing through unusually long or oddly shaped blocks shall be a minimum of 15 ft. wide with 8 feet of pavement.

Response: The application does not include cul-de-sac improvements or unusual blocks; the criterion is met.

3. 12 feet wide pathways shall be provided in areas with high bicycle volumes or multiple use by bicyclists, pedestrians, and joggers.

Response: The application does not involve high volume pedestrian travel. The criterion does not apply.

4. Pathways and sidewalks shall be encouraged in new developments by clustering buildings or constructing convenient pedestrian ways. Pedestrian walkways shall be provided in accordance with the following standards:

- a) The pedestrian circulation system shall be at least five feet in width and shall connect the sidewalk on each abutting street to the main entrance of the primary structure on the site to minimize out of direction pedestrian travel.
- b) Walkways at least five feet in width shall be provided to connect the pedestrian circulation system with existing or planned pedestrian facilities which abut the site but are not adjacent to the streets abutting the site.
- c) Walkways shall be as direct as possible and avoid unnecessary meandering.
- d) Walkway/driveway crossings shall be minimized. Internal parking lot design shall maintain ease of access for pedestrians from abutting streets, pedestrian facilities, and transit stops.

Response: As shown on the Preliminary Plans, pedestrian walkways are intended to connect to the existing and planned pedestrian circulation system and future building entrances. Therefore, the applicable standards above are met.

- e) With the exception of walkway/driveway crossings, walkways shall be separated from vehicle parking or vehicle maneuvering areas by grade, different paving material, painted crosshatching or landscaping. They shall be constructed in accordance with the sidewalk standards adopted by the City. (This provision does not require a separated walkway system to collect drivers and passengers from cars that have parked on site unless an unusual parking lot hazard exists).

Response: The application does not involve common space walkways of this nature. Therefore, the criteria are not applicable.



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- f) Pedestrians amenities such as covered walk-ways, awnings, visual corridors and benches will be encouraged. For every two benches provided, the minimum parking requirements will be reduced by one, up to a maximum of four benches per site. Benches shall have direct access to the circulation system.

Response: The application does not include pedestrian amenities as described above. The criterion is not applicable.

- C. Where a development site is traversed by or adjacent to a future trail linkage identified within the Transportation System Plan, improvement of the trail linkage shall occur concurrent with development. Dedication of the trail to the City shall be provided in accordance with 17.84.80.

Response: According to the City of Sandy's Transportation System Plan (the "TSP"), there are no existing or planned trails adjacent to the project site which warrant a linkage. Therefore, the standard does not apply. However, this application is not subject to the TSP as explained above.

- D. To provide for orderly development of an effective pedestrian network, pedestrian facilities installed concurrent with development of a site shall be extended through the site to the edge of adjacent property(ies).

Response: As illustrated by the Preliminary Plans, a continuous pedestrian pathway system extending from the Nicolas Glen No. 2 Subdivision throughout the site is planned concurrently with each individual project phase. Sidewalks are planned to be completed prior to occupancy of the adjoining home, as indicated on the Preliminary Plans. Therefore, the standard is met.

- E. To ensure improved access between a development site and an existing developed facility such as a commercial center, school, park, or trail system, the Planning Commission or Director may require off-site pedestrian facility improvements concurrent with development.

Response: Existing adjacent trails, future phases, or public parks that warrant a connection are not included in the project. Therefore, the standard does not apply.

17.84.40 TRANSIT AND SCHOOL BUS TRANSIT REQUIREMENTS

- A. Development sites located along existing or planned transit routes shall, where appropriate, incorporate bus pull-outs and/or shelters into the site design. These improvements shall be installed in accordance with the guidelines and standards of the transit agency. School bus pull-outs and/or shelters may also be required, where appropriate, as a condition of approval for a residential development of greater than 50 dwelling units where a school bus pick-up point is anticipated to serve a large number of children.
- B. New developments at or near existing or planned transit or school bus transit stops shall design development sites to provide safe, convenient access to the transit system, as follows:



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1. Commercial and civic use developments shall provide a prominent entrance oriented towards arterial and collector streets, with front setbacks reduced as much as possible to provide access for pedestrians, bicycles, and transit.
 2. All developments shall provide safe, convenient pedestrian walkways between the buildings and the transit stop, in accordance with the provisions of 17.84.30 B.

Response: The project site is not located along any existing or planned transit or school bus transit stops. The criteria do not apply.

A. Traffic evaluations may be required of all development proposals in accordance with the following:

1. A proposal establishing the scope of the traffic evaluation shall be submitted for review to the City Engineer. The evaluation requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. Large projects should assess all nearby key intersections. Once the scope of the traffic evaluation has been approved, the applicant shall present the results with an overall site development proposal. If required by the City Engineer, such evaluations shall be signed by a Licensed Professional Civil Engineer or Licensed Professional Traffic Engineer licensed in the State of Oregon.

Response: The Traffic Impact Analysis (Exhibit F) assesses the traffic in accordance with planned site improvements and accepted traffic engineering practices. The standard is met.

2. If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.

Response: The Traffic Impact Analysis (Exhibit F) reports conditions which meet the minimum standard established in the Transportation System Plan. The criterion does not apply.

B. Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:

1. Arterial streets should generally be spaced in one-mile intervals.
2. Traffic signals should generally not be spaced closer than 1500 ft. for reasonable traffic progression.

Response: This application does not include construction of new arterial streets. The criteria do not apply.

C. Local streets shall be designed to discourage through traffic. NOTE: for the purposes of this section, "through traffic" means the traffic traveling through an area that does not have a local origination or destination. To discourage through traffic and excessive vehicle speeds the following street design characteristics shall be considered, as well as other designs intended to discourage traffic:

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1. Straight segments of local streets should be kept to less than a quarter mile in length. As practical, local streets should include traffic calming features, and design features such as curves and “T” intersections while maintaining pedestrian connectivity.
 2. Local streets should typically intersect in “T” configurations rather than 4-way intersections to minimize conflicts and discourage through traffic. Adjacent “T” intersections shall maintain a minimum of 150 ft. between the nearest edges of the 2 rights-of-way.

Response: The Preliminary Plans include information on the local street pattern and intersections internal to the subdivision. The design incorporates curves, “T” intersections, straight segments less than a quarter mile in length, and maintains pedestrian connectivity. The traffic traveling through the area will be of local origin. The criteria are met.

3. Cul-de-sacs should generally not exceed 400 ft. in length nor serve more than 20 dwelling units, except in cases where existing topography, wetlands, or drainage systems or other existing features necessitate a longer cul-de-sac in order to provide adequate access to an area. Cul-de-sacs longer than 400 feet or developments with only one access point may be required to provide an alternative access for emergency vehicle use only, install fire prevention sprinklers, or provide other mitigating measures, determined by the City.

Response: The project site does not include cul-de-sacs. The standard does not apply.

- D. Development sites shall be provided with access from a public street improved to City standards in accordance with the following:
 1. Where a development site abuts an existing public street not improved to City standards, the abutting street shall be improved to City standards along the full frontage of the property concurrent with development.
 2. Half-street improvements are considered the minimum required improvement. Three-quarter-street or full-street improvements shall be required where traffic volumes generated by the development are such that a half-street improvement would cause safety and/or capacity problems. Such a determination shall be made by the City Engineer.
 3. To ensure improved access to a development site consistent with policies on orderly urbanization and extension of public facilities the Planning Commission or Director may require off-site improvements concurrent with development. Off-site improvement requirements upon the site developer shall be reasonably related to the anticipated impacts of the development.
 4. Reimbursement agreements for ¾ street improvements (i.e., curb face to curb face) may be requested by the developer per Chapter 12 of the SMC.

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5. A ½ street improvement includes curb and pavement 2 feet beyond the center line of the right-of-way. A ¾ street improvement includes curbs on both sides of the side and full pavement between curb faces.

Response: The Preliminary Plans show the project site is provided with access extending from Melissa Avenue, an existing public street right-of-way stubbed to the property. Per the Preliminary Plans, a fee-in-lieu of half-street improvements is planned on east SE Ponder Lane. Required frontage improvements on streets applicable to the project site will be completed as necessary. The criterion is met.

- E. As necessary to provide for orderly development of adjacent properties, public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property(ies) in accordance with the following:
 1. Temporary dead-ends created by this requirement to extend street improvements to the edge of adjacent properties may be installed without turn-arounds, subject to the approval of the Fire Marshal.
 2. In order to assure the eventual continuation or completion of the street, reserve strips may be required.

Response: The Preliminary Plans illustrate local street sections extending through the site to the edge of the property boundaries. Temporary dead-ends, as necessary, can be provided in the phase it is associated with, as indicated on the Preliminary Plans. The criteria can be met.

- F. Where required by the Planning Commission or Director, public street improvements may be required through a development site to provide for the logical extension of an existing street network or to connect a site with a nearby neighborhood activity center, such as a school or park. Where this creates a land division incidental to the development, a land partition shall be completed concurrent with the development.

Response: This application does not include an incidental land division as stated above. The standard does not apply.

- G. Except for extensions of existing streets, no street names shall be used that will duplicate or be confused with names of existing streets. Street names and numbers shall conform to the established pattern in the surrounding area and be subject to approval of the Director.

Response: Street names which conform to the surrounding area will be subjected to the approval of the Director. The criterion is met.

- H. Location, grades, alignment, and widths for all public streets shall be considered in relation to existing and planned streets, topographical conditions, public convenience and safety, and proposed land use. Where topographical conditions present special circumstances, exceptions to these standards may be granted by the City Engineer provided the safety and capacity of the street network is not adversely affected. The following standards shall apply:



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1. Location of streets in a development shall not preclude development of adjacent properties. Streets shall conform to planned street extensions identified in the Transportation Plan and/or provide for continuation of the existing street network in the surrounding area.
 2. Grades shall not exceed 6 percent on arterial streets, 10 percent on collector streets, and 15 percent on local streets.

Response: The planned locations of streets internal to the subdivision provide continuation of the existing street network stemming from the stub at Melissa Avenue, as identified in the Transportation Plan. Location of streets internal to the subdivision do not preclude development of adjacent properties. The grades on the planned local streets are not intended to exceed 15 percent; the project does not include arterial or collector streets. It is understood that if any special circumstances are identified, the standards of this Section will apply and be reviewed for compliance by the City Engineer. The criterion is met.

3. As far as practical, arterial streets and collector streets shall be extended in alignment with existing streets by continuation of the street centerline. When staggered street alignments resulting in “T” intersections are unavoidable, they shall leave a minimum of 150 ft. between the nearest edges of the two rights-of-way.

Response: The project site does not include the extension of arterial or collector streets. The standard does not apply.

4. Centerline radii of curves shall not be less than 500 ft. on arterial streets, 300 ft. on collector streets, and 100 ft. on local streets.

Response: The Preliminary Plans show the centerline radii of curves are not less than 100-foot on internal local streets. The standard is met.

5. Streets shall be designed to intersect at angles as near as practicable to right angles and shall comply with the following:
 - a) The intersection of an arterial or collector street with another arterial or collector street shall have a minimum of 100 ft. of straight (tangent) alignment perpendicular to the intersection.

Response: The project site does not include arterial or collector streets. The criterion does not apply.

- b) The intersection of a local street with another street shall have a minimum of 50 ft. of straight (tangent) alignment perpendicular to the intersection.
- c) Where right angle intersections are not possible, exceptions can be granted by the City Engineer provided that intersections not at right angles have a minimum corner radius of 20 ft. along the right-of-way lines of the acute angle.



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- d) Intersections with arterial streets shall have a minimum curb corner radius of 20 ft. All other intersections shall have a minimum curb corner radius of 10 ft.

Response: The project site does not intersect with existing arterial streets. The criteria do not apply.

- 6. Right-of-way and improvement widths shall be as specified by the Transportation System Plan. Exceptions to those specifications may be approved by the City Engineer to deal with specific unique physical constraints of the site.

Response: As shown on the Preliminary Plans, right-of-way and improvement widths for streets within Bailey Meadows are being designed in accordance with City standards. The criterion is met.

- J. Private streets may be considered within a development site provided all the following conditions are met:

Response: This application includes public, local street infrastructure and thus the criteria for private streets do not apply and has been deleted for brevity.

17.84.60 PUBLIC FACILITY EXTENSIONS

- A. All development sites shall be provided with public water, sanitary sewer, broadband (fiber), and storm drainage.
- B. Where necessary to serve property as specified in "A" above, required public facility installations shall be constructed concurrent with development.
- C. Off-site public facility extensions necessary to fully serve a development site and adjacent properties shall be constructed concurrent with development.
- D. As necessary to provide for orderly development of adjacent properties, public facilities installed concurrent with development of a site shall be extended through the site to the edge of adjacent property(ies).
- E. All public facility installations required with development shall conform to the City's facilities master plans.

Response: The Preliminary Plans include information detailing the nature of public facility extensions to each lot, and to the edge of properties adjacent to the subdivision, where applicable. Installations are planned to be completed concurrent with the approved phasing of the subdivision and conform to the City's facilities master plans. The criteria are met.

- F. Private on-site sanitary sewer and storm drainage facilities may be considered provided all the following conditions exist:
 - 1. Extension of a public facility through the site is not necessary for the future orderly development of adjacent properties;
 - 2. The development site remains in one ownership and land division does not occur (with the exception of land divisions that may occur under the provisions of 17.84.50 F above);



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3. The facilities are designed and constructed in accordance with the Uniform Plumbing Code and other applicable codes, and permits and/or authorization to proceed with construction is issued prior to commencement of work.

Response: The application does not include private facilities as described above. The criterion does not apply.

17.84.70 PUBLIC IMPROVEMENT PROCEDURES

It is in the best interests of the community to ensure public improvements installed in conjunction with development are constructed in accordance with all applicable City policies, standards, procedures, and ordinances. Therefore, prior to commencement of installation of public water, sanitary sewer, storm drainage, broadband (fiber), street, bicycle, or pedestrian improvements for any development site, developers shall contact the City Engineer to receive information regarding adopted procedures governing plan submittal, plan review and approval, permit requirements, inspection and testing requirements, progress of the work, and provision of easements, dedications, and as-built drawings for installation of public improvements. All work shall proceed in accordance with those adopted procedures, and all applicable City policies, standards, and ordinances.

Whenever any work is being done contrary to the provisions of this Code, the Director may order the work stopped by notice in writing served on the persons engaged in performing the work or causing the work to be performed. The work shall stop until authorized by the Director to proceed with the work or with corrective action to remedy substandard work already completed.

Response: Site work is planned to be completed in accordance with the public improvement procedures described above.

17.84.80 FRANCHISE UTILITY INSTALLATIONS

These standards are intended to supplement, not replace or supersede, requirements contained within individual franchise agreements the City has with providers of electrical power, telephone, cable television, and natural gas services (hereinafter referred to as "franchise utilities").

- A. Where a land division is proposed, the developer shall provide franchise utilities to the development site. Each lot created within a subdivision shall have an individual service available or financially guaranteed prior to approval of the final plat.
- B. Where necessary, in the judgment of the Director, to provide for orderly development of adjacent properties, franchise utilities shall be extended through the site to the edge of adjacent property(ies), whether or not the development involves a land division.
- C. The developer shall have the option of choosing whether or not to provide natural gas or cable television service to the development site, providing all of the following conditions exist:
 1. Extension of franchise utilities through the site is not necessary for the future orderly development of adjacent property(ies);



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2. The development site remains in one ownership and land division does not occur (with the exception of land divisions that may occur under the provisions of 17.84.50 F above); and
 3. The development is non-residential.

D. Where a land division is not proposed, the site shall have franchise utilities required by this section provided in accordance with the provisions of 17.84.70 prior to occupancy of structures.

E. All franchise utility distribution facilities installed to serve new development shall be placed underground except as provided below. The following facilities may be installed above-ground:

1. Poles for street lights and traffic signals, pedestals for police and fire system communications and alarms, pad mounted transformers, pedestals, pedestal mounted terminal boxes and meter cabinets, concealed ducts, substations, or facilities used to carry voltage higher than 35,000 volts;
2. Overhead utility distribution lines may be permitted upon approval of the City Engineer when unusual terrain, soil, or other conditions make underground installation impracticable. Location of such overhead utilities shall follow rear or side lot lines wherever feasible.

Response: The Preliminary Plans include information for franchise utility installations. The installation of franchise utilities will be in accordance with the provisions of this Section and arranged with franchise utility providers. The criteria are met.

F. The developer shall be responsible for making necessary arrangements with franchise utility providers for provision of plans, timing of installation, and payment for services installed. Plans for franchise utility installations shall be submitted concurrent with plan submittal for public improvements to facilitate review by the City Engineer.

Response: The Preliminary Plans include information for franchise utility installations. The standard is met.

G. The developer shall be responsible for installation of underground conduit for street lighting along all public streets improved in conjunction with the development in accordance with the following:

1. The developer shall coordinate with the City Engineer to determine the location of future street light poles. The street light plan shall be designed to provide illumination meeting standards set by the City Engineer.
2. The developer shall make arrangements with the serving electric utility for trenching prior to installation of underground conduit for street lighting.

Response: The installation of franchise utilities will be in accordance with the provisions of this Section and arranged with franchise utility providers. The criteria are met.

17.84.90 LAND FOR PUBLIC PURPOSES

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- A. Easements for public sanitary sewer, water, storm drain, pedestrian and bicycle facilities shall be provided whenever these facilities are located outside a public right-of-way in accordance with the following:
1. When located between adjacent lots, easements shall be provided on one side of a lot line.
 2. The minimum easement width for a single utility is 15 ft. The minimum easement width for two adjacent utilities is 20 ft. The easement width shall be centered on the utility to the greatest extent practicable. Wider easements may be required for unusually deep facilities.
- B. Public utility easements with a minimum width of 5 feet shall be provided adjacent to all street rights-of-way for franchise utility installations.

Response: The Preliminary Subdivision Plat in the Preliminary Plans depicts required dedications and easements. The criteria are met.

- C. Where a development site is traversed by a drainageway or water course, a drainage way dedication shall be provided to the City.

Response: The project site does not include water course or drainageway, as reported in the FSH Analysis (Exhibit H). This criterion does not apply.

- D. Where a development is traversed by, or adjacent to, a future trail linkage identified within the Transportation System Plan, dedications of suitable width to accommodate the trail linkage shall be provided. This width shall be determined by the City Engineer, considering the type of trail facility involved.

Response: The project site does not contain adjacent or future trails within the Transportation System Plan. This criterion does not apply.

- E. Where existing rights-of-way and/or easements within or adjacent to development sites are nonexistent or of insufficient width, dedications may be required. The need for and widths of those dedications shall be determined by the City Engineer.

Response: As shown on the Preliminary Plans, right-of-way and improvement widths for streets within Bailey Meadows are being designed in accordance with City standards. Dedications related to existing right-of-way on SE Ponder Lane, east adjacent to the subdivision, are detailed for review by the City Engineer. The criterion is met.

- F. Where easement or dedications are required in conjunction with land divisions, they shall be recorded on the plat. Where a development does not include a land division, easements and/or dedications shall be recorded on standard document forms provided by the City Engineer.

Response: The Preliminary Subdivision Plat in Exhibit A includes details of necessary easements and dedications to be recorded on the plat as required. The criteria are met.

- G. If the City has an interest in acquiring any portion of a proposed subdivision or planned development site for a public purpose, other

than for those purposes listed above, or if the City has been advised of such interest by a school district or other public agency, and there is a reasonable assurance that steps will be taken to acquire the land, the Planning Commission may require those portions of the land be reserved for public acquisition for a period not to exceed 1 year.

Response: Other than for necessary supporting public infrastructure, this application does not include land designated for a public purpose. The criteria do not apply.

H. Environmental assessments for all lands to be dedicated to the public or City may be required to be provided by the developer. An environmental assessment shall include information necessary for the City to evaluate potential liability for environmental hazards, contamination, or required waste cleanups related to the dedicated land. An environmental assessment shall be completed prior to the acceptance of dedicated lands in accordance with the following:

1. The initial environmental assessment shall detail the history of ownership and general use of the land by past owners. Upon review of the information provided by the grantor, as well as any site investigation by the City, the Director will determine if the risks of potential contamination warrant further investigation. When further site investigation is warranted, a Level I Environmental Assessment shall be provided by the grantor.

Response: Other than for necessary supporting public infrastructure, this application does not include land designated for a public purpose. The criteria do not apply.

17.84.100 MAIL DELIVERY FACILITIES

- A. In establishing placement of mail delivery facilities, locations of sidewalks, bikeways, intersections, existing or future driveways, existing or future utilities, right-of-way and street width, and vehicle, bicycle and pedestrian movements shall be considered. The final location of these facilities shall meet the approval of the City Engineer and the Post Office. Where mail delivery facilities are being installed in conjunction with a land division, placement shall be indicated on the plat and meet the approval of the City Engineer and the Post Office prior to final plat approval.
- B. Where mail delivery facilities are proposed to be installed in areas with an existing or future curb-tight sidewalk, a sidewalk transition shall be provided that maintains the required design width of the sidewalk around the mail delivery facility. If the right-of-way width will not accommodate the sidewalk transition, a sidewalk easement shall be provided adjacent to the right-of-way.
- C. Mail delivery facilities and the associated sidewalk transition (if necessary) around these facilities shall conform with the City's standard construction specifications. Actual mailbox units shall conform with the Post Office standards for mail delivery facilities.
- D. Installation of mail delivery facilities is the obligation of the developer. These facilities shall be installed concurrently with the public improvements. Where development of a site does not require public improvements, mail delivery facilities shall be installed concurrently with private site improvements.

Response: In conjunction with the final construction plans, locations for mail delivery facilities will be coordinated and established with the U.S. Post Office.

CHAPTER 17.86 - PARKLAND & OPEN SPACE

Parkland Dedication: New residential subdivisions, planned developments, multi-family or manufactured home park developments shall be required to provide parkland to serve existing and future residents of those developments. Multi-family developments which provide some "congregate" services and/or facilities, such as group transportation, dining halls, emergency monitoring systems, etc., but which have individual dwelling units rather than sleeping quarters only, are considered to be multi-family developments for the purpose of parkland dedication. Licensed adult congregate living facilities, nursing homes, and all other similar facilities which provide their clients with individual beds and sleeping quarters, but in which all other care and services are communal and provided by facility employees, are specifically exempt from parkland dedication and system development fee requirements.

1. The required parkland shall be dedicated as a condition of approval for the following:
 - a. Tentative plat for a subdivision or partition;
2. Calculation of Required Dedication: The required parkland acreage to be dedicated is based on a calculation of the following formula rounded to the nearest 1/100 (0.00) of an acre:

Required parkland dedication (acres) = (proposed units) x (persons/unit) x 0.0043 (per person park land dedication factor)

- a. Population Formula: The following table shall be used to determine the number of persons per unit to be used in calculating required parkland dedication:

Type of Unit	Total Persons Per Unit
Single-family residential	3.0

Persons per unit, age distribution, and local conditions change with time. The specific formula for the dedication of land will, therefore, be subject to periodic review and amendment.

- b. Per Person Parkland Dedication Factor: The total parkland dedication requirement shall be 0.0043 of an acre per person based on the adopted standard of 4.3 acres of land per one thousand of ultimate population per the Parks Master Plan

1. This standard represents the citywide land-to-population ratio for city parks, and may be adjusted periodically through amendments to the Parks Master Plan.

Response: The criteria above are satisfied by means of a fee in lieu of parkland dedication per the City standard 17.86.40. The remainder of Chapter 17 Section 86, which does not apply to the project, has been omitted for brevity.

17.86.40 CASH IN LIEU OF DEDICATION

At the city’s discretion only, the city may accept payment of a fee in lieu of land dedication. The city may require payment in lieu of land when the park land to be dedicated is less than 3 acres. A payment in lieu of land dedication is separate from Park Systems Development Charges, and is not eligible for a credit of Park Systems Development Charges. The amount of the fee in lieu of land dedication (in dollars per acre) shall be set by City Council Resolution, and it shall be based on the typical market value of developed property (finished lots) in Sandy net of related development costs.

1. The following factors shall be used in the choice of whether to accept land or cash in lieu:

Response: This application is a “Needed Housing” application pursuant to ORS 197.303(1) and ORS 197.307(4), therefore, only objective standards and procedures apply to the application review. The choice between dedication and payment is subjective, as is the procedure to make the recommendation on the choice.

- a. The topography, geology, access to, parcel size, and location of land in the development available for dedication;

Response: This criterion is subjective and cannot be applied to a “Needed Housing” application under ORS 197.307(4).

- b. Potential adverse/beneficial effects on environmentally sensitive areas;

Response: This application does not include any environmentally sensitive areas as reported in the FSH Analysis (Exhibit H). The criterion does not apply.

- c. Compatibility with the Parks Master Plan, Public Facilities element of the Comprehensive Plan, and the City of Sandy Capital Improvements Program in effect at the time of dedication;

Response: This application is a “Limited Land Use Decision” pursuant to ORS 197.195(1) and Plans may be approval criteria only if specific policies are incorporated into the City’s land use regulations. The City’s land use regulation’s approval criteria in SDC 17.100.60 do not incorporate the 1997 Parks Master Plan, nor the above Plans with the specificity required by ORS 197.195(1), so they are not mandatory approval criteria and do not apply to this application.

- d. Availability of previously acquired property; and
- e. The feasibility of dedication.

Response: The above criteria are subjective and cannot be applied to a “Needed Housing” application per ORS 197.307(4).



2. Cash in lieu of parkland dedication shall be paid prior to approval of the final plat or as specified below:
 - a. 50 percent of the payment shall be paid prior to final plat approval, and
 - b. The remaining 50 percent of the payment pro-rated equally among the lots, plus an administrative surcharge as determined by the City Council through a resolution, will constitute a lien against the property payable at the time of sale.

Response: Cash in lieu of parkland dedication will be paid as determined and recorded in the resolution. The table below provides a preliminary cost estimate calculation. The criteria can be met.

CASH IN LIEU OF DEDICATION	
Proposed Units	100
Persons Per Unit	3
Per Person Parkland Dedication Factor	0.0043
Required Parkland (Acres)	1.29
Cash in Lieu Cost Estimate	\$310,890

CHAPTER 17.90 - DESIGN STANDARDS

17.90.10 APPLICABILITY

The provisions of this chapter apply to all zones and uses as follows except as specified in Sections 17.90.10(B), (C), (D), (E), and (F) below:

- C. **Residential Dwelling Exception:** Single family dwellings, duplexes, manufactured dwellings on individual lots of record, and manufactured dwellings in parks are exempt from all requirements of this chapter except for Section 17.90.150.

Response: This application involves a planned subdivision of lots suitable for future single-family detached dwellings. The Preliminary Dimensioned Subdivision Plan with Setbacks, included in Exhibit A, demonstrates that future homes can meet the minimum setback requirements of the Single-Family Residential zone. The residential design standards, which apply to the street-facing facades of all new single-family dwellings, will be assessed at time of future building permit submittal. The remainder of Section 17.90.150 has been omitted for brevity.

CHAPTER 17.92 - LANDSCAPING & SCREENING GENERAL STANDARDS - ALL ZONES

17.92.30 REQUIRED TREE PLANTINGS

Planting of trees is required for all parking lots with 4 or more parking spaces, public street frontages, and along private drives more than 150 feet long. Trees shall be planted outside the street right-of-way except where there is a designated planting strip or City adopted street tree plan.



The City maintains a list of appropriate trees for street tree and parking lot planting situations. Selection of species should be made from the city-approved list. Alternate selections may be approved by the Director following written request. The type of tree used shall determine frequency of trees in planting areas. Trees in parking areas shall be dispersed throughout the lot to provide a canopy for shade and visual relief.

Area/Type of Planting	Canopy	Spacing
Street Tree	Medium	30 ft. on center
Street Tree	Large	50 ft. on center

Trees may not be planted:

- Within 5 ft. of permanent hard surface paving or walkways, unless specific species, special
- planting techniques and specifications approved by the Director are used.
- Unless approved otherwise by the City Engineer:
- Within 10 ft. of fire hydrants and utility poles
- Within 20 ft. of street light standards
- Within 5 ft. from an existing curb face
- Within 10 ft. of a public sanitary sewer, storm drainage or water line
- Where the Director determines the trees may be a hazard to the public interest or general welfare.
- Trees shall be pruned to provide a minimum clearance of 8 ft. above sidewalks and 12 ft. above street and roadway surfaces.

Response: As shown on the Preliminary Street Tree and Stormwater Screening Planting Plan (included in Exhibit A), required street trees and planting strips are generally planned to be completed prior to occupancy of the adjoining lot. Street trees and planting strips that are located along the stormwater facility and at the site access are planned to be completed with the subdivision infrastructure as shown on the Preliminary Plans. Landscaping will be provided in accordance with the above criteria. Therefore, this standard is met.

17.92.40 IRRIGATION

Landscaping shall be irrigated, either with a manual or automatic system, to sustain viable plant life.

Response: This standard is understood. No additional response is necessary.

17.92.60 REVEGETATION IN UNLANDSCAPED OR NATURAL LANDSCAPED AREAS

- A. Areas where natural vegetation has been removed or damaged through grading or construction activity in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements shall be replanted.

- B. Plant material shall be watered at intervals sufficient to assure survival and growth.
- C. The use of native plant materials or plants acclimatized to the Pacific Northwest is encouraged to reduce irrigation and maintenance demands.

Response: This standard is understood. No additional response is necessary.

17.98.20 OFF-STREET PARKING REQUIREMENTS

- A. Off Street Parking Requirements. Off street parking shall conform to the following standards:
 1. All square footage measurements are gross square feet of total floor area.
 2. 18 lineal inches of bench shall be considered 1 seat.
 3. Except as otherwise specified, parking for employees shall be provided based on 1 space per 2 employees for the largest shift in addition to required parking specified in Sections A6-A9 below.
 4. Where less than 5 parking spaces are required, then only one bicycle space shall be required except as otherwise modified in Sections 5-9 below.
 5. In addition to requirements for residential off street parking, new dwellings shall meet the on-street parking requirements in Section 17.98.200.

Residential Uses	Number of Parking Spaces	Number of Bicycle Spaces
Single Family Detached	2 per dwelling	0

Response: This application is for a residential subdivision suitable for single-family detached homes. As shown on the Preliminary Parking Plan in Exhibit A, future driveways provide for two off-street parking spaces per dwelling. Bicycle parking is not required or provided. As applicable, the criteria above are met.

17.98.200 RESIDENTIAL ON-STREET PARKING REQUIREMENTS

- A. Residential On-Street Parking Requirements. Residential on-street parking shall conform to the following standards:
 1. In addition to required off-street parking, all new residential planned developments, subdivisions and partitions shall provide one (1) on-street parking space within 200 feet of each dwelling except as provided in Section 17.98.200(A)(6) below.

Response: As shown on the Preliminary Parking Plan in Exhibit A, in addition to required off-street parking, the 100-lot subdivision is planned to provide 122 on-street parking spaces. The criterion is met.

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2. The location of residential on-street parking shall be reviewed for compliance with this section through submittal of a Residential Parking Analysis Plan as required in Section 17.98.10(M).

Response: The Preliminary Plans (Exhibit A) include a Preliminary Parking Plan sheet. The submittal requirements are met.

3. Residential on-street parking shall not obstruct required clear vision areas and shall not violate any local or state laws.
4. Parallel residential on-street parking spaces shall be 22 feet minimum in length.
5. Residential on-street parking shall be measured along the curb from the outside edge of a driveway wing or curb cut. Parking spaces must be set back a minimum of 15 feet from an intersection and may not be located within 10 feet of a fire hydrant.

Response: As shown on the Preliminary Parking Plan in Exhibit A, on-street parking is planned to not obstruct clear vision areas. Parallel on-street parking spaces meet the minimum length and setback requirements as detailed above. The criteria are met.

6. Portions of residential on-street parking required by this section may be provided in parking courts that are interspersed throughout a development when the following standards are met:
 - a. No more than eight (8) parking spaces shall be provided in a parking court;
 - b. Parking spaces within a parking court shall be nine (9) feet wide and 18 feet in depth;
 - c. Notwithstanding Section 17.98.70, vehicles parked in a parking court are permitted to back onto the public right-of-way from the parking court;
 - d. A parking court shall be located within 200 feet of the dwellings requiring parking in accordance with the requirements of Section 17.98.10(M);
 - e. No more than two (2) parking courts shall be provided within a block, with only one (1) parking court provided along a block face;
 - f. A parking court shall be paved in compliance with the standards of this chapter and the latest adopted grading and drainage standards; 17.98 - 13 Revised by Ordinance No. 2013-04 (effective 07/03/13)
 - g. If a parking court is adjacent to a public right-of-way, it shall be publicly owned and maintained;
 - h. If a parking court is adjacent to a private drive, it shall be privately owned and maintained. For each parking court there shall be a legal recorded document which includes:
 - i. A legal description of the parking court;

- ii. Ownership of the parking court;
 - iii. Use rights; and
 - iv. A maintenance agreement and the allocation and/or method of determining liability for maintenance of the parking court;
- i. A parking court shall be used solely for the parking of operable passenger vehicles.

Response: This application does not include parking courts. The criteria listed above are not applicable.

CHAPTER 17.100 - LAND DIVISION

17.100.20 LAND DIVISION CLASSIFICATION - TYPE I, II OR III PROCEDURES

E. Type III Land Division (Major Partition or Subdivision). A major partition or subdivision shall be a Type III procedure if unsatisfactory street conditions exist or the resulting parcels/lots do not comply with the standards of the zoning district and this chapter. The Director shall determine if unsatisfactory street conditions exist based on one of the following criteria:

1. The land division does not link streets that are stubbed to the boundaries of the property.

Response: This application links to and includes the continuation of the existing Melissa Avenue right-of-way street stub, north of the project site as shown on the Preliminary Plans in Exhibit A. Therefore, this criterion does not apply, and future street conditions will be satisfactory.

2. An existing street or a new proposed street will be extended beyond the boundaries of the land division to complete a street system or provide access to adjacent property.

Response: As shown on the Preliminary Plans, planned streets are not extended beyond the boundaries of the subdivision. Therefore, this criterion does not apply, and future street conditions will be satisfactory.

3. The proposed street layout is inconsistent with a street pattern adopted as part of the Comprehensive Plan or officially adopted City street plan.

Response: The Preliminary Plans include information illustrating how the infrastructure is planned to be consistent with City standards. Therefore, the criterion will be met, and future street conditions will be satisfactory.

17.100.60 SUBDIVISIONS

Approval of a subdivision is required for a land division of 4 or more parcels in a calendar year.

A two-step procedure is required for subdivision approval: (1) tentative plat review and approval; and (2) final plat review and approval.



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- A. Preapplication Conference. The applicant for a subdivision shall participate in a preapplication conference with city staff to discuss procedures for approval, applicable state and local requirements, objectives and policies of the Sandy Comprehensive Plan, and the availability of services. The preapplication conference provides the opportunity to discuss the conceptual development of the property in advance of formal submission of the tentative plan in order to save the applicant unnecessary delay and cost.

Response: A pre-application conference was held on November 20, 2018.

- B. Application Requirements for a Tentative Plat. Subdivision applications shall be made on forms provided by the planning department and shall be accompanied by:
1. 20 copies of the tentative plat;
 2. Required fee and technical service deposit;
 3. 20 copies of all other supplementary material as may be required to indicate the general program and objectives of the subdivision;
 4. Preliminary title search;
 5. List of affected property owners.

Response: Exhibit B contains the documents listed above. These submittal requirements are met.

- B. Format. The Tentative Plat shall be drawn on a sheet 18 x 24 inches in size and at a scale of one inch equals one hundred feet unless an alternative format is approved by the Director at the preapplication conference. The application shall include one copy of a scaled drawing of the proposed subdivision, on a sheet 8 1/2 x 11, suitable for reproduction.

Response: Exhibit A contains the Preliminary Subdivision Plat. This submittal requirement is met.

- D. Data Requirements for Tentative Plat.
1. Scale of drawing, north arrow, and date.
 2. Location of the subdivision by section, township and range, and a legal description sufficient to define the location and boundaries of the proposed tract.
 3. A vicinity map, showing adjacent property boundaries and how proposed streets may be extended to connect to existing streets.
 4. Names, addresses, and telephone numbers of the owner(s) of the property, the engineer or surveyor, and the date of the survey.
 5. Streets: location, names, paved widths, alleys, and right-of-way (existing and proposed) on and within 400 feet of the boundaries of the subdivision tract.
 6. Easements: location, widths, purpose of all easements (existing and proposed) on or serving the tract.

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7. Utilities: location of storm drainage, sanitary sewers and water lines (existing and proposed) on and abutting the tract. If utilities are not on or abutting the tract, indicate the direction and distance to the nearest locations.
 8. Ground elevations shown by contour lines at two-foot vertical intervals for ground slopes of less than 10 percent and at ten-foot vertical intervals for ground slopes exceeding 10 percent. Ground elevation shall be related to an established benchmark or other datum approved by the Director.
 9. Natural features such as marshes, rock outcroppings, watercourses on and abutting the property, location of wooded areas.
 10. Approximate location of areas subject to periodic inundation or storm sewer overflow, location of any floodplain or flood hazard district.
 11. Location, width, and direction of flow of all water courses.
 12. Identification of the top of bank and boundary of mandatory setback for any stream or water course.
 13. Identification of any associated wetland and boundary of mandatory setback.
 14. Identification of any wetland and boundary of mandatory setback.
 15. Location of at least one temporary bench mark within the tract boundaries.
 16. Existing uses of the property, including location and present use of all existing structures to remain on the property after platting.
 17. Lots and Blocks: approximate dimensions of all lots, minimum lot sizes, and proposed lot and block numbers.
 18. Existing zoning and proposed land use.
 19. Designation of land intended to be dedicated or reserved for public use, with the purpose, conditions, or limitations of such reservations clearly indicated.
 20. Proposed development phases, if applicable.
 21. Any other information determined necessary by the Director at the preapplication conference, such as a soil report or other engineering study, traffic analysis, floodplain or wetland delineation, etc.

Response: The Preliminary Plans and other documentation include the information listed above, as applicable. Therefore, these submittal requirements are met.

- E. Approval Criteria. The Director or Planning Commission shall review the tentative plat for the subdivision based on the classification procedure (Type II or III) set forth in Section 17.12 and the following approval criteria:



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1. The proposed subdivision is consistent with the density, setback and dimensional standards of the base zoning district, unless modified by a Planned Development approval.

Response: As shown on the Preliminary Subdivision Plat in Exhibit A and findings provided in the written document, the planned subdivision is consistent with the density, setback, and dimensional standards of the SFR zoning district. The project is not modified by Planned Development standards of approval. The criterion is met.

3. The proposed subdivision is consistent with the design standards set forth in this chapter.

Response: This subdivision application is consistent with the design standards set forth in SD 17.100.70 and in conformance with the applicable SFR zoning district. Therefore, the criterion is met.

4. The proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy.

Response: As shown on the Preliminary Plans, the intended local street pattern internal to the subdivision is connected and consistent with the Comprehensive Plan. Access from the existing street stub, Melissa Avenue, provides a continuous network through and to the boundaries of the subdivision. Additionally, this standard may not be applied under ORS 197.307(4) because the phrase “connected and consistent” is subjective. Additionally, this standard may not be applied under ORS 197.307(4) because the phrase “City standards” is subjective. Additionally, this standard may not be applied under ORS 197.307(4) because the words “objective” and “necessary” are subjective.

5. Adequate public facilities are available or can be provided to serve the proposed subdivision.

Response: As shown in the Preliminary Plans, public facilities as available will be provided to serve the subdivision, including but not limited to stormwater management, sanitary sewer, municipal water, and franchise utilities. Infrastructure is planned to be completed concurrent with the build out of the associated phase. The criterion is met.

6. All proposed improvements meet City standards.

Response: Sandy Development Code requirements have been reviewed with the intent that all planned improvements meet applicable City standards.

6. The phasing plan, if requested, can be carried out in a manner that meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops.

Response: As shown on the Preliminary Subdivision Plat in the Preliminary Plans, the subdivision is planned to be completed in three phases and provide necessary public improvements concurrently with each phase. The above requirements are satisfied and support the City’s approval of this Subdivision.

F. Conditions. The Director or Planning Commission may require dedication of land and easements and may specify such conditions or modifications of the tentative plat as deemed necessary.

Response: It is understood the Preliminary Subdivision Plat may have conditions or modifications required as necessary. The Applicant reserves the right to object to the application of standards or conditions other than those that are clear and objective and does not waive its right to assert that the needed housing statutes apply to this application.

G. Improvements. A detailed list of required improvements for the subdivisions shall be set forth in the approval and conditions for the tentative plat.

Response: This criterion is understood. No additional response is necessary.

H. Tentative Plat Expiration Date. The final plat shall be delivered to the Director for approval within one year following approval of the tentative plat, and shall incorporate any modification or condition required by approval of the tentative plat. The Director may, upon written request of the subdivider, grant an extension of the tentative plat approval for up to one additional year.

Response: This criterion is understood. No additional response is necessary.

17.100.70 LAND DIVISION DESIGN STANDARDS

All land divisions shall be in conformance with the requirements of the applicable base zoning district and this chapter, as well as with other applicable provisions of this Code. Modifications to these requirements may be accomplished through a Planned Development. The design standards in this section shall be used in conjunction with street design standards included in the City of Sandy Transportation System Plan and standards and construction specifications for public improvements as set forth in adopted Public Facilities Plans and the Sandy Municipal Code.

Response: This application contains the Preliminary Plans, reports, analysis, calculations, and applicable narrative information to validate conformance with the requirements of the Sandy Development Code. The land division design standards of City Code are satisfied.

17.100.80 CHARACTER OF THE LAND

Land which the Director or the Planning Commission finds to be unsuitable for development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the partition or subdivision and the surrounding areas, shall not be developed unless adequate methods are formulated by the subdivider and approved by the Director or the Planning Commission to solve the problems created by the unsuitable land conditions.

Response: As detailed in the Flood and Slope Hazard Analysis (Exhibit H) the project site does not exhibit or contain unsuitable land conditions. This criterion does not apply.

17.100.90 ACCESS CONTROL GUIDELINES AND COORDINATION



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- A. Notice and coordination with ODOT required. The city will coordinate and notify ODOT regarding all proposals for new or modified public and private accesses on to Highways 26 and 211.
 - B. It is the city policy to, over time, reduce noncompliance with the Oregon Highway Plan Access Management Policy guidelines.
 - C. Reduction of compliance with the cited State standards means that all reasonable alternatives to reduce the number of accesses and avoid new non-complying accesses will be explored during the development review. The methods to be explored include, but are not limited to: closure, relocation, and consolidation of access; right-in/right-out driveways; crossover easements; and use of local streets, alleys, and frontage roads.

Response: The above criterion applies to City processes for noticing and coordinating with ODOT, as applicable. This standard is not applicable as the project does not access Highway 26 or 211 and does not require direct action of the Applicant. The criteria do not apply.

17.100.100 STREETS GENERALLY

No subdivision or partition shall be approved unless the development has frontage or approved access to an existing public street. In addition, all streets shall be graded and improved in conformance with the City's construction standards, approved by the City Engineer, in accordance with the construction plans.

- A. **Street Connectivity Principle.** The pattern of streets established through land divisions should be connected to: (a) provide safe and convenient options for cars, bikes and pedestrians; (b) create a logical, recognizable pattern of circulation; and (c) spread traffic over many streets so that key streets (particularly U.S. 26) are not overburdened.

Response: The Preliminary Plans illustrate the street network internal to the subdivision and establish safe, logical circulation throughout the site. The Street Connectivity Principle is met.

- B. **Transportation Impact Studies.** Transportation impact studies may be required by the city engineer to assist the city to evaluate the impact of development proposals, determine reasonable and prudent transportation facility improvements and justify modifications to the design standards. Such studies will be prepared in accordance with the following:
 - 1. A proposal established with the scope of the transportation impact study shall be coordinated with, and agreed to, by the city engineer. The study requirements shall reflect the magnitude of the project in accordance with accepted transportation planning and engineering practices. A professional civil or traffic engineer registered in the State of Oregon shall prepare such studies.
 - 2. If the study identifies level-of-service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered as part of the land use decision for the proposal.



Response: The Traffic Impact Analysis prepared by a registered professional traffic engineer (Exhibit F) is included in the application materials. The scope of the analysis was confirmed with the City's traffic engineer consultant. The requirements are met.

- C. Topography and Arrangement. All streets shall be properly related to special traffic generators such as industries, business districts, schools, and shopping centers and to the pattern of existing and proposed land uses.
- D. Street Spacing. Street layout shall generally use a rectangular grid pattern with modifications as appropriate to adapt to topography or natural conditions.

Response: The Preliminary Plans (Exhibit A) include information which meets the criteria above. The streets are arranged in accordance with existing residential activity and a rectangular grid pattern is generally used. The criteria are met.

- E. Future Street Plan. Future street plans are conceptual plans, street extensions and connections on acreage adjacent to land divisions. They assure access for future development and promote a logical, connected pattern of streets. It is in the interest of the city to promote a logical, connected pattern of streets. All applications for land divisions shall provide a future street plan that shows the pattern of existing and proposed future streets within the boundaries of the proposed land divisions, proposed connections to abutting properties, and extension of streets to adjacent parcels within a 400 foot radius of the study area where development may practically occur.

Response: The Preliminary Plans (Exhibit A) include a Conceptual Future Street Plan which meets the criteria above.

- F. Connections. Except as permitted under Exemptions, all streets, alleys and pedestrian walkways shall connect to other streets within the development and to existing and planned streets outside the development and to undeveloped properties which have no future street plan. Streets shall terminate at other streets or at parks, schools or other public land within a neighborhood.

Where practicable, local roads shall align and connect with other roads when crossing collectors and arterials.

Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops, and existing or planned neighborhood activity centers, such as schools, shopping areas and parks.

Response: The Preliminary Plans show local street and pedestrian walkway (sidewalk) connections internal to the subdivision. The local streets do not cross any collector or arterial roads and there are no exemptions necessary for the intended street network.

- G. Exemptions.
 - 1. A future street plan is not required for partitions of residentially zoned land when none of the parcels may be redivided under existing minimum density standards.

-
2. Standards for street connections do not apply to freeways and other highways with full access control.
 3. When street connection standards are inconsistent with an adopted street spacing standard for arterials or collectors, a right turn in/right turn out only design including median control may be approved. Where compliance with the standards would result in unacceptable sight distances, an accessway may be approved in place of a street connection.

Response: This application does not seek street design exemptions. The criteria do not apply.

17.100.110 STREET STANDARDS AND CLASSIFICATION

Street standards are illustrated in the figures included at the end of this chapter. Functional definitions of each street type are described in the Transportation System Plan as summarized below.

- A. Major arterials are designed to carry high volumes of through traffic, mixed with some unavoidable local traffic, through or around the city. Major arterials should generally be spaced at 1-mile intervals.
- B. Minor arterials are designed to collect and distribute traffic from major and minor arterials to neighborhood collectors and local streets, or directly to traffic destinations. Minor arterials should generally be spaced at 1-mile intervals.
- C. Residential minor arterials are a hybrid between minor arterial and collector type streets that allow for moderate to high traffic volumes on streets where over 90% of the fronting lots are residential.
- D. Collector streets are designed to collect and distribute traffic from higher type arterial streets to local streets or directly to traffic destinations. Collector streets should generally be spaced at 1/2-mile intervals.

Response: The project site does not include major or minor arterials, residential minor arterials, or collector streets. These standards do not apply.

- E. Local streets are designed to provide direct access to abutting property and connect to collector streets. A general spacing of 8-10 local streets per mile is recommended.

Response: The subdivision is accessed via Melissa Avenue, a local street section to the north of the property boundary, and a continuous network of local streets allow transportation throughout the site.

- F. Cul-de-sacs and dead end streets are discouraged. If deemed necessary, cul-de-sacs shall be as short as possible and shall not exceed 400 feet in length.
- G. Public access lanes are designed to provide primary access to a limited number of dwellings when the construction of a local street is unnecessary.
- H. Alleys are designed to provide access to multiple dwellings in areas where lot frontages are narrow and driveway spacing requirements cannot be met.



Response: The project site does not include cul-de-sacs, public access lanes, or alleys. These standards do not apply.

17.100.120 BLOCKS AND ACCESSWAYS

- A. **Blocks.** Blocks shall have sufficient width to provide for two tiers of lots at appropriate depths. However, exceptions to the block width shall be allowed for blocks that are adjacent to arterial streets or natural features.
- B. **Residential Blocks.** Blocks fronting local streets shall not exceed 400 feet in length, unless topographic, natural resource, or other similar physical conditions justify longer blocks. Blocks may exceed 400 feet if approved as part of a Planned Development, Specific Area Plan, adjustment or variance.

Response: As shown on the Preliminary Plans, the residential blocks provide two tiers of lots. Blocks front local streets and do not exceed 400 feet in length. There is no minimum average lot depth in the criteria of 17.34.30 Design Standards for newly created lots and the Preliminary Subdivision Plan with Setbacks demonstrates that future homes can meet the minimum setback requirements at the time of future building permit submittal. The standards are met.

- C. **Commercial Blocks.** Blocks located in commercial districts shall not exceed 400 feet in length.

Response: This application does not involve commercial districts; the criteria does not apply.

- D. **Pedestrian and Bicycle Access Way Requirements.** In any block in a residential or commercial district over 600 feet in length, a pedestrian and bicycle accessway with a minimum improved surface of 10 feet within a 15-foot right-of-way or tract shall be provided through the middle of the block. To enhance public convenience and mobility, such accessways may be required to connect to cul-de-sacs, or between streets and other public or semipublic lands or through greenway systems.

Response: As shown on the Preliminary Plans, this application does not include any blocks greater than 600 feet in length. The standard does not apply.

17.100.130 EASEMENTS

A minimum eight (8) foot public utility easement shall be required along property lines abutting a right-of-way for all lots within a partition or subdivision. Where a partition or subdivision is traversed by a watercourse, drainage way, channel or stream, the land division shall provide a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width as determined needed for water quality and quantity protection.

Response: As shown on the Preliminary Subdivision Plat, easements and dedications required along property lines abutting a right-of-way will be provided as required. The criterion is met.

17.100.140 PUBLIC ALLEYS



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- A. Public alleys shall have a minimum width of 20 feet. Structural section and surfacing shall conform to standards set by the City Engineer.
 - B. Existing alleys may remain unimproved until redevelopment occurs. When development occurs, each abutting lot shall be responsible for completion of improvements to that portion of the alley abutting the property.
 - C. Parking within the alley right-of-way is prohibited except as provided in Section 17.100.140(D) below.
 - D. An alley with a minimum width of 28 feet may permit parallel parking on one side of the alley only.

Response: The application does not include public alleys. The criteria do not apply.

17.100.180 INTERSECTIONS

- A. Intersections. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two new streets at an angle of less than 75 degrees shall not be acceptable. No more than two streets shall intersect at any one point unless specifically approved by the City Engineer. The city engineer may require left turn lanes, signals, special crosswalks, curb extensions and other intersection design elements justified by a traffic study or necessary to comply with the Development Code.
- B. Curve Radius. All local and neighborhood collector streets shall have a minimum curve radius (at intersections of rights-of-way) of 20 feet, unless otherwise approved by the City Engineer. When a local or neighborhood collector enters on to a collector or arterial street, the curve radius shall be a minimum of 30 feet, unless otherwise approved by the City Engineer

Response: The Preliminary Plans include information illustrating how the local street system internal to the subdivision meets the design requirements. No more than two streets intersect at any one point and internal streets meet the minimum curve radius at intersections of rights-of-way, as applicable. The criteria are met.

17.100.190 STREET SIGNS

The subdivider shall pay the cost of street signs prior to the issuance of a Certificate of Substantial Completion. The City shall install all street signs and upon completion will bill the developer for costs associated with installation. In addition, the subdivider may be required to pay for any traffic safety devices related to the development. The City Engineer shall specify the type and location of the street signs and/or traffic safety devices.

Response: This statement is understood. No additional response is necessary.

17.100.200 STREET SURFACING

Public streets, including alleys, within the development shall be improved in accordance with the requirements of the City or the standards of the Oregon State Highway Department. An overlay of asphalt concrete, or material approved by the City Engineer, shall be placed on all streets within the development. Where required, speed humps shall be constructed in conformance with the City's standards and specifications.

Response: The statement is understood. No additional response is necessary.

17.100.210 STREET LIGHTING

A complete lighting system (including, but not limited to: conduits, wiring, bases, poles, arms, and fixtures) shall be the financial responsibility of the subdivider on all cul-de-sacs, local streets, and neighborhood collector streets. The subdivider will be responsible for providing the arterial street lighting system in those cases where the subdivider is required to improve an arterial street. Standards and specifications for street lighting shall be coordinated with the utility and any lighting district, as appropriate.

Response: Conceptual locations for street lighting are indicated in the Preliminary Plans. PGE will be contacted, and final lighting design elements will be confirmed during the final design process, as appropriate. The criterion is met.

17.100.220 LOT DESIGN

A. The lot arrangement shall be such that there will be no foreseeable difficulties, for reason of topography or other conditions, in securing building permits to build on all lots in compliance with the Development Code.

Response: The Preliminary Subdivision Plat with Setbacks, included in Exhibit A, demonstrates that all lots in the subdivision can accommodate future homes which meet the minimum setback requirements at the time of future building permit submittal. As shown, each lot meets the 7,500 square-foot minimum lot size requirement. The criteria are met.

B. The lot dimensions shall comply with the minimum standards of the Development Code. When lots are more than double the minimum lot size required for the zoning district, the subdivider may be required to arrange such lots to allow further subdivision and the opening of future streets to serve such potential lots.

Response: As shown on the Preliminary Plans, lot dimensions comply with the minimum dimensions and standards of the Development Code. Lots are not larger than twice the minimum lot size. The criterion is met.

C. The lot or parcel width at the front building line shall meet the requirements of the Development Code and shall abut a public street other than an alley for a width of at least 20 feet. A street frontage of not less than 15 feet is acceptable in the case of a flag lot division resulting from the division of an unusually deep land parcel which is of a size to warrant division into not more than two parcels.

Response: As shown on the Preliminary Plans, each lot complies with the minimum dimensions and standards of the Development Code and have proper frontage on a public street. The criterion is met.

D. Double frontage lots shall be avoided except where necessary to provide separation of residential developments from arterial streets or to overcome specific disadvantages of topography or orientation.

Response: As shown on the Preliminary Plans, the subdivision does not include double-frontage lots. The criteria do not apply.



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- E. Lots shall avoid deriving access from major or minor arterials. When driveway access from major or minor arterials may be necessary for several adjoining lots, the Director or the Planning Commission may require that such lots be served by a common access drive in order to limit possible traffic hazards on such streets. Where possible, driveways should be designed and arranged to avoid requiring vehicles to back into traffic on minor or major arterials.

Response: As shown on the Preliminary Plans, the lot arrangement demonstrates compliance with the requirements of the Development Code. The project site does not contain or connect to major or minor arterial streets. The above criterion is met.

17.100.230 WATER FACILITIES

Water lines and fire hydrants serving the subdivision or partition, and connecting the development to City mains, shall be installed to provide adequate water pressure to serve present and future consumer demand. The materials, sizes, and locations of water mains, valves, service laterals, meter boxes and other required appurtenances shall be in accordance with the standards of the Fire District, the City, and the State.

If the city requires the subdivider to install water lines in excess of eight inches, the city may participate in the oversizing costs. Any oversizing agreements shall be approved by the city manager based upon council policy and dependent on budget constraints. If required water mains will directly serve property outside the subdivision, the city may enter into an agreement with the subdivider setting forth methods for reimbursement for the proportionate share of the cost.

Response: As shown on the Preliminary Plans, water infrastructure including conveyance mains, lines, and fire hydrants are designed in accordance with applicable standards. This criterion is met.

17.100.240 SANITARY SEWERS

Sanitary sewers shall be installed to serve the subdivision and to connect the subdivision to existing mains. Design of sanitary sewers shall take into account the capacity and grade to allow for desirable extension beyond the subdivision.

If required sewer facilities will directly serve property outside the subdivision, the city may enter into an agreement with the subdivider setting forth methods for reimbursement by nonparticipating landowners for the proportionate share of the cost of construction.

Response: The Preliminary Plans include information illustrating how the project is planned to be serviced with sanitary sewer. This infrastructure is planned in accordance with the standards of the applicable jurisdictions; therefore, the criterion is met.

17.100.250 SURFACE DRAINAGE AND STORM SEWER SYSTEM

- A. Drainage facilities shall be provided within the subdivision and to connect with off-site drainage ways or storm sewers. Capacity, grade and materials shall be by a design approved by the city engineer. Design of drainage within the subdivision shall take into account the location, capacity and grade necessary to maintain unrestricted flow



from areas draining through the subdivision and to allow extension of the system to serve such areas.

- B. In addition to normal drainage design and construction, provisions shall be taken to handle any drainage from preexisting subsurface drain tile. It shall be the design engineer's duty to investigate the location of drain tile and its relation to public improvements and building construction.
- C. The roof and site drainage from each lot shall be discharged to either curb face outlets (if minor quantity), to a public storm drain or to a natural acceptable drainage way if adjacent to the lot.

Response: The Preliminary Plans (Exhibit A) and Preliminary Stormwater Report (Exhibit G) include information illustrating how stormwater runoff is planned to be managed. The criteria are met.

17.100.260 UNDERGROUND UTILITIES

All subdivisions or major partitions shall be required to install underground utilities (including, but not limited to, electrical and telephone wiring). The utilities shall be installed pursuant to the requirements of the utility company.

Response: The Preliminary Plans include information illustrating how the project is planned to be provided with underground utilities. This infrastructure is planned in accordance with the standards of the applicable jurisdictions; therefore, the criterion is met.

17.100.270 SIDEWALKS

Sidewalks shall be installed on both sides of a public street and in any special pedestrian way within the subdivision.

Response: The Preliminary Plans show compliance with the local street typical sections in City Code. The standard is met.

17.100.280 BICYCLE ROUTES

If appropriate to the extension of a system of bicycle routes, existing or planned, the Director or the Planning Commission may require the installation of bicycle lanes within streets. Separate bicycle access ways may be required to reduce walking or cycling distance when no feasible street connection is available.

Response: The project site does not include any existing or planned bicycle routes. The criterion does not apply.

17.100.290 STREET TREES

Where planting strips are provided in the public right-of-way, a master street tree plan shall be submitted and approved by the Director. The street tree plan shall provide street trees approximately every 30' on center for all lots.

Response: As shown in the Preliminary Plans in Exhibit A, the appropriate number of trees are provided on the Street Tree Plan. The criterion is satisfied.

17.100.300 EROSION CONTROL



Grass seed planting shall take place prior to September 30th on all lots upon which a dwelling has not been started but the ground cover has been disturbed. The seeds shall be of an annual rye grass variety and shall be sown at not less than four pounds to each 1000 square feet of land area.

Response: The requirement is understood. No additional response is necessary.

17.100.310 REQUIRED IMPROVEMENTS

The following improvements shall be installed at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.

- A. Drainage facilities
- B. Lot, street and perimeter monumentation
- C. Mailbox delivery units
- D. Sanitary sewers
- E. Sidewalks
- F. Street lights
- G. Street name signs
- H. Street trees
- I. Streets
- J. Traffic signs
- K. Underground communication lines, including broadband (fiber), telephone, and cable. Franchise agreements will dictate whether telephone and cable lines are required.
- L. Underground power lines
- M. Water distribution lines and fire hydrants

Response: The above listed improvements are planned to be included in the project design as required. The criteria are met.

CHAPTER 17.102 - URBAN FORESTRY

17.102.20 APPLICABILITY

This chapter applies only to properties within the Sandy Urban Growth Boundary that are greater than one acre including contiguous parcels under the same ownership.

- A. General: No person shall cut, harvest, or remove trees 11 inches DBH or greater without first obtaining a permit and demonstrating compliance with this chapter.
 - 1. As a condition of permit issuance, the applicant shall agree to implement required provisions of this chapter and to allow all inspections to be conducted.
 - 2. Tree removal is subject to the provisions of Chapter 15.44, Erosion Control, Chapter 17.56, Hillside Development, and Chapter 17.60 Flood and Slope Hazard.



Response: As detailed in the Preliminary Plans, the application includes tree removal subject to the exception criteria below. Thus, the application is demonstrating compliance with this chapter. Tree removal is planned to comply with erosion control provisions of Chapter 15.44. As documented in the FSH Analysis (Exhibit H), the provisions of Chapters 17.56 and 17.60 are not relevant to the site and do not apply. The applicable criteria are understood.

B. Exceptions: The following tree removals are exempt from the requirements of this chapter.

1. Tree removal as required by the city or public utility for the installation or maintenance or repair of roads, utilities, or other structures.

Response: As detailed in the Preliminary Plans, the application includes tree removal for the installation of roads and utilities, including four off-site trees located in the existing public right-of-way for Melissa Avenue. Such tree removal is exempt from the requirements of this chapter as stated above. As shown on the Preliminary Plans, a tree in the existing public right-of-way could potentially be retained upon acceptance of fee-in-lieu for improvements to east SE Ponder Lane.

2. Tree removal to prevent an imminent threat to public health or safety, or prevent imminent threat to public or private property, or prevent an imminent threat of serious environmental degradation. In these circumstances, a Type I tree removal permit shall be applied for within seven days following the date of tree removal.

Response: The application does not involve tree removal subject to the exception criteria above.

IV. Conclusion

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the City of Sandy Development Code. The evidence in the record is substantial and supports approval of the application.

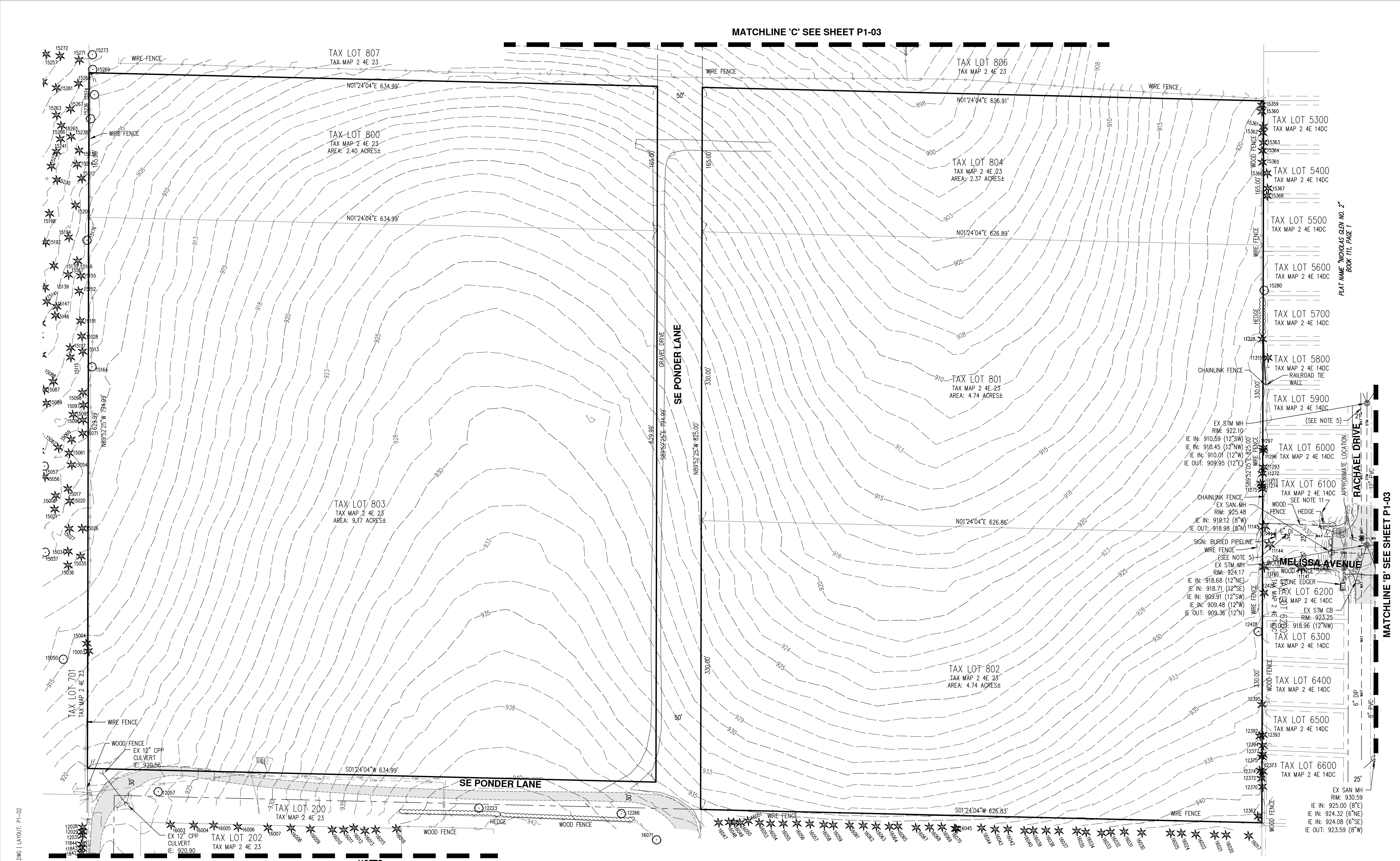


**PRELIMINARY EXISTING
 CONDITIONS PLAN
 BAILEY MEADOWS
 SANDY, OREGON**

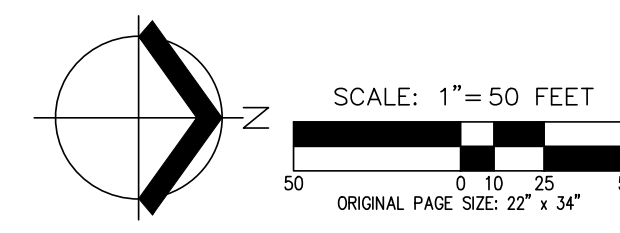
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PRELIMINARY
 NOT FOR CONSTRUCTION
 D. RETTIG
 80124LS
 RENEWS: 12/31/20

JOB NUMBER: 7107
 DATE: 07/03/2019
 DESIGNED BY: AJ
 DRAWN BY: BRH, MTB
 CHECKED BY: BRH, MTB

P1-02



AKS DRAWING FILE: 7107 EXCOND.DWG | LAYOUT: P1-02



MATCHLINE 'A' SEE SHEET P1-03

NOTES:

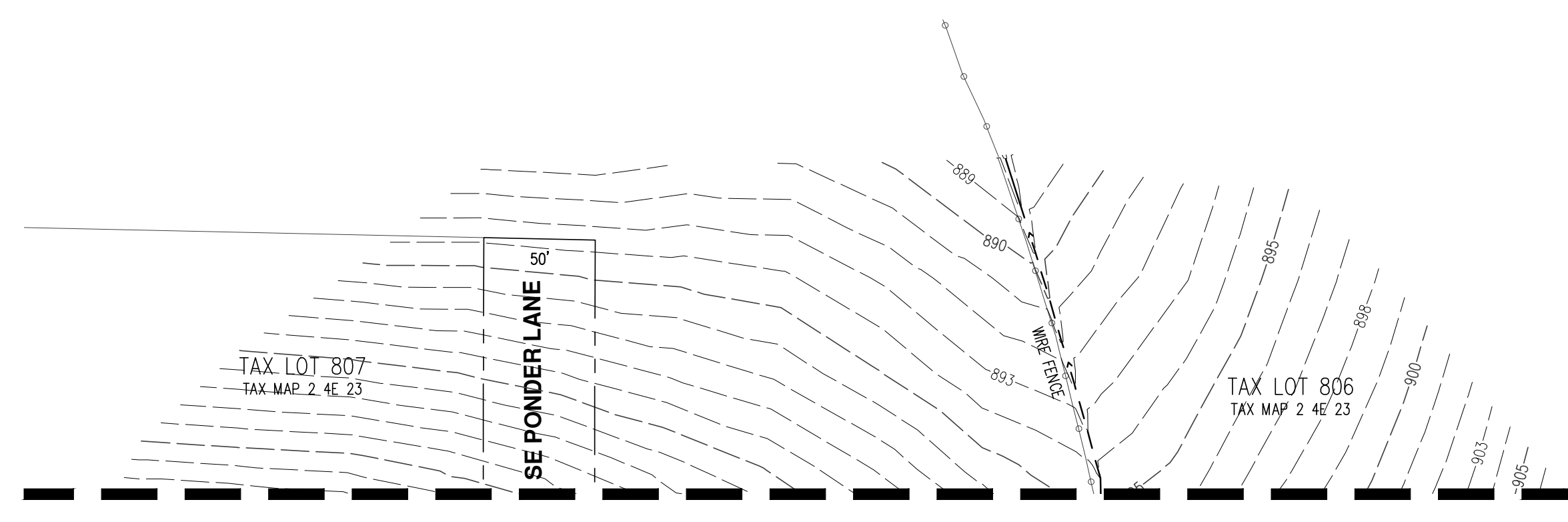
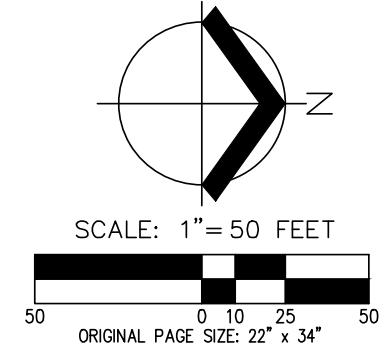
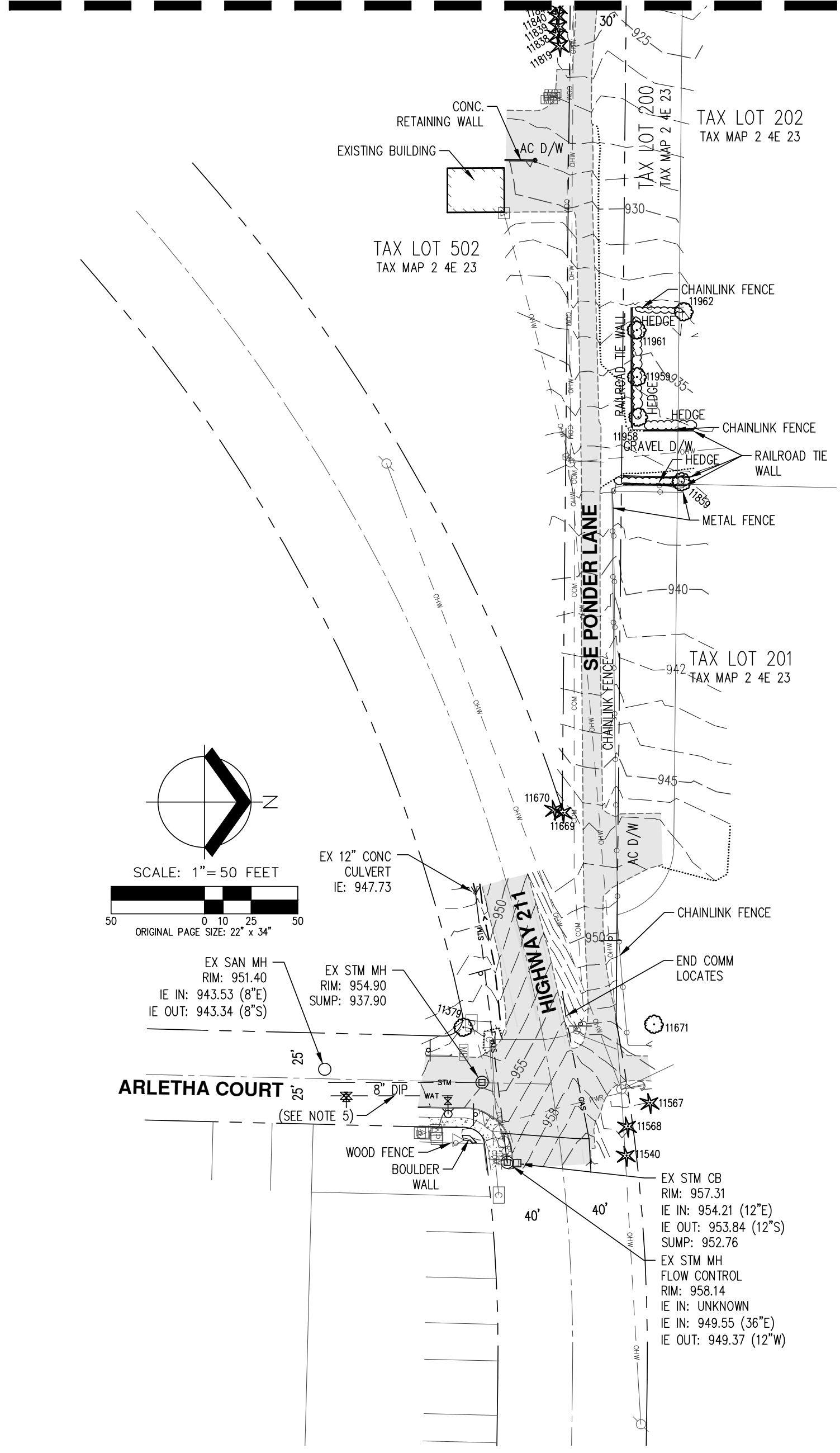
- UTILITIES SHOWN ARE BASED ON UNDERGROUND UTILITY LOCATE MARKINGS AS PROVIDED BY OTHERS, PROVIDED PER UTILITY LOCATE TICKET NUMBER 19105127, 19105129, 19105131, 19005117, & 19100525. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND LOCATES REPRESENT THE ONLY UTILITIES IN THE AREA. CONTRACTORS ARE RESPONSIBLE FOR VERIFYING ALL UTILITIES AND EXISTING CONDITIONS PRIOR TO BEGINNING CONSTRUCTION.
- FIELD WORK WAS CONDUCTED APRIL 29, JUNE 3 & 7, 2019.
- VERTICAL DATUM: ELEVATIONS ARE BASED ON NGS BENCHMARK NO. R00188, ELEVATION 990.05 FEET (NAVD88), LOCATED IN CONCRETE WALL 1' ABOVE SIDEWALK NEAR THE SOUTHWEST CORNER OF THE BUILDING AT 39131 PIONEER BOULEVARD, SANDY OREGON.
- THIS IS NOT A BOUNDARY SURVEY TO BE RECORDED WITH THE COUNTY. BOUNDARIES MAY BE PRELIMINARY AND SHOULD BE CONFIRMED WITH THE STAMPING SURVEYOR PRIOR TO RELYING ON FOR DETAILED DESIGN OR CONSTRUCTION.
- WATER LINE LOCATES WERE REQUESTED THROUGH OREGON UTILITY NOTIFICATION CENTER, BUT WERE NOT PROVIDED BY THE CITY. WATER LINES SHOWN ARE PER AS-BUILT DRAWINGS AND ARE APPROXIMATE ONLY. PLEASE CONTACT SURVEYOR FOR ANY QUESTIONS REGARDING ACCURACY.
- BUILDING FOOTPRINTS ARE MEASURED TO SIDING UNLESS NOTED OTHERWISE. CONTACT SURVEYOR WITH QUESTIONS REGARDING BUILDING TIES.
- CONTOUR INTERVAL IS 1 FOOT.
- TREES WITH DIAMETER OF 11" AND GREATER ARE SHOWN. TREE DIAMETERS WERE MEASURED UTILIZING A DIAMETER TAPE AT BREAST HEIGHT. TREE INFORMATION IS SUBJECT TO CHANGE UPON ARBORIST INSPECTION.
- THE PLATTED LOTS PER THE SUBDIVISION OF "NICOLAS GLEN NO. 2" (BOOK 111, PAGE 1), ARE SUBJECT TO A 5 FOOT WIDE PUBLIC UTILITY EASEMENT ON ALL FRONT, SIDE AND REAR LOT LINES.
- WATER LINE ADDED PER PLANS ENTITLED "STREET AND UTILITY IMPROVEMENTS FOR NICOLAS GLEN PHASE 2", SHEET 18, DATED 6-25-97.
- SANITARY SEWER LATERALS ARE SHOWN PER PLANS ENTITLED "NICOLAS GLEN PHASE 2 SANITARY SEWER PLAN", SHEET 10 OF 21, DATED 6-25-97.

MATCHLINE 'C' SEE SHEET P1-03

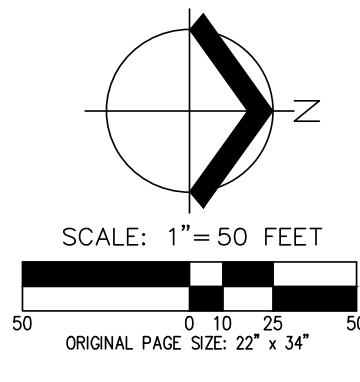
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MATCHLINE 'B' SEE SHEET P1-03

MATCHLINE 'A' SEE SHEET P1-02

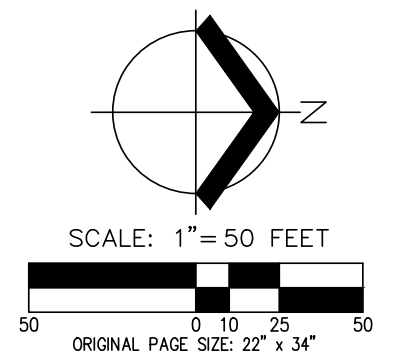
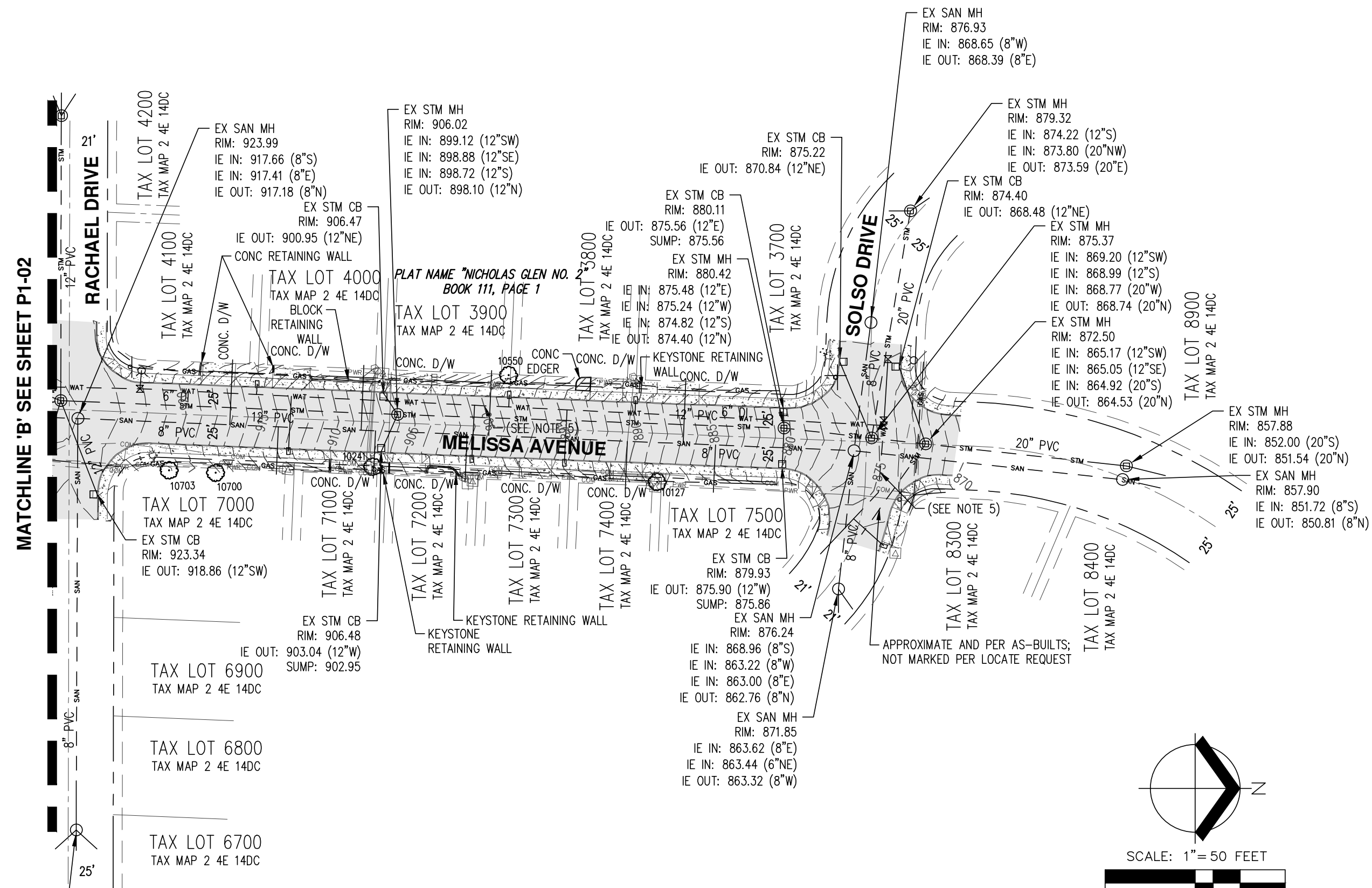


MATCHLINE 'C' SEE SHEET P1-02



NOTES:

- UTILITIES SHOWN ARE BASED ON UNDERGROUND UTILITY LOCATE MARKINGS AS PROVIDED BY OTHERS, PROVIDED PER UTILITY LOCATE TICKET NUMBER 19105127, 19105129, 19105131, 19005117, & 19105125. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND LOCATES REPRESENT THE ONLY UTILITIES IN THE AREA. CONTRACTORS ARE RESPONSIBLE FOR VERIFYING ALL UTILITIES AND EXISTING CONDITIONS PRIOR TO BEGINNING CONSTRUCTION.
- FIELD WORK WAS CONDUCTED APRIL 29, JUNE 3 & 7, 2019.
- VERTICAL DATUM: ELEVATIONS ARE BASED ON NGS BENCHMARK NO. RD0188, ELEVATION 990.05 FEET (NAVD88). LOCATED IN CONCRETE WALL 1' ABOVE SIDEWALK NEAR THE SOUTHWEST CORNER OF THE BUILDING AT 39131 PIONEER BOULEVARD, SANDY OREGON.
- THIS IS NOT A BOUNDARY SURVEY TO BE RECORDED WITH THE COUNTY. BOUNDARIES MAY BE PRELIMINARY AND SHOULD BE CONFIRMED WITH THE STAMPING SURVEYOR PRIOR TO RELYING ON FOR DETAILED DESIGN OR CONSTRUCTION.
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- WATER LINE ADDED PER PLANS ENTITLED "STREET AND UTILITY IMPROVEMENTS FOR NICOLAS GLEN PHASE 2", SHEET 18, DATED 6-25-97.
- SANITARY SEWER LATERALS ARE SHOWN PER PLANS ENTITLED "NICOLAS GLEN PHASE 2 SANITARY SEWER PLAN", SHEET 10 OF 21, DATED 6-25-97.



**PRELIMINARY EXISTING
CONDITIONS PLAN
BAILEY MEADOWS
SANDY, OREGON**



JOB NUMBER: 7107
DATE: 07/03/2019
DESIGNED BY:
DRAWN BY: AJ
CHECKED BY: BRH, MTB

P1-03

AKS
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FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

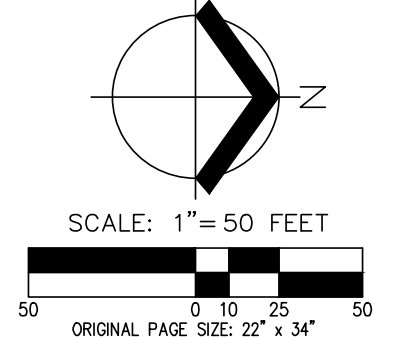
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EASEMENT LEGEND

- PUE PUBLIC UTILITY EASEMENT
- TPAE TEMPORARY PUBLIC ACCESS EASEMENT (CONCEPTUAL LOCATION)
- PSSE PUBLIC SANITARY SEWER EASEMENT
- PSDE PUBLIC STORM DRAINAGE EASEMENT

SETBACK LEGEND

- A. FRONT YARD: 10 FT
- B. FRONT GARAGE: 22 FT
- C. REAR YARD: 20 FT
- D. SIDE YARD: 7.5 FT
- E. STREET SIDE YARD: 10 FT

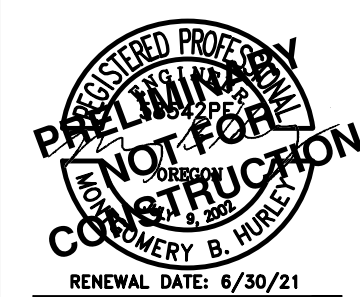


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 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE



**PRELIMINARY SUBDIVISION PLAT
 WITH FUTURE BUILDING SETBACKS
 BAILEY MEADOWS
 SANDY, OREGON**



RENEWAL DATE: 6/30/21
 JOB NUMBER: 7107
 DATE: 07/03/2019
 DESIGNED BY: WN
 DRAWN BY: CL
 CHECKED BY: RSW

P1-04

PLAT NAME: NICHOLAS GLEN NO. 2
 BOOK 111, PAGE 1

TAX LOT 5300
TAX MAP 2 4E 14DC

TAX LOT 5400
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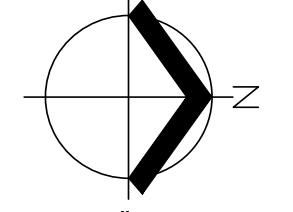
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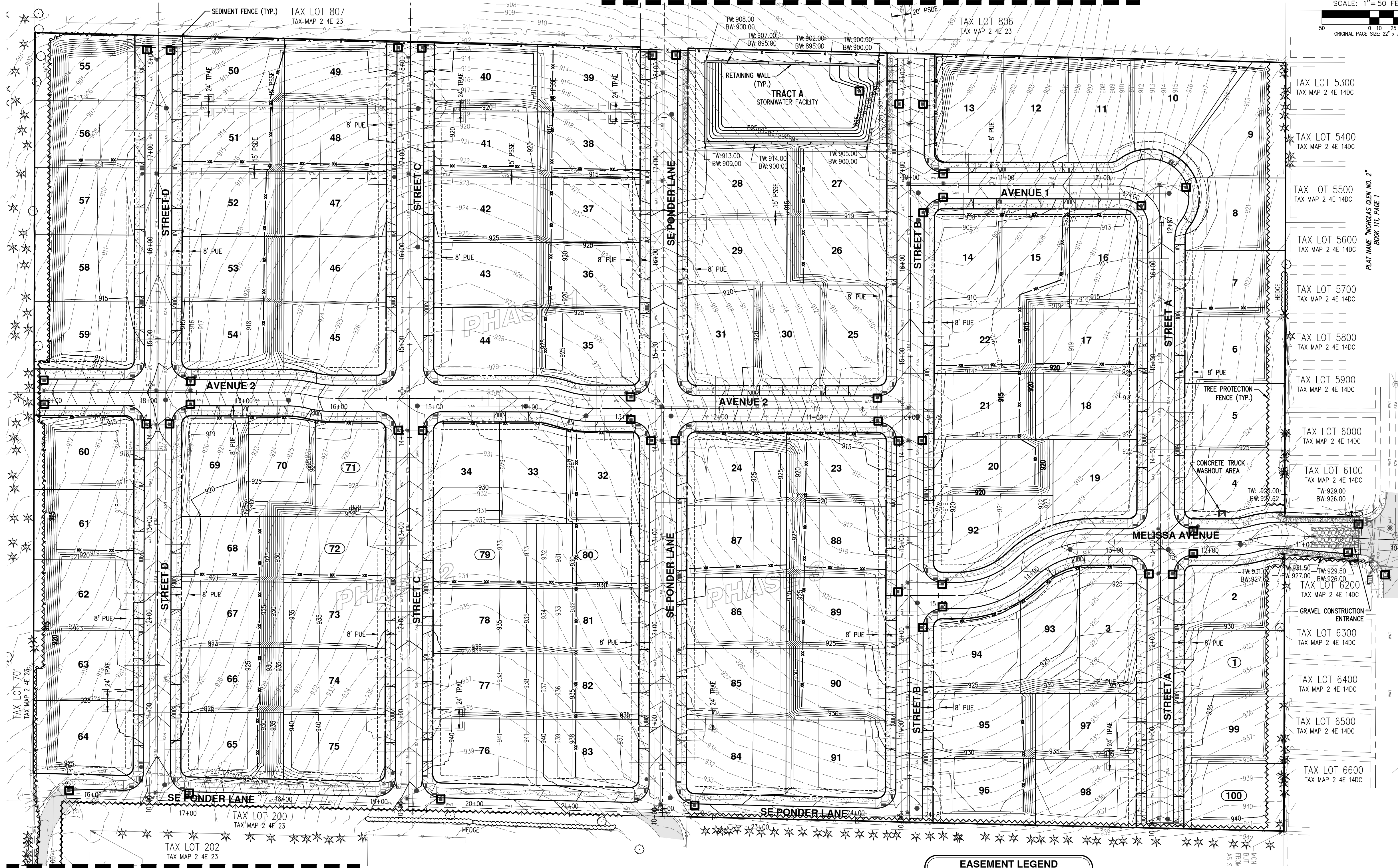
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ORIGINAL PAGE SIZE: 22" x 34"

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MATCH LINE "C" SEE SHEET P1-06



MATCH LINE "A" SEE SHEET P1-06

MATCH LINE "B" SEE SHEET P1-06

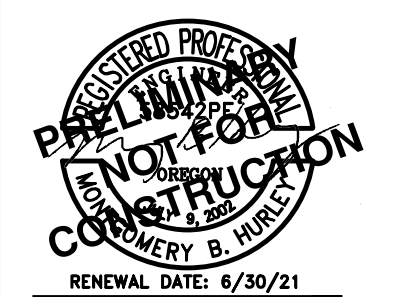
PLAT NAME: "WOODS GEN. NO. 2"
BOOK 111, PAGE 1

- TAX LOT 5300 TAX MAP 2 4E 14DC
- TAX LOT 5400 TAX MAP 2 4E 14DC
- TAX LOT 5500 TAX MAP 2 4E 14DC
- TAX LOT 5600 TAX MAP 2 4E 14DC
- TAX LOT 5700 TAX MAP 2 4E 14DC
- TAX LOT 5800 TAX MAP 2 4E 14DC
- TAX LOT 5900 TAX MAP 2 4E 14DC
- TAX LOT 6000 TAX MAP 2 4E 14DC
- TAX LOT 6100 TAX MAP 2 4E 14DC
TW: 929.00
BW: 926.00
- TAX LOT 6200 TAX MAP 2 4E 14DC
TW: 931.50
BW: 927.00
- TAX LOT 6300 TAX MAP 2 4E 14DC
- TAX LOT 6400 TAX MAP 2 4E 14DC
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- TAX LOT 6600 TAX MAP 2 4E 14DC

EASEMENT LEGEND

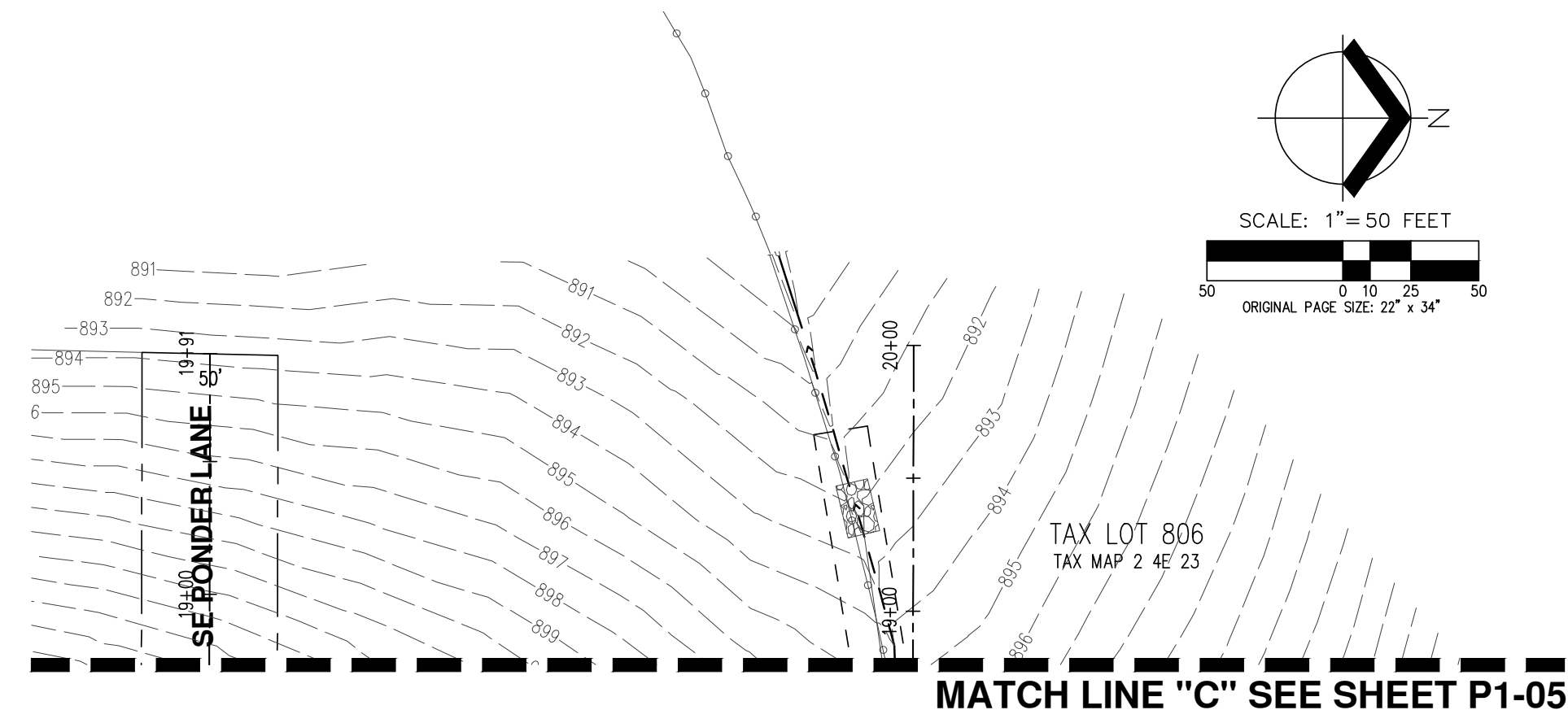
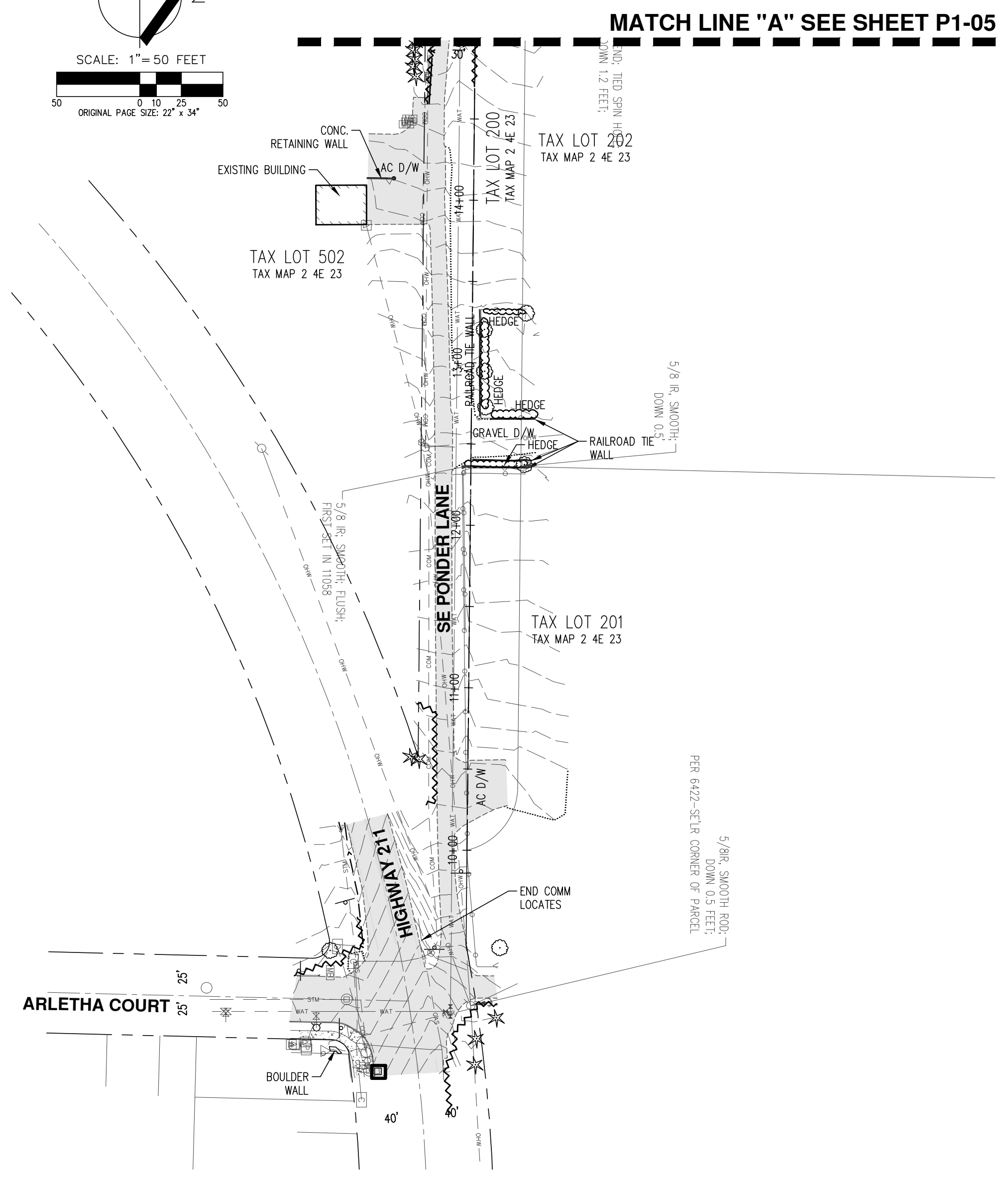
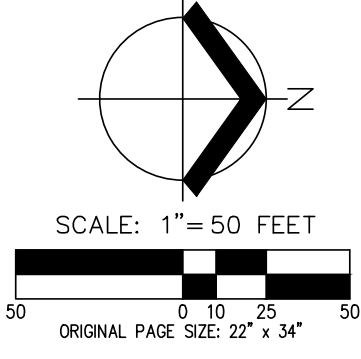
PUE	PUBLIC UTILITY EASEMENT
TPAE	TEMPORARY PUBLIC ACCESS EASEMENT (CONCEPTUAL LOCATION)
PSSE	PUBLIC SANITARY SEWER EASEMENT
PSDE	PUBLIC STORM DRAINAGE EASEMENT

PRELIMINARY GRADING & EROSION & SEDIMENT CONTROL PLAN BAILEY MEADOWS SANDY, OREGON

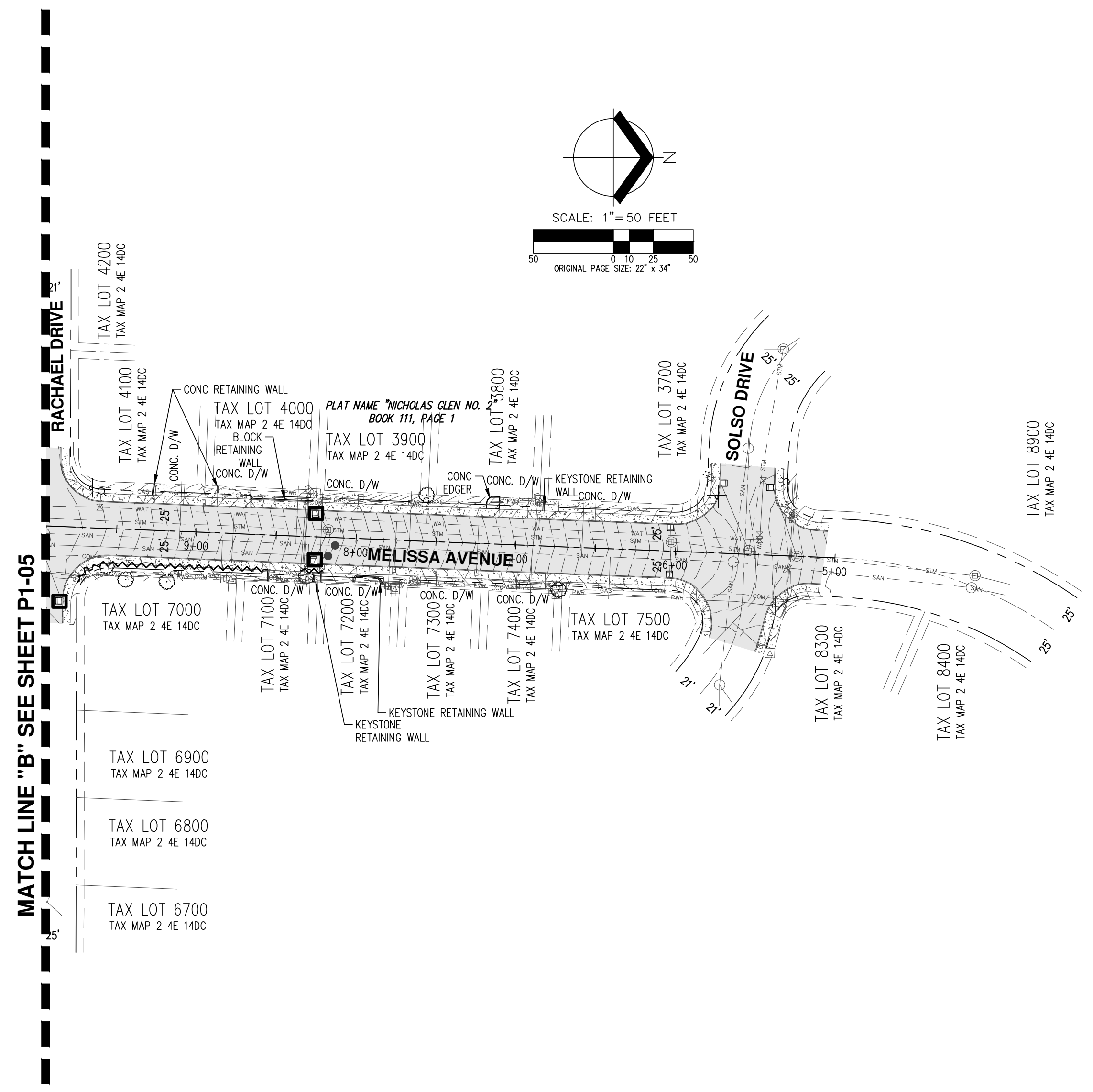
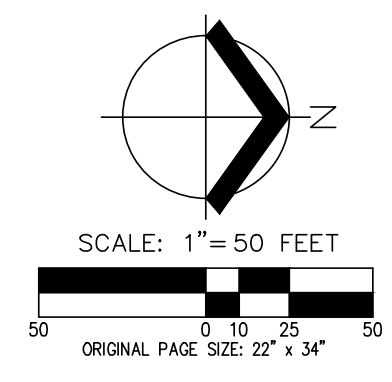


RENEWAL DATE: 6/30/21
JOB NUMBER: 7107
DATE: 07/03/2019
DESIGNED BY: VN
DRAWN BY: CL
CHECKED BY: RSW

P1-05



LEGEND	
EXISTING GROUND CONTOUR (1 FT)	--- ---
EXISTING GROUND CONTOUR (5 FT)	---350---
FINISHED GRADE CONTOUR (1 FT)	---345---
FINISHED GRADE CONTOUR (5 FT)	--- ---
SEDIMENT FENCE (TO BE INSTALLED PRIOR TO GRADING)	---x---x---
SEDIMENT FENCE (TO BE INSTALLED AFTER GRADING)	---x---x---
AREA DRAIN PROTECTION (TYP) PER CATCH BASIN INSERT BAG DETAIL	[Symbol]
CURB INLET PROTECTION (TYP) PER COMBINATION DETAIL	[Symbol]
DITCH INLET PROTECTION (TYP) PER DITCH INLET PROTECTION DETAIL	[Symbol]
CHECK DAM BIOFILTER BAG	[Symbol]
CONCRETE WASHOUT AREA	[Symbol]
DRAINAGE FLOW DIRECTION	[Arrow]
GRAVEL CONSTRUCTION ENTRANCE	[Symbol]
GRADING LIMITS	--- ---
TREE PROTECTION/CONSTRUCTION FENCE	--- ---

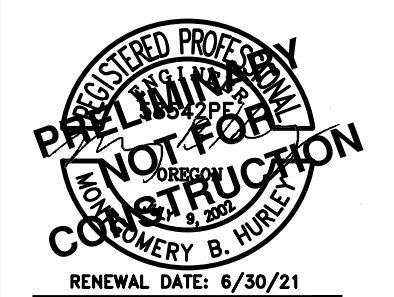


AKS DRAWING FILE: 7107 ESC PLANNING | LAYOUT: P1-06

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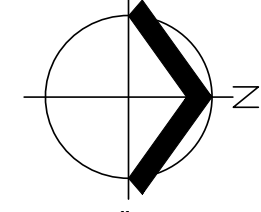
ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

**PRELIMINARY GRADING & EROSION
 & SEDIMENT CONTROL PLAN
 BAILEY MEADOWS
 SANDY, OREGON**



RENEWAL DATE: 6/30/21
 JOB NUMBER: 7107
 DATE: 07/03/2019
 DESIGNED BY: VN
 DRAWN BY: CL
 CHECKED BY: RSW

P1-06



SCALE: 1" = 50 FEET
ORIGINAL PAGE SIZE: 22" x 34"

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FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

MATCH LINE "C" SEE SHEET P1-08

TAX LOT 807
TAX MAP 2 4E 23

TAX LOT 806
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TAX LOT 5300
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TAX LOT 5400
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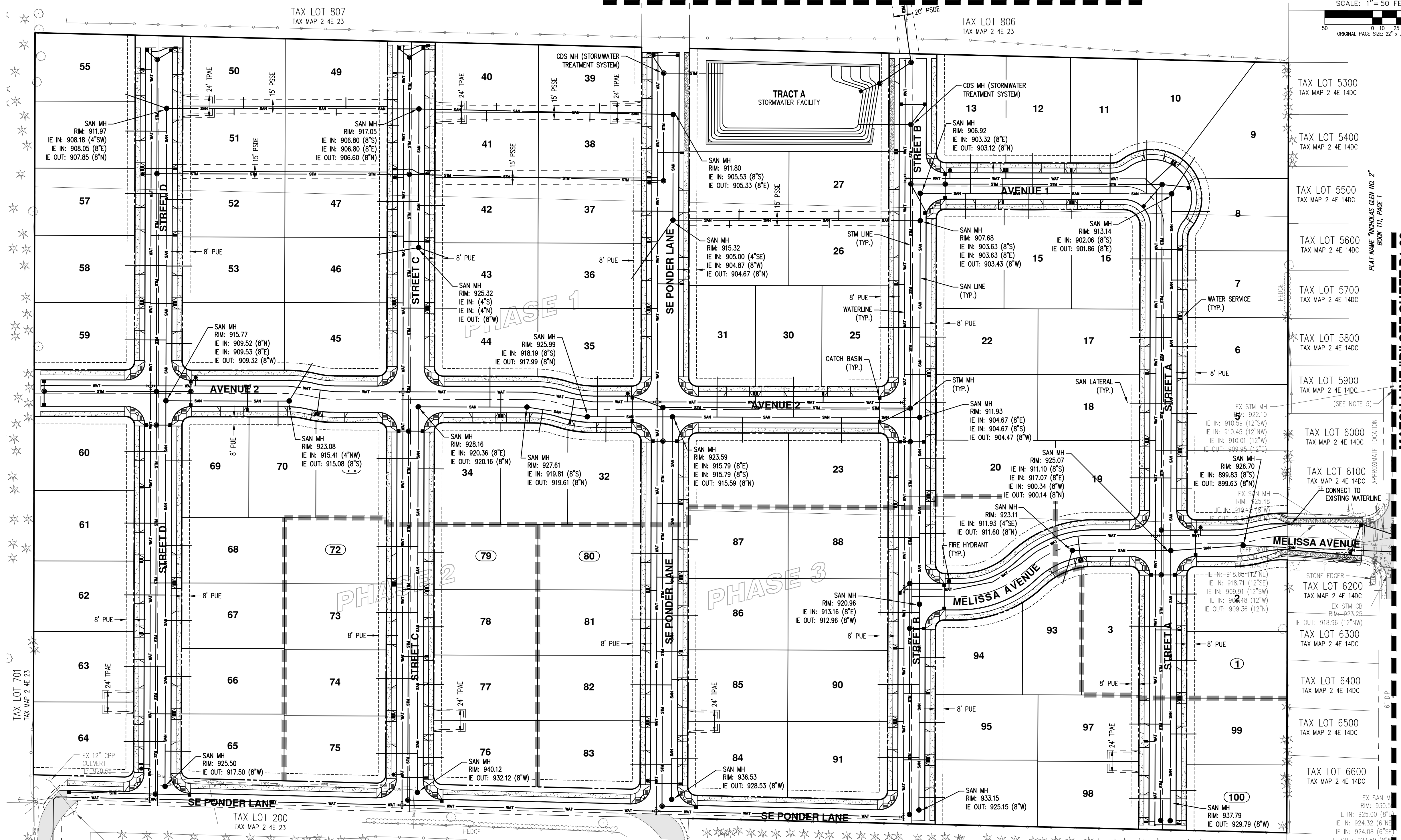
TAX LOT 6400
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TAX LOT 6500
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TAX LOT 6600
TAX MAP 2 4E 14DC

PLAT NAME: "MORIAS GEN. NO. 2"
BOOK 111, PAGE 1

MATCH LINE "B" SEE SHEET P1-08



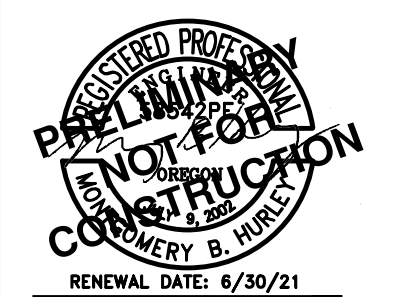
EASEMENT LEGEND

PUE	PUBLIC UTILITY EASEMENT
TPAE	TEMPORARY PUBLIC ACCESS EASEMENT (CONCEPTUAL LOCATION)
PSSE	PUBLIC SANITARY SEWER EASEMENT
PSDE	PUBLIC STORM DRAINAGE EASEMENT

NOTE:
CURB WEEPHOLES SHALL BE INSTALLED ON LOTS WITHOUT STORM DRAIN LATERALS.

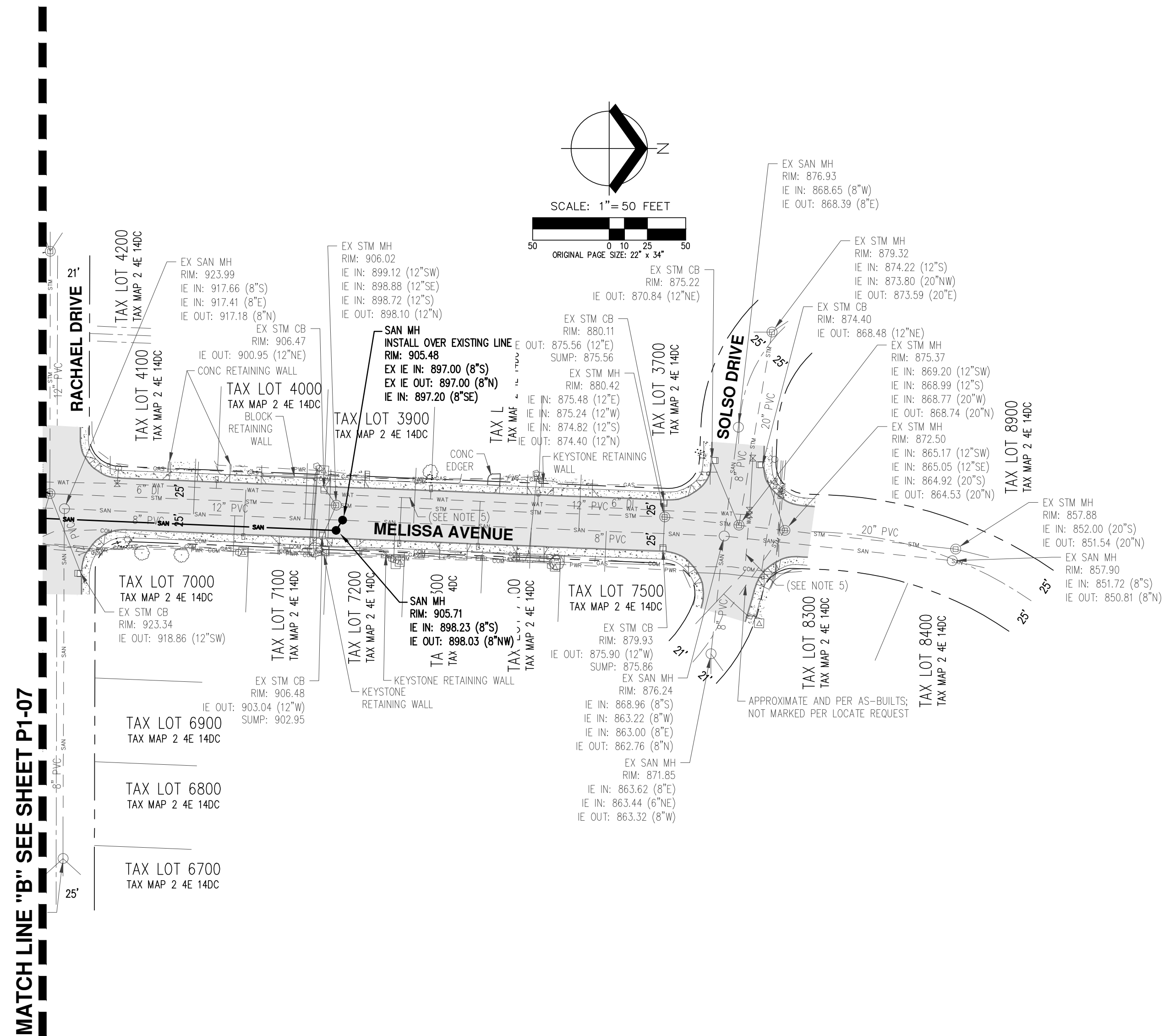
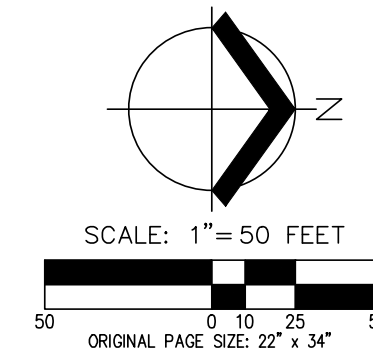
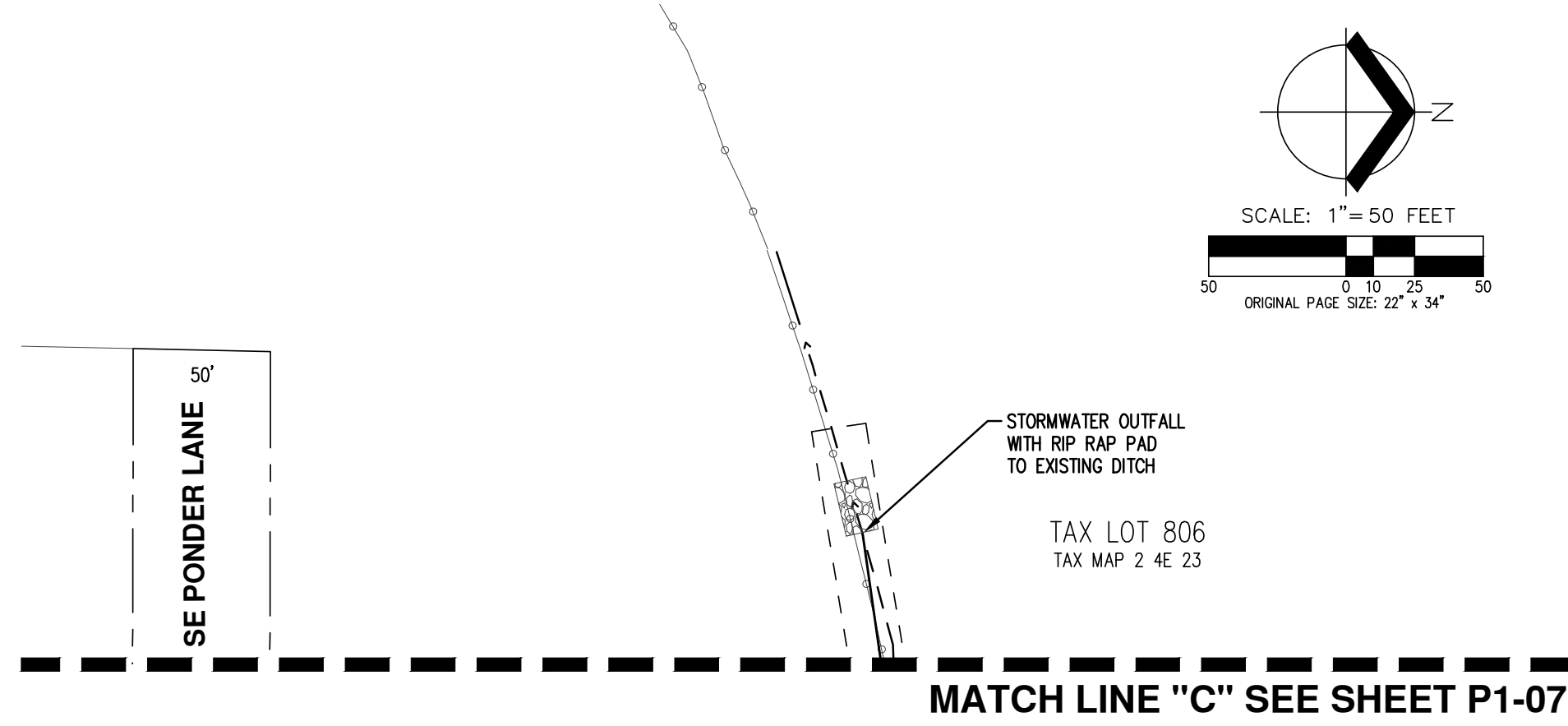
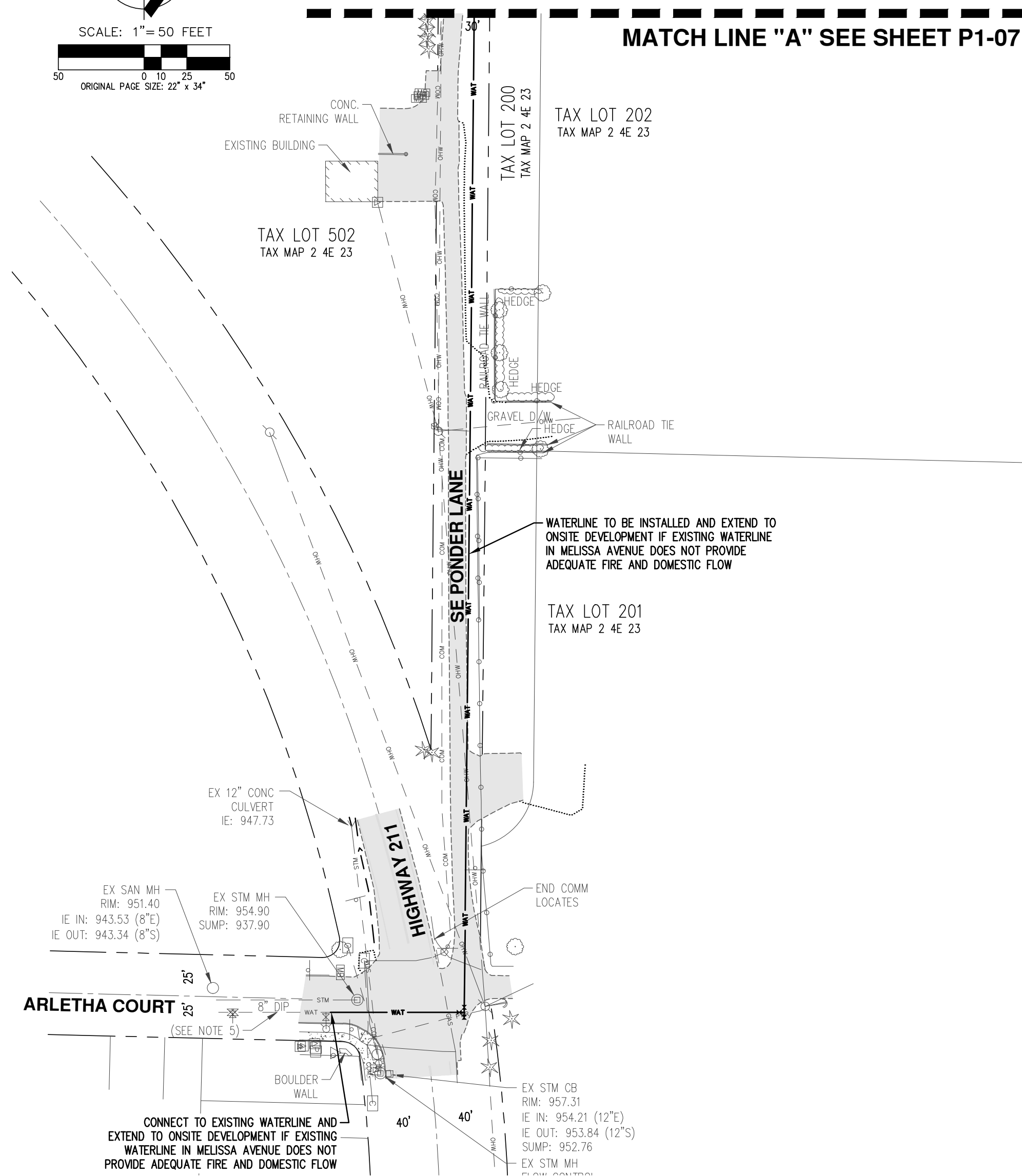
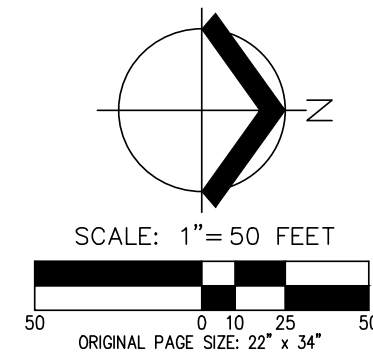
MATCH LINE "A" SEE SHEET P1-08

**PRELIMINARY COMPOSITE
UTILITY PLAN
BAILEY MEADOWS
SANDY, OREGON**



RENEWAL DATE: 6/30/21
JOB NUMBER: 7107
DATE: 07/03/2019
DESIGNED BY: VN
DRAWN BY: CL
CHECKED BY: RSW

P1-07

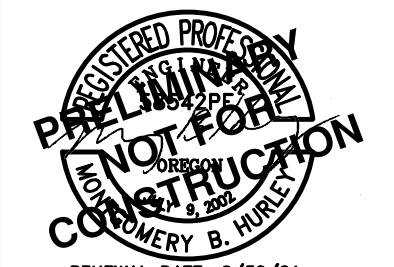


AKS DRAWING FILE: 7107 COMP UTILITIES.DWG | LAYOUT: P1-08

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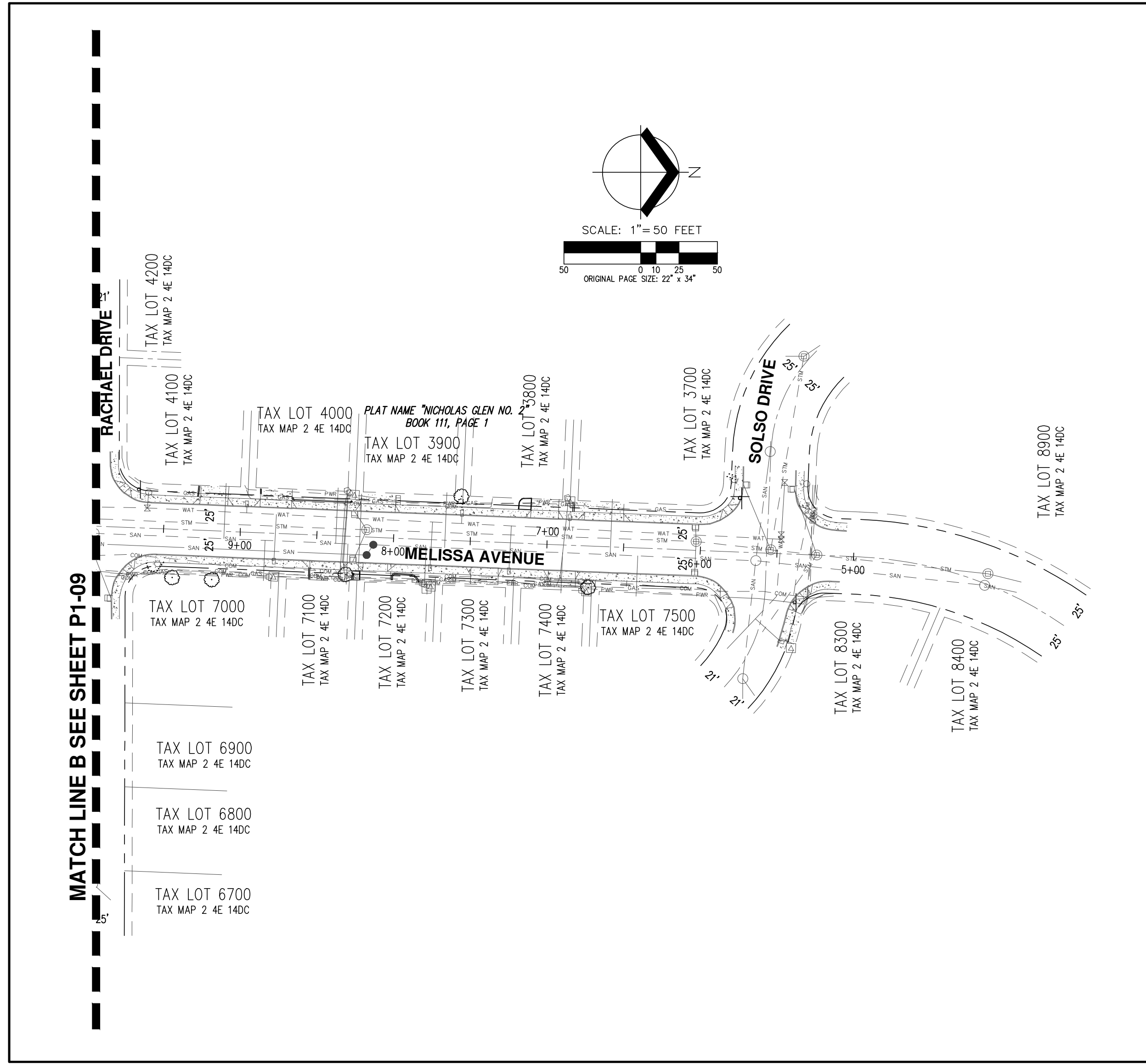
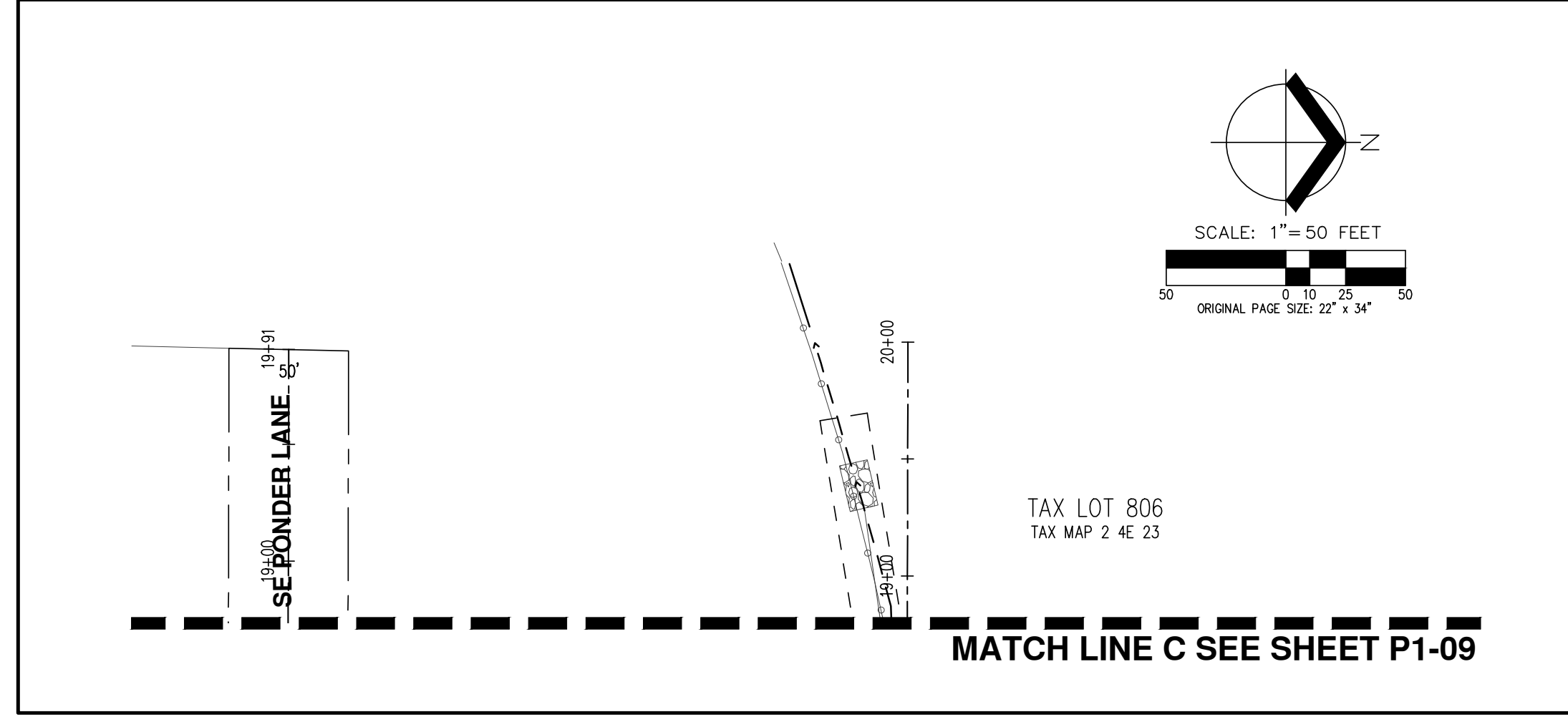
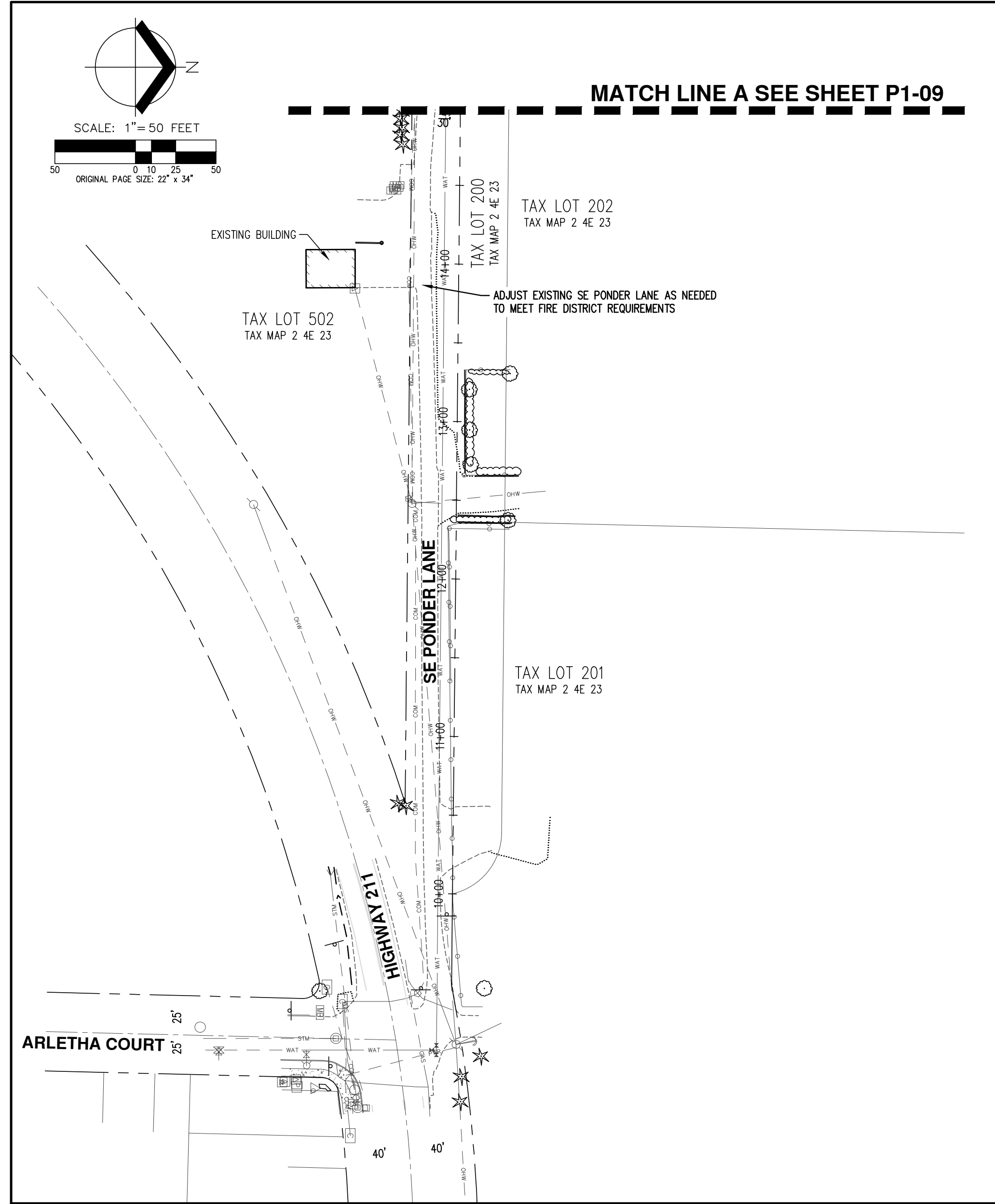
**PRELIMINARY COMPOSITE
UTILITY PLAN
BAILEY MEADOWS
SANDY, OREGON**



RENEWAL DATE: 6/30/21
JOB NUMBER: 7107
DATE: 07/03/2019
DESIGNED BY: VN
DRAWN BY: CL
CHECKED BY: RSW

P1-08

AKS DRAWING FILE: 7107 STR PLANNING | LAYOUT: P1-10



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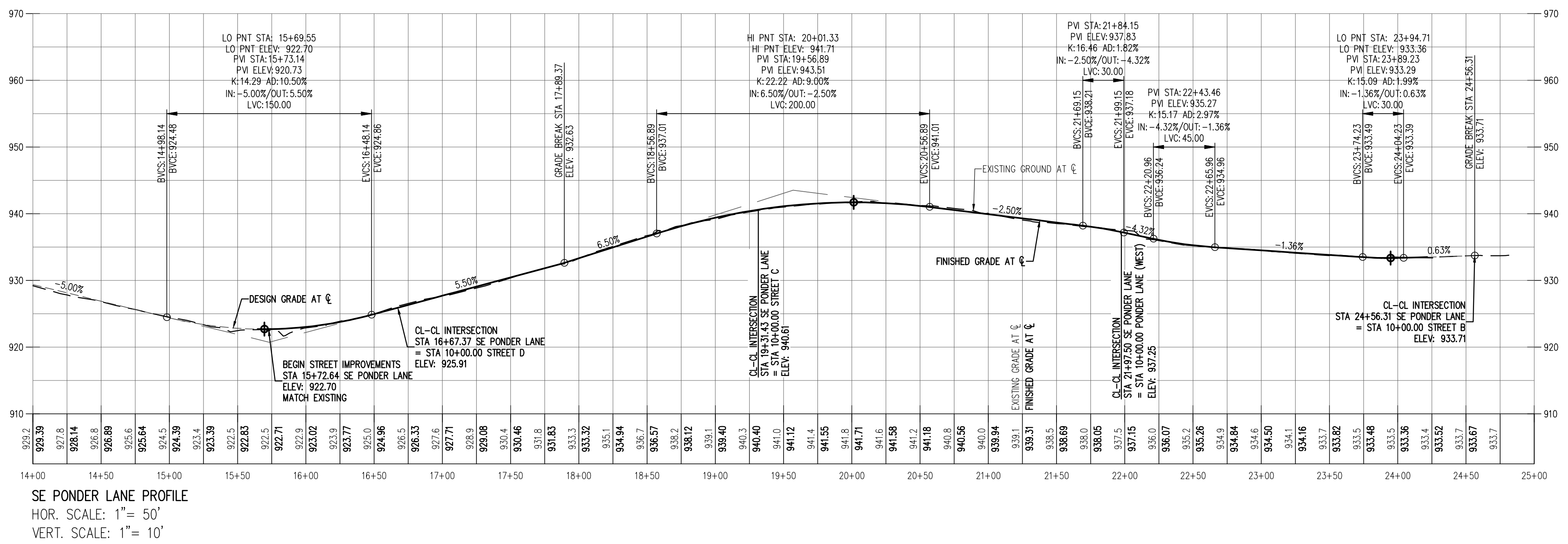
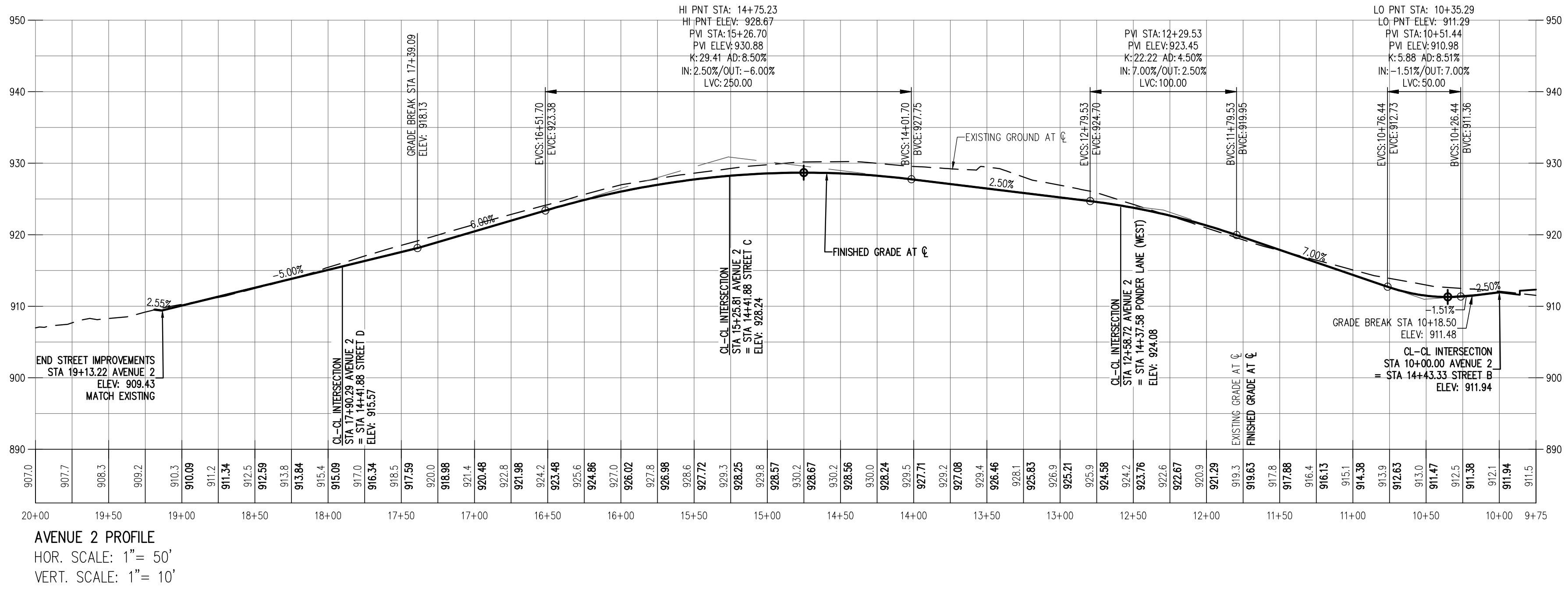
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FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

PRELIMINARY STREET PLAN
BAILEY MEADOWS
SANDY, OREGON

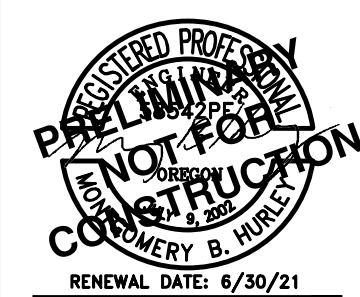
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PRELIMINARY PLAN
NOT FOR CONSTRUCTION
COMMISSIONER B. TERRY
RENEWAL DATE: 6/30/21

JOB NUMBER: 7107
DATE: 07/03/2019
DESIGNED BY: VN
DRAWN BY: CL
CHECKED BY: RSW

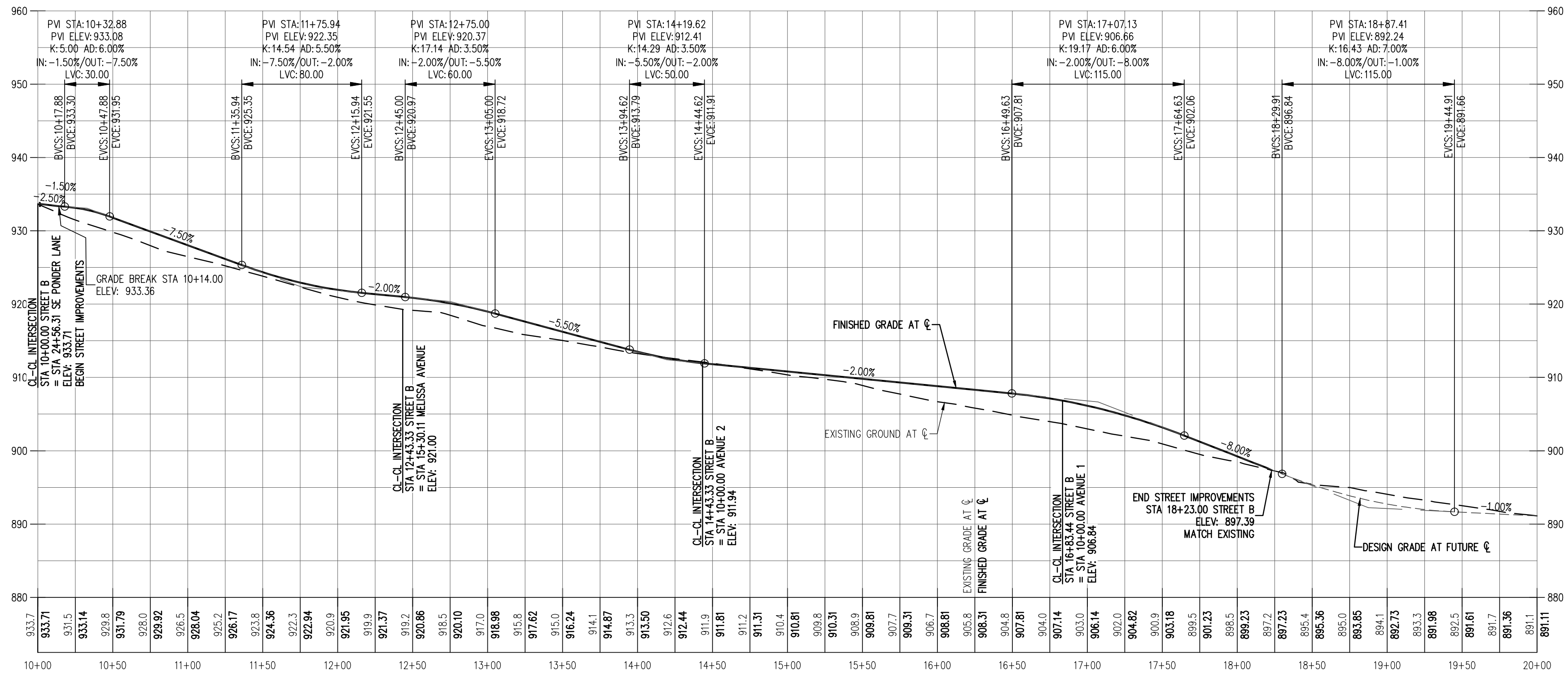
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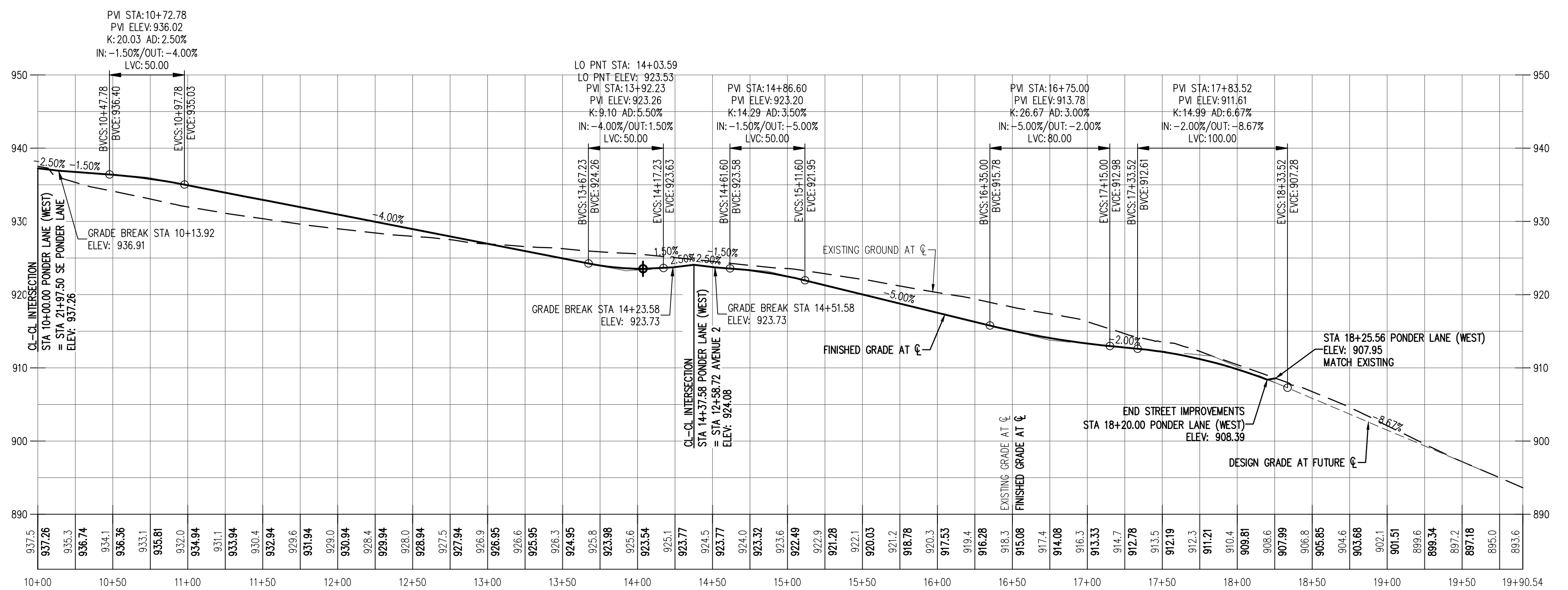
PRELIMINARY STREET PROFILES
BAILEY MEADOWS
SANDY, OREGON



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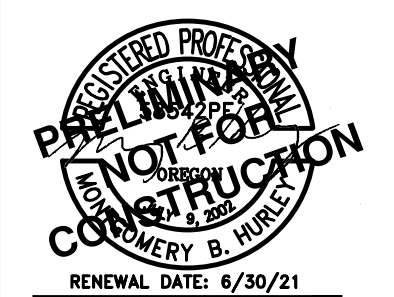


STREET B PROFILE
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 VERT. SCALE: 1" = 10'

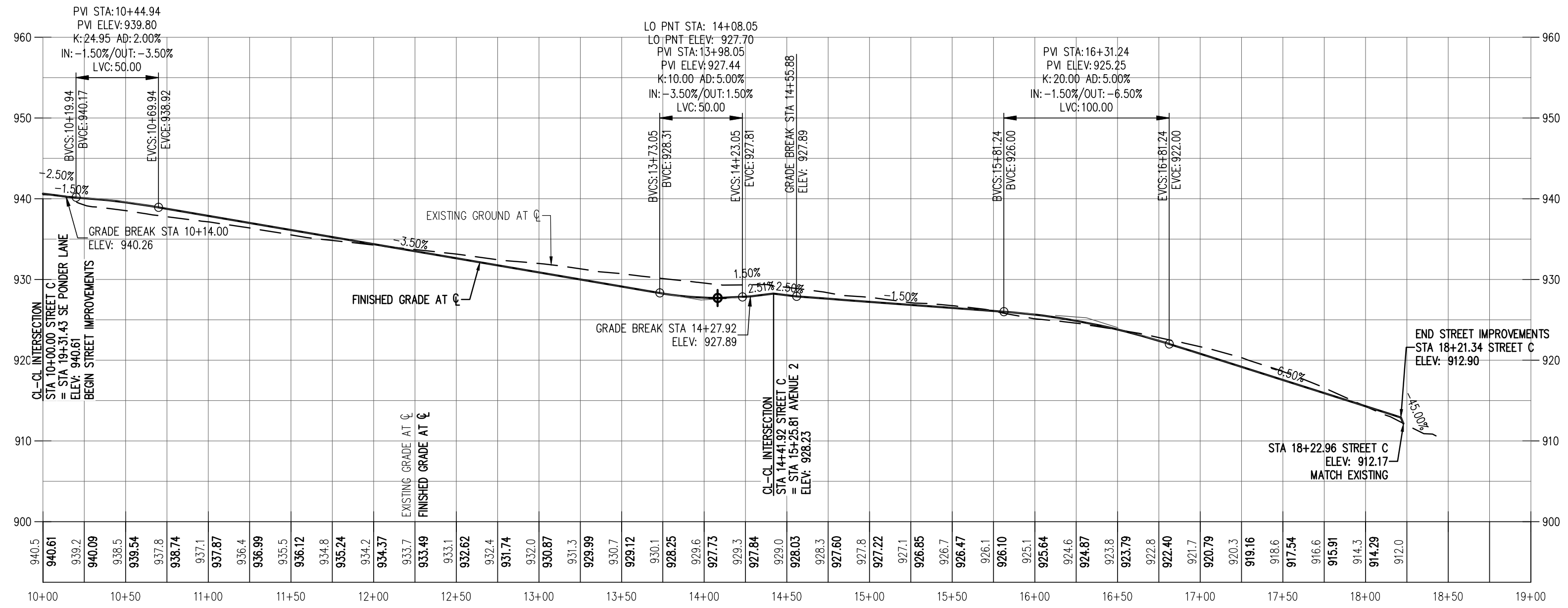


PONDER LANE (WEST) PROFILE
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 VERT. SCALE: 1" = 10'

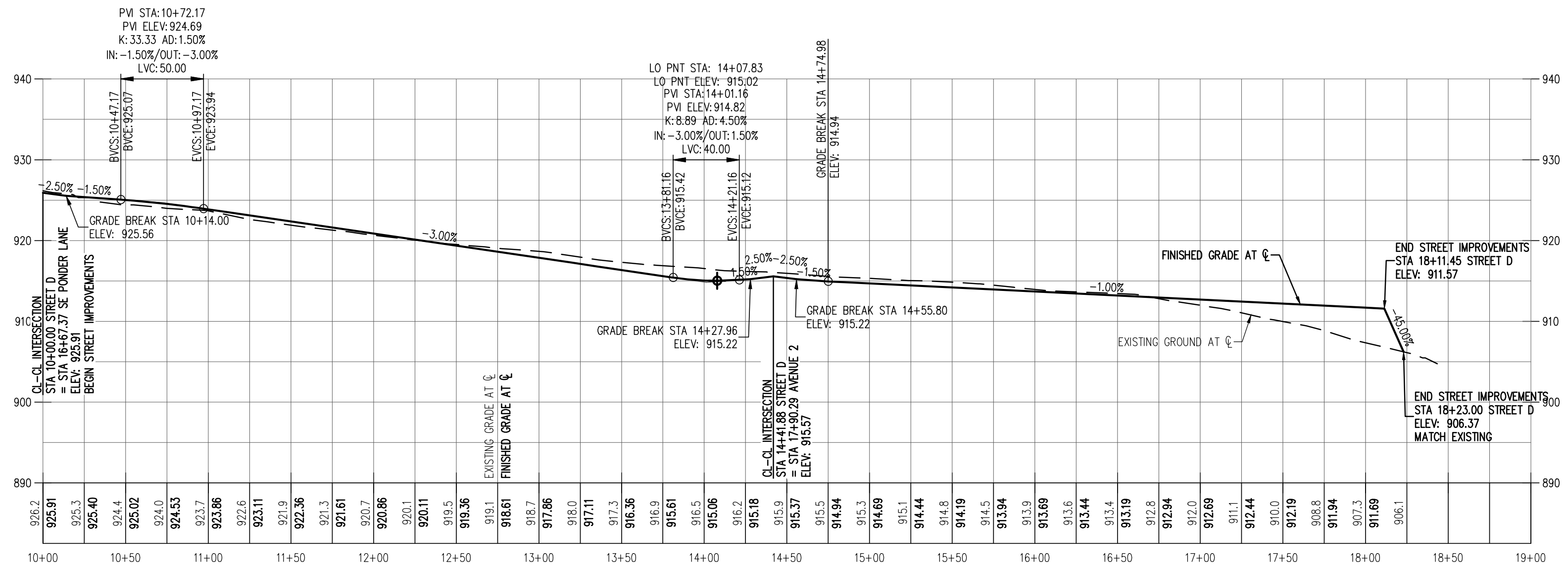
PRELIMINARY STREET PROFILES
BAILEY MEADOWS
SANDY, OREGON



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 JOB NUMBER: 7107
 DATE: 07/03/2019
 DESIGNED BY: WN
 DRAWN BY: CL
 CHECKED BY: RSW

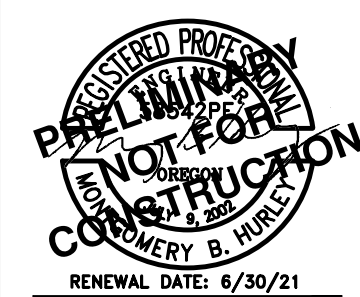


STREET C PROFILE
 HOR. SCALE: 1" = 50'
 VERT. SCALE: 1" = 10'

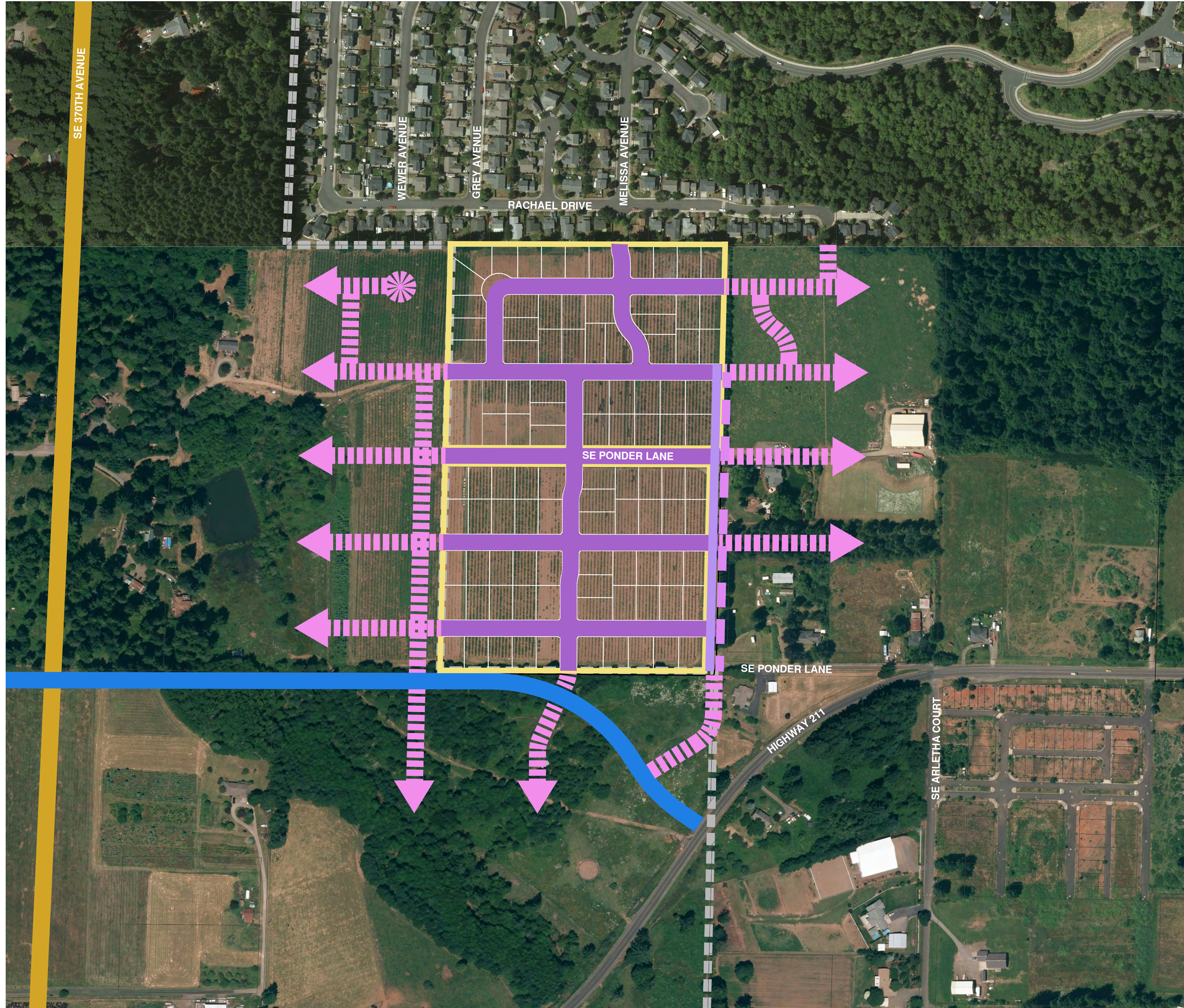


STREET D PROFILE
 HOR. SCALE: 1" = 50'
 VERT. SCALE: 1" = 10'

PRELIMINARY STREET PROFILES
BAILEY MEADOWS
SANDY, OREGON



RENEWAL DATE: 6/30/21
 JOB NUMBER: 7107
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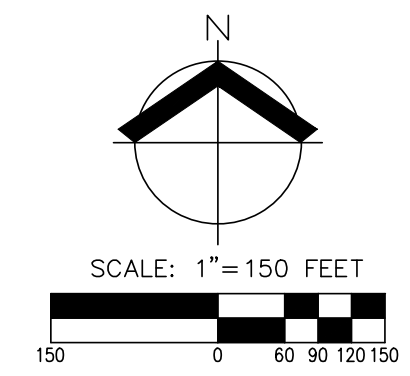


LEGEND

URBAN GROWTH BOUNDARY	
PROJECT SITE BOUNDARY	
PLANNED LOCAL STREET	
PLANNED LOCAL STREET (FEE-IN-LIEU FOR 1/2 STREET IMPROVEMENTS)	
FUTURE MINOR ARTERIAL (ON TSP)	
FUTURE COLLECTOR (ON TSP)	
FUTURE LOCAL STREET	
FUTURE LOCAL STREET (1/2 STREET IMPROVEMENTS)	

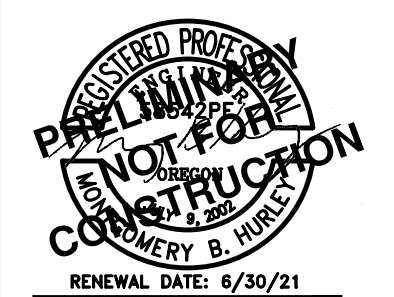
NOTES

1. THIS PLAN IS INCLUDED TO MEET THE SUBMITTAL REQUIREMENTS FOR THE CITY OF SANDY FOR THE BAILEY MEADOWS SUBDIVISION APPLICATION.
2. CONCEPTUAL FUTURE STREET LOCATIONS ARE SHOWN FOR ILLUSTRATIVE PURPOSES FOR THE LAND USE APPLICATION ONLY AND ARE NOT PROPOSED WITH THIS SUBDIVISION AND ARE NOT BINDING ON ANY OFFSITE PROPERTIES.



AKS
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 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

**CONCEPTUAL FUTURE
 STREET PLAN
 BAILEY MEADOWS
 SANDY, OREGON**



RENEWAL DATE: 6/30/21
 JOB NUMBER: 7107
 DATE: 07/03/2019
 DESIGNED BY: VN
 DRAWN BY: CL
 CHECKED BY: RSW

P1-15

**PRELIMINARY TREE PRESERVATION & REMOVAL PLAN & ARBORIST REPORT
 BAILEY MEADOWS
 SANDY, OREGON**

REGISTERED PROFESSIONAL ARBORIST
NOT FOR CONSTRUCTION
 CONEMERY B. THURMAN
 RENEWAL DATE: 6/30/21
 JOB NUMBER: 7107
 DATE: 07/03/2019
 DESIGNED BY: VN
 DRAWN BY: CL
 CHECKED BY: RSW

P1-16

MATCH LINE "C" SEE SHEET P1-17



LEGEND

EXISTING GROUND CONTOUR (1 FT)	149	EXISTING CONIFEROUS TREE	*
EXISTING GROUND CONTOUR (5 FT)	150	EXISTING DECIDUOUS TREE	o
FINISHED GRADE CONTOUR (1 FT)	149	TREE REMOVAL	x
FINISHED GRADE CONTOUR (5 FT)	150	TREE PROTECTION/CONSTRUCTION FENCE (TREE PROTECTION AREA)	~ ~ ~
OPTIMAL TREE ROOT ZONE (1-ET RADIUS PER 1-IN OF DBH)		SEDIMENT FENCE	- - -

NOTES:
 1. TREES WITH A DIAMETER OF 11" OR GREATER ARE SHOWN.
 2. SEE THE TREE PRESERVATION & REMOVAL TABLE FOR ADDITIONAL TREE RELATED INFORMATION.

SCALE: 1" = 50 FEET
 ORIGINAL PAGE SIZE: 22" x 34"

TAX LOT 200
 TAX MAP 2 4E 23

TAX LOT 202
 TAX MAP 2 4E 23

TAX LOT 200
 TAX MAP 2 4E 23

TAX LOT 202
 TAX MAP 2 4E 23

TAX LOT 807
 TAX MAP 2 4E 23

TAX LOT 806
 TAX MAP 2 4E 23

TAX LOT 5300
 TAX MAP 2 4E 14DC

TAX LOT 5400
 TAX MAP 2 4E 14DC

TAX LOT 5500
 TAX MAP 2 4E 14DC

TAX LOT 5600
 TAX MAP 2 4E 14DC

TAX LOT 5700
 TAX MAP 2 4E 14DC

TAX LOT 5800
 TAX MAP 2 4E 14DC

TAX LOT 5900
 TAX MAP 2 4E 14DC

TAX LOT 6000
 TAX MAP 2 4E 14DC

TAX LOT 6100
 TAX MAP 2 4E 14DC

TAX LOT 6200
 TAX MAP 2 4E 14DC

TAX LOT 6300
 TAX MAP 2 4E 14DC

TAX LOT 6400
 TAX MAP 2 4E 14DC

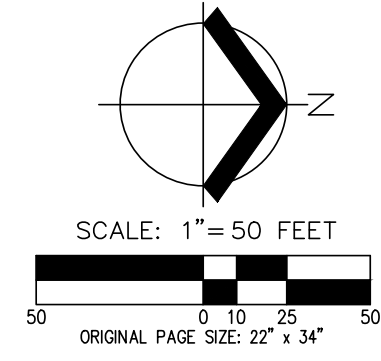
TAX LOT 6500
 TAX MAP 2 4E 14DC

TAX LOT 6600
 TAX MAP 2 4E 14DC

BRUCE R. BALDWIN
 CERTIFICATE NUMBER: PH-6664
 EXPIRATION DATE: 12/31/20

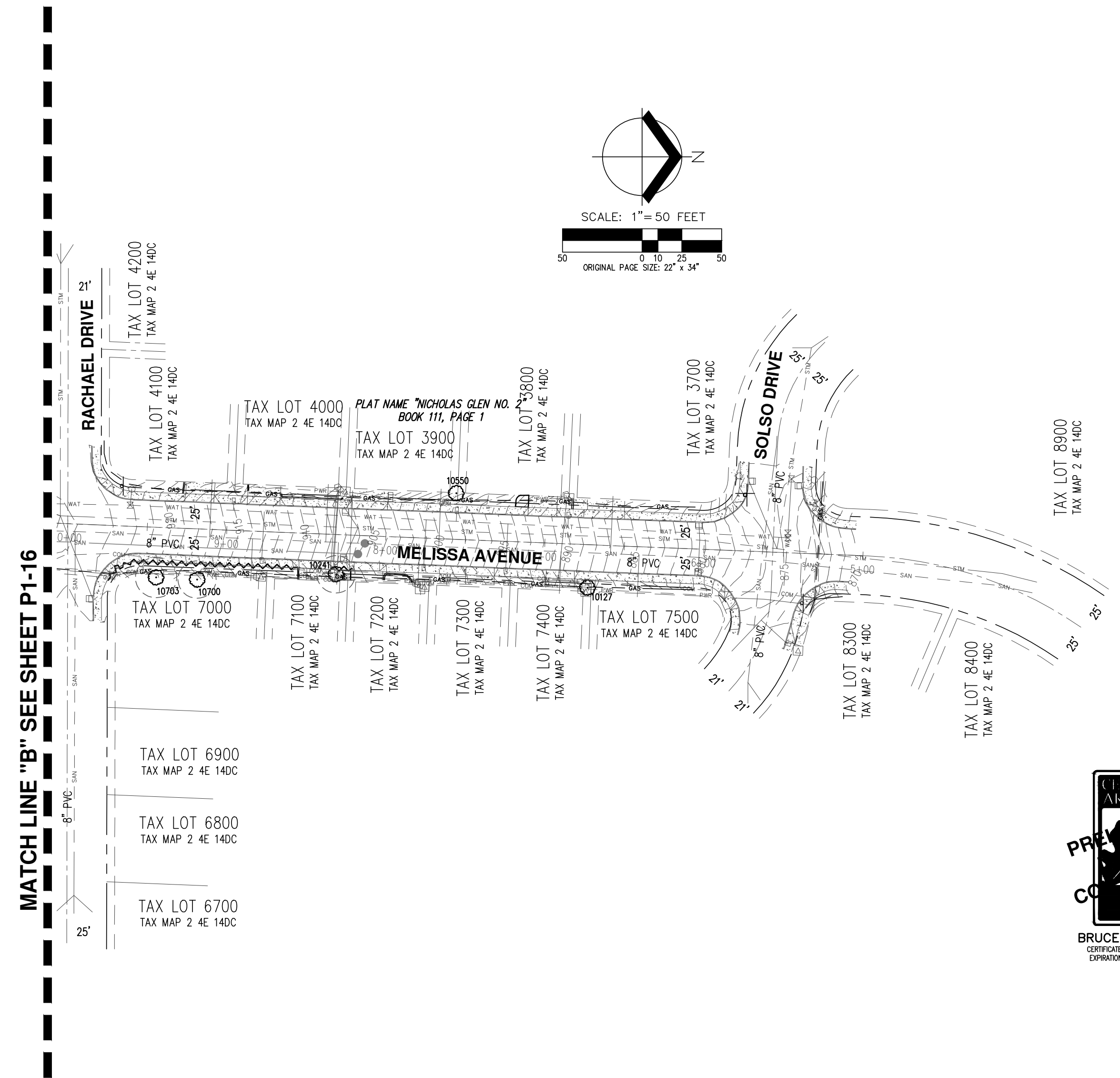
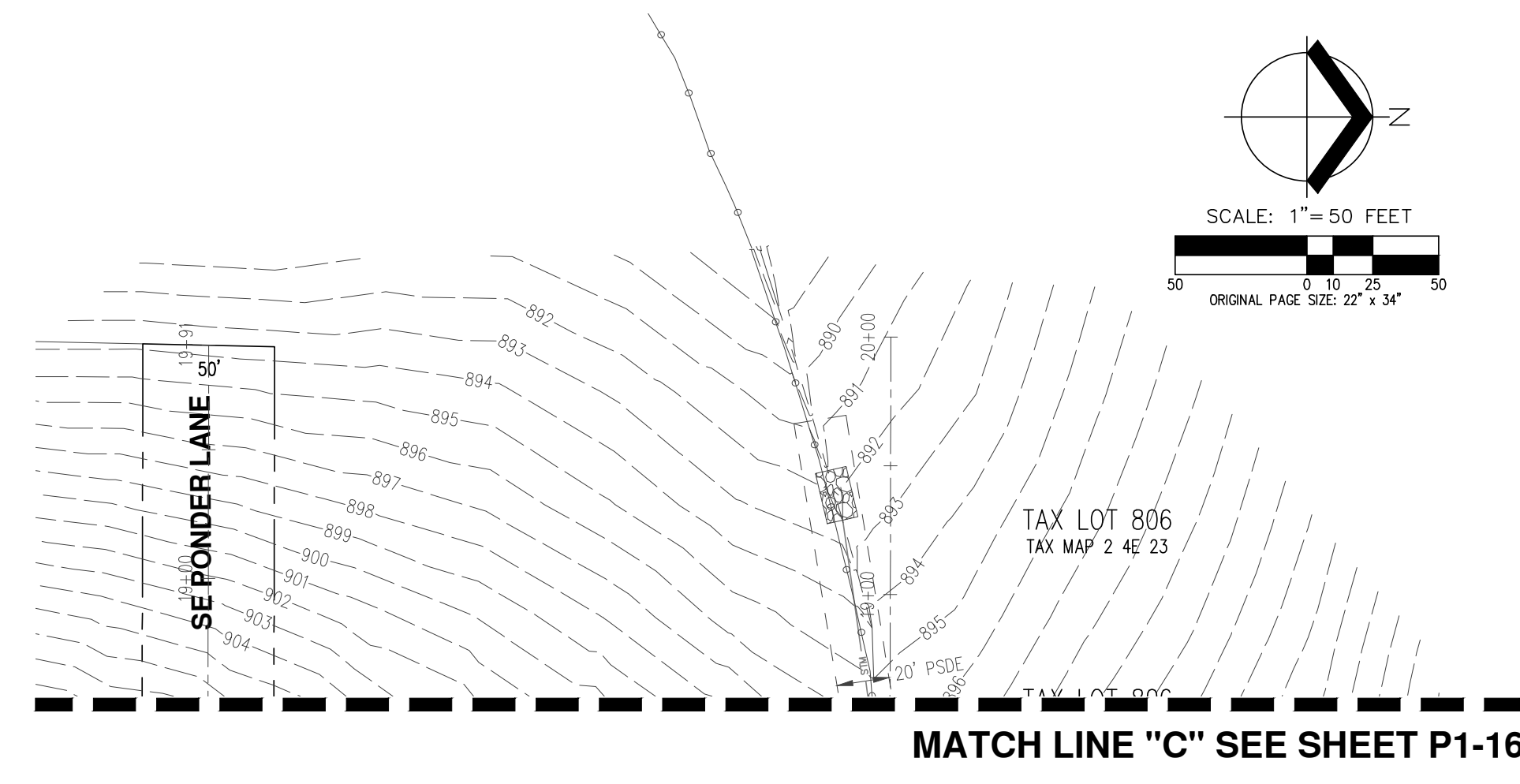
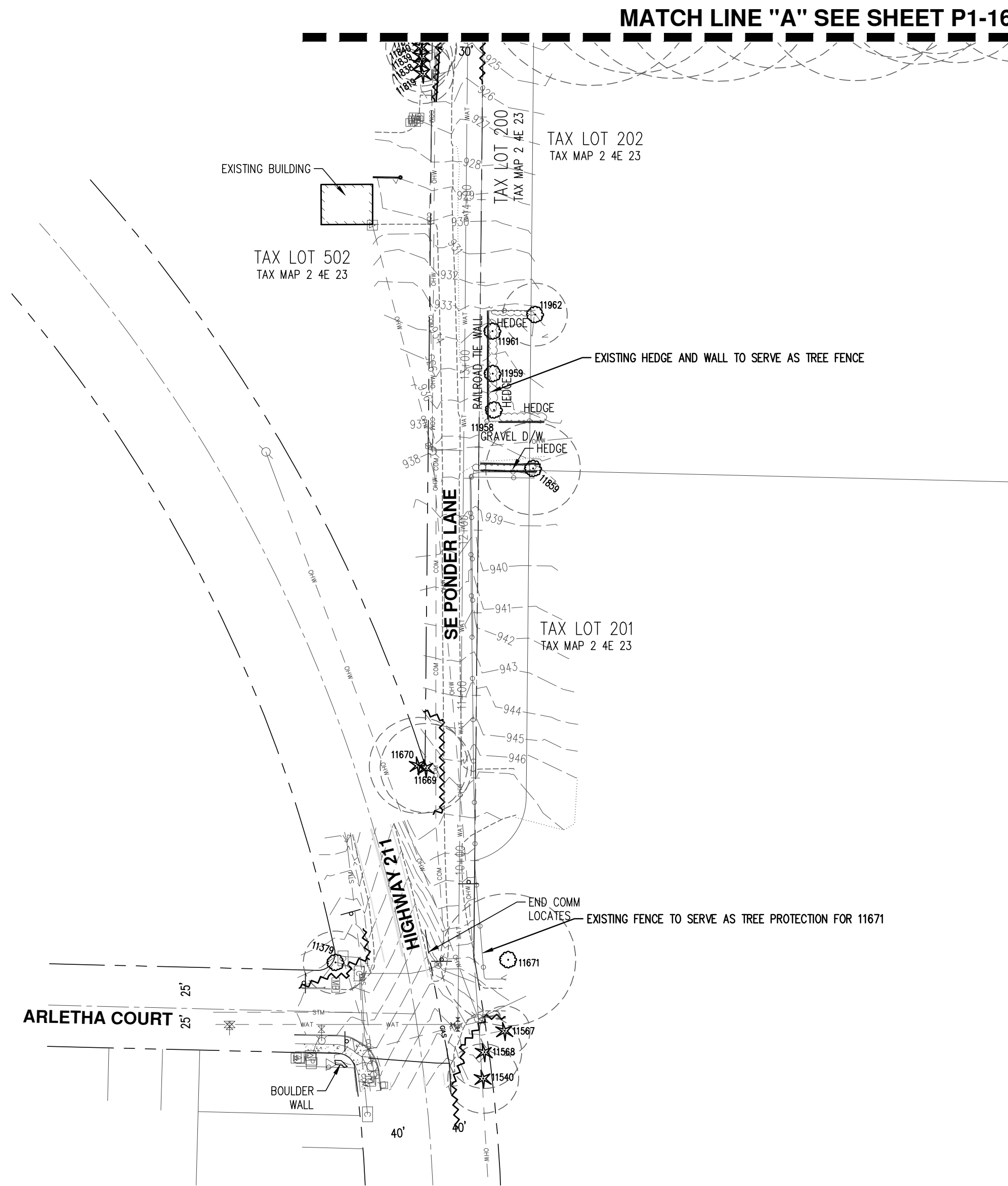
PROFESSIONAL ARBORIST
CONSTRUCTION

AKS DRAWING FILE: 7107 TREE PLANNING | LAYOUT | P1-16



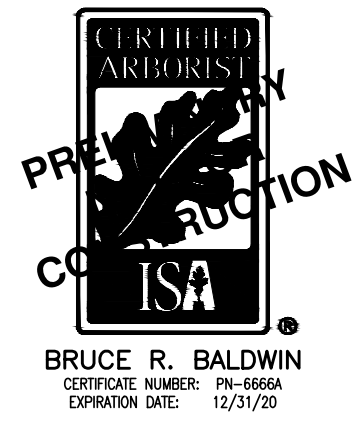
LEGEND			
EXISTING GROUND CONTOUR (1 FT)	---	149	EXISTING CONIFEROUS TREE
EXISTING GROUND CONTOUR (5 FT)	---	150	EXISTING DECIDUOUS TREE
FINISHED GRADE CONTOUR (1 FT)	---	149	TREE REMOVAL
FINISHED GRADE CONTOUR (5 FT)	---	150	TREE PROTECTION/CONSTRUCTION FENCE (TREE PROTECTION AREA)
OPTIMAL TREE ROOT ZONE (1-FT RADIUS PER 1-IN OF DBH)	○		SEDIMENT FENCE

- NOTES:**
- TREES WITH A DIAMETER OF 11" OR GREATER ARE SHOWN.
 - SEE THE TREE PRESERVATION & REMOVAL TABLE FOR ADDITIONAL TREE RELATED INFORMATION.



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**PRELIMINARY TREE PRESERVATION & REMOVAL PLAN & ARBORIST REPORT
 BAILEY MEADOWS
 SANDY, OREGON**



RENEWAL DATE:	6/30/21
JOB NUMBER:	7107
DATE:	07/03/2019
DESIGNED BY:	WN
DRAWN BY:	CL
CHECKED BY:	RSW

P1-17

Detailed Tree Inventory for Bailey Meadows

AKS Job No. 7107 - Evaluation Date: 5/30/2019

Tree #	DBH (in.)	Avg. Crown Radius (ft)	Tree Species Common Name (Scientific name)	Comments	Health Rating*	Structure Rating**	Reason for Removal***
10127	15	16	Red Alder (<i>Alnus rubra</i>)	OFFSITE; Codominant with included bark	1	2	Preserve
10241	12	16	Basswood (<i>Thuja americana</i>)	OFFSITE; Codominant with included bark	1	2	Preserve
10550	13	18	Red Alder (<i>Alnus rubra</i>)	OFFSITE	1	1	Preserve
10700	12	17	Sweetgum (<i>Liquidambar styraciflua</i>)	OFFSITE; Codominant 5' up with included bark	1	2	Preserve
10703	13	14	Sweetgum (<i>Liquidambar styraciflua</i>)	OFFSITE; Codominant 5' up with included bark	1	1	Preserve
11140	24	19	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Remove (A)
11141	15	14	Deodar Cedar (<i>Cedrus deodara</i>)	OFFSITE	1	1	Remove (A)
11144	18	17	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Sparse canopy	1	2	Remove (A)
11145	38	32	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Pruned branches; Dead branches; Codominant top; Broken 20' up with weakly attached branches; Decay	2	3	Remove (A)
11272	25	25	Douglas-fir (<i>Pseudotsuga menziesii</i>)	Lower branches pruned	1	1	Preserve
11273	25	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	Lower branches pruned	1	1	Preserve
11274	31	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	Some dead branches; Dead foliage	2	1	Preserve
11275	16	20	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
11293	18	20	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence); Codominant 4' up with included bark	1	2	Preserve
11296	44	35	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
11297	17	20	Deodar Cedar (<i>Cedrus deodara</i>)	OFFSITE; Evaluated from property line (behind fence); Some dead branches and dead foliage	2	1	Preserve
11315	15	20	Deodar Cedar (<i>Cedrus deodara</i>)	OFFSITE; Codominant 5' up with included bark	1	2	Preserve
11328	38	33	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Codominant 5' up with included bark	1	2	Preserve
11379	19	20	Big Leaf Maple (<i>Acer macrophyllum</i>)	OFFSITE; 70% ivy coverage; Topped for wires; Codominant top; Some broken and dead branches	2	2	Preserve
11540	21	18	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
11567	15	16	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Topped for wires; Codominant top; Some broken and dead branches	2	2	Preserve
11568	22	17	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Many pruned branches (N); Slight lean (N); Large broken branch 25' up	1	2	Preserve
11669	27	23	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
11670	29	23	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence); Codominant with included bark; Near wires	1	2	Preserve
11671	40	32	Maple (<i>Acer sp.</i>)	OFFSITE; Evaluated from property line (behind fence); Pruned halfway up (N) for wires; Codominant base	1	2	Preserve
11819	6, 8, 12, 13, 14, 15, 18	15	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line; Pruned halfway up (N) for wires; Codominant base	1	2	Preserve
11836	13, 17	15	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line; Pruned halfway up (N) for wires; Codominant base	1	2	Preserve
11839	18	15	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line; Pruned halfway up (N) for wires	1	2	Preserve
11840	9, 21	15	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line; Pruned halfway up (N) for wires; Codominant base	1	2	Preserve
11841	10, 12, 14	15	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line; Pruned halfway up (N) for wires; Codominant base with included bark	1	2	Preserve
11842	14	15	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line; Pruned halfway up (N) for wires	1	2	Preserve
11843	15, 17, 18	15	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line; Pruned halfway up (N) for wires; Codominant base	1	2	Preserve
11844	17	15	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line; Pruned halfway up (N) for wires	1	2	Preserve
11859	28	30	California Black Oak (<i>Quercus kelloggii</i>)	OFFSITE; Evaluated from property line; Abnormal dead branches; Codominant	2	2	Preserve
11958	17	0	European White Birch (<i>Betula pendula</i>)	OFFSITE; Evaluated from property line; Dead; Topped 8' up	3	3	Preserve
11959	17	0	European White Birch (<i>Betula pendula</i>)	OFFSITE; Evaluated from property line; Dead; Topped 8' up	3	3	Preserve
11961	13	0	European White Birch (<i>Betula pendula</i>)	OFFSITE; Evaluated from property line; Dead; Topped 8' up	3	3	Preserve
11962	19	23	Purple Leaf Plum (<i>Prunus cerasifera</i>)	OFFSITE; Evaluated from property line; Codominant with four stems 10' up	1	2	Preserve
12028	16, 18	15	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line; Pruned halfway up (N) for wires; Codominant base with included bark	1	2	Preserve
12029	7, 11	15	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line; Pruned halfway up (N) for wires; Codominant base with included bark	1	2	Preserve
12031	6, 19	15	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line; Pruned halfway up (N) for wires; Codominant base with included bark	1	2	Preserve
12057	39	20	Black Cottonwood (<i>Populus trichocarpa</i>)	OFFSITE; Evaluated from property line; Some dead and broken limbs; Broken dead top; Epicormic sprouts; Near wires	2	2	Remove (B)
12223	11	13	Purple Leaf Plum (<i>Prunus cerasifera</i>)	OFFSITE; Evaluated from property line; Large dead stem; Codominant stems with included bark	2	2	Preserve
12266	10, 11	4	Purple Leaf Plum (<i>Prunus cerasifera</i>)	OFFSITE; Evaluated from property line; Some dead branches; Dead and pruned codominant stem with decay	2	2	Preserve
12362	26	27	Douglas-fir (<i>Pseudotsuga menziesii</i>)	Several codominant stems; Slight sweep	1	2	Preserve
12370	31	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
12372	30	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
12373	22	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
12374	25	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; 1-sided canopy (S)	1	2	Preserve
12375	9, 18	26	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Codominant; Sparse canopy	1	2	Preserve
12377	26	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
12392	33	26	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
12393	12	16	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence); Some pruned branches	1	1	Preserve
12394	29	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	lean (SE); Codominant; Many dead branches	1	2	Preserve
12395	42	35	Douglas-fir (<i>Pseudotsuga menziesii</i>)	Bore holes; Dead foliage; Codominant	2	2	Preserve
12428	8, 9, 10, 11	30	Cascara Buckthorn (<i>Rhamnus purshiana</i>)	OFFSITE; Evaluated from property line (behind fence); Codominant stem ~15' up; Some broken branches	1	2	Preserve
12429	46	40	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence); Codominant stem ~15' up; Some broken branches	1	2	Preserve
15003	19	23	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Crooked top	1	2	Preserve
15004	19	25	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15017	11	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15018	14	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15020	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15021	14	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15026	13	18	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
15027	11	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15034	14	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15035	15	19	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
15036	17	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15037	8, 10, 11	-	Deciduous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15050	14	-	Deciduous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15054	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15056	16	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15057	9, 11	-	Deciduous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15061	11	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15062	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15069	13	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15071	15	20	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Broken top (~20'); Large broken codominant stem; Many pruned branches	2	3	Preserve
15087	11	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15088	13	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15089	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15095	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15096	16	20	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
15097	14	20	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
15098	13	18	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
15113	14	17	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve

Detailed Tree Inventory for Bailey Meadows

AKS Job No. 7107 - Evaluation Date: 5/30/2019

Tree #	DBH (in.)	Avg. Crown Radius (ft)	Tree Species Common Name (Scientific name)	Comments	Health Rating*	Structure Rating**	Reason for Removal***
15115	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15117	15	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15128	12	20	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
15139	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15141	11	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15146	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15147	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15151	14	15	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Crooked; 1-sided canopy (N)	1	2	Preserve
15152	14	17	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
15155	11	15	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE	1	1	Preserve
15164	16, 13	23	Big Leaf Maple (<i>Acer macrophyllum</i>)	16' stem has codominance with included bark; 15' stem crooked	1	2	Preserve
15166	15	15	Grand Fir (<i>Abies grandis</i>)	OFFSITE	1	1	Preserve
15167	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15170	11	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15176	13	17	European White Birch (<i>Betula pendula</i>)	OFFSITE; Growing out of two dead decayed stumps; Sweep; Exposed roots	1	2	Preserve
15192	11	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15194	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15198	14	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15206	11	12	Grand Fir (<i>Abies grandis</i>)	OFFSITE	1	1	Preserve
15212	12	13	Grand Fir (<i>Abies grandis</i>)	OFFSITE; Being shaded out; Many dead branches	2	1	Preserve
15214	16	13	Grand Fir (<i>Abies grandis</i>)	OFFSITE	1	1	Preserve
15228	14	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15230	13	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15232	20	17	Grand Fir (<i>Abies grandis</i>)	OFFSITE	1	1	Preserve
15236	16	28	Big Leaf Maple (<i>Acer macrophyllum</i>)	OFFSITE	1	1	Preserve
15238	14	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15241	14	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15251	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15257	11	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15261	14	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15263	13	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15265	12	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15266	11	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15267	13	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15268	13	12	Grand Fir (<i>Abies grandis</i>)	OFFSITE	1	1	Preserve
15269	13, 12, 8, 12, 9	27	Big Leaf Maple (<i>Acer macrophyllum</i>)	OFFSITE; One fully dead codominant stem; Other stems have dead branches	2	2	Preserve
15271	17	13	Grand Fir (<i>Abies grandis</i>)	OFFSITE	1	1	Preserve
15272	14	-	Coniferous	OFFSITE; Not evaluated by an Arborist	-	-	Preserve
15273	12, 7	16	Willow (<i>Salicaceae sp.</i>)	OFFSITE; Lean (W); Dead broken codominant stem at base; Some dead branches; Many codominant stems 8' up	2	2	Preserve
15274	12, 9	25	Big Leaf Maple (<i>Acer macrophyllum</i>)	Codominant with included bark	1	2	Preserve
15280	12	25	Green Ash (<i>Fraxinus pennsylvanica</i>)	OFFSITE; Evaluated from property line (behind fence); Codominant 6' up with included bark	1	2	Preserve
15299	20	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	Evaluated from behind fence	1	1	Preserve
15360	15	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	Evaluated from behind fence	1	1	Preserve
15361	22	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence); Some pruned branches	1	1	Preserve
15362	33	30	Douglas-fir (<i>Pseudotsuga menziesii</i>)	Evaluated from behind fence; Some pruned branches	1	1	Preserve
15363	12	15	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence); Some dead foliage	2	1	Preserve
15364	20	25	Douglas-fir (<i>Pseudotsuga menziesii</i>)	Evaluated from behind fence	1		

Detailed Tree Inventory for Bailey Meadows

AKS Job No. 7107 - Evaluation Date: 5/30/2019

Tree #	DBH (in.)	Avg. Crown Radius (ft)	Tree Species Common Name (Scientific name)	Comments	Health Rating*	Structure Rating**	Reason for Removal***
16055	12, 12	16	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence); Codominant top	1	2	Preserve
16056	16	15	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16057	14	17	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16058	14	15	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16059	12	12	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16061	21	15	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16062	16	18	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16063	14	13	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16064	14	15	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16065	11	12	Western Red Cedar (<i>Thuja plicata</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16067	20	18	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16068	17	18	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16069	14	18	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16070	15	21	Douglas-fir (<i>Pseudotsuga menziesii</i>)	OFFSITE; Evaluated from property line (behind fence)	1	1	Preserve
16071	12	15	Maple (<i>Acer sp.</i>)	OFFSITE; Evaluated from property line	1	1	Preserve
50003	9, 9, 10, 11, 8	22	Willow (<i>Salicaceae sp.</i>)	OFFSITE; Codominant; Dead branches; lean (S); Crooked	2	2	Preserve

Total # of Existing Trees inventoried = 192

Total # of Existing Onsite Trees = 19

Total # of Existing Onsite Trees to be Preserved = 19
Total # of Existing Onsite Trees to be Removed = 0

Total # of Existing Offsite Trees = 173

Total # of Existing Offsite Trees to be Preserved = 168
Total # of Existing Offsite Trees to be Removed = 5

Total # of Existing Offsite Trees to be Removed that are Exempt from Urban Forestry Regulations = 5

Health Rating:

- 1 = Good Health - A tree that exhibits typical foliage, bark, and root characteristics, for its respective species, shows no signs of infection or infestation, and has a high level of vigor and vitality.
- 2 = Fair Health - A tree that exhibits some abnormal health characteristics and/or shows some signs of infection or infestation, but may be reversed or abated with supplemental treatment.
- 3 = Poor Health - A tree that is in significant decline, to the extent that supplemental treatment would not likely result in reversing or abating its decline.

Structure Rating:

- 1 = Good Structure - A tree that exhibits typical physical form characteristics, for its respective species, shows no signs of structural defects of the canopy, trunk, and/or root system.
- 2 = Fair Structure - A tree that exhibits some abnormal physical form characteristics and/or some signs of structural defects, which reduce the structural integrity of the tree, but are not indicative of imminent physical failure, and may be corrected using arboricultural abatement methods.
- 3 = Poor Structure - A tree that exhibits extensively abnormal physical form characteristics and/or significant structural defects that substantially reduces the structural viability of the tree, cannot feasibly be abated, and are indicative of imminent physical failure.

Reason for Removal:

- (A) - This tree is proposed for removal to facilitate the installation of roads, utilities, grading, retaining walls, etc. for the Melissa Avenue extension. This tree is exempt from Chapter 17.102 - Urban Forestry per Sandy Development Code Chapter 17.102.20 B.1.
- (B) - This tree is proposed for removal to facilitate the installation of roads, utilities, grading, etc. for the half street improvement of SE Ponder Lane. This tree is exempt from Chapter 17.102 - Urban Forestry per Sandy Development Code Chapter 17.102.20 B.1.

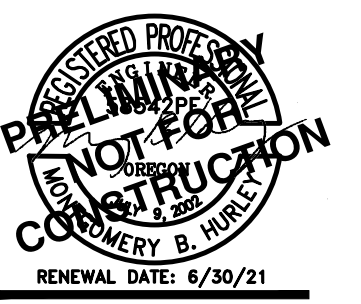
Arborist Disclosure Statement:

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the health of trees, and attempt to reduce the risk of living near trees. The Client and Jurisdiction may choose to accept or disregard the recommendations of the arborist, or seek additional advice. Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like medicine, cannot be guaranteed. Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees. Neither this author nor AKS Engineering & Forestry, LLC have assumed any responsibility for liability associated with the trees on or adjacent to this site.

At the completion of construction, all trees should once again be reviewed. Land clearing and removal of adjacent trees can expose previously unseen defects and otherwise healthy trees can be damaged during construction.

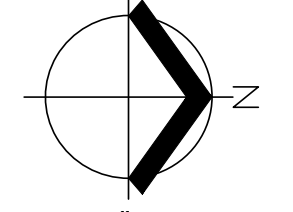


**PRELIMINARY TREE PRESERVATION & REMOVAL TABLE & ARBORIST REPORT
BAILEY MEADOWS
SANDY, OREGON**



JOB NUMBER: 7107
DATE: 07/03/2019
DESIGNED BY: WN
DRAWN BY: CL
CHECKED BY: RSW

P1-19



SCALE: 1"=50 FEET
ORIGINAL PAGE SIZE: 22" x 34"

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MATCH LINE "C" SEE SHEET P1-21

MATCH LINE "B" SEE SHEET P1-21

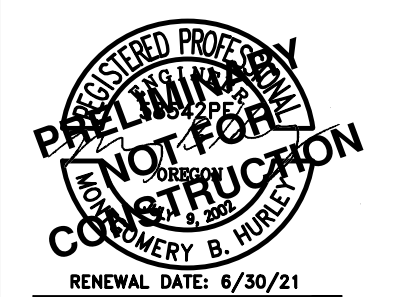


MATCH LINE "A" SEE SHEET P1-21

DEMOLITION KEYED NOTES:

- 1 REMOVE EXISTING FENCE.
- 2 PRESERVE EXISTING FENCE. PROTECT FROM DAMAGE.
- 3 REMOVE EXISTING GRAVEL DRIVEWAY.
- 4 REMOVE/RELOCATE EXISTING POWER POLE, GUY WIRES, AND OVERHEAD LINES, COORDINATE WITH POWER AND COMMUNICATION PROVIDERS.
- 5 REMOVE EXISTING BARRICADES
- 6 REMOVE/REPLACE EXISTING PAVEMENT
- 7 PROTECT EXISTING TREES (TYP). SEE TREE PRESERVATION AND REMOVAL PLAN.
- 8 REMOVE EXISTING TREES (TYP). SEE TREE PRESERVATION AND REMOVAL PLAN.

**PRELIMINARY
DEMOLITION PLAN
BAILEY MEADOWS
SANDY, OREGON**

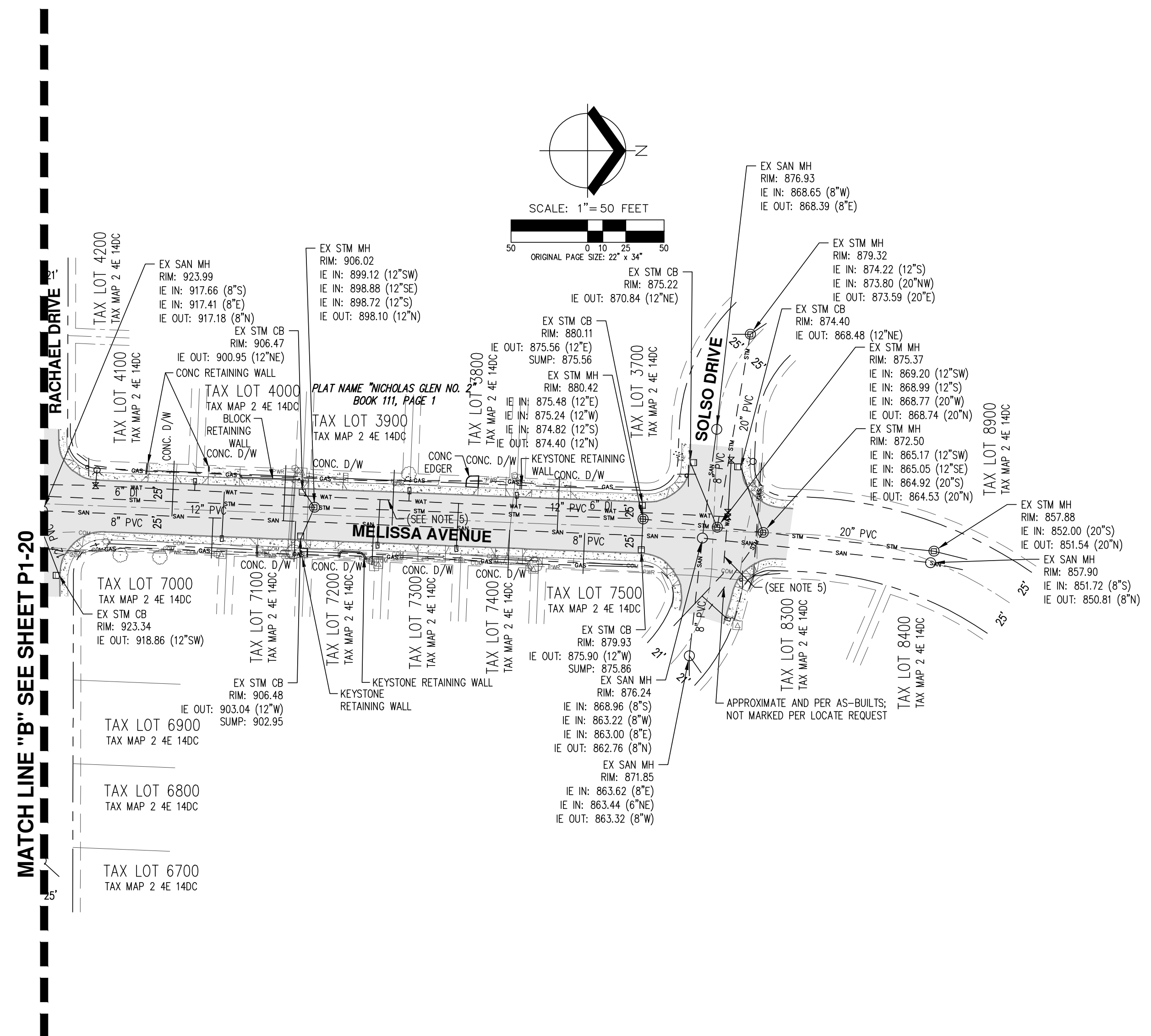
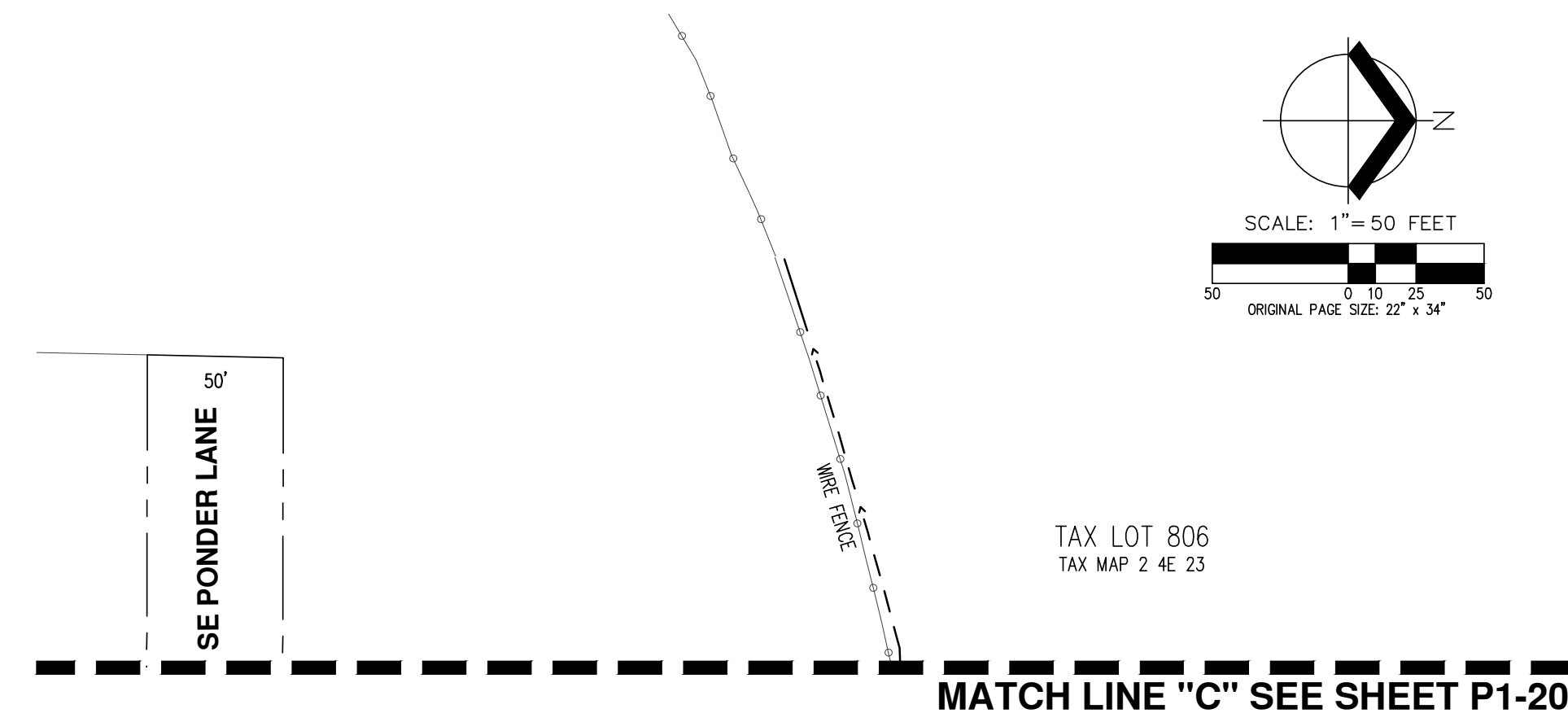
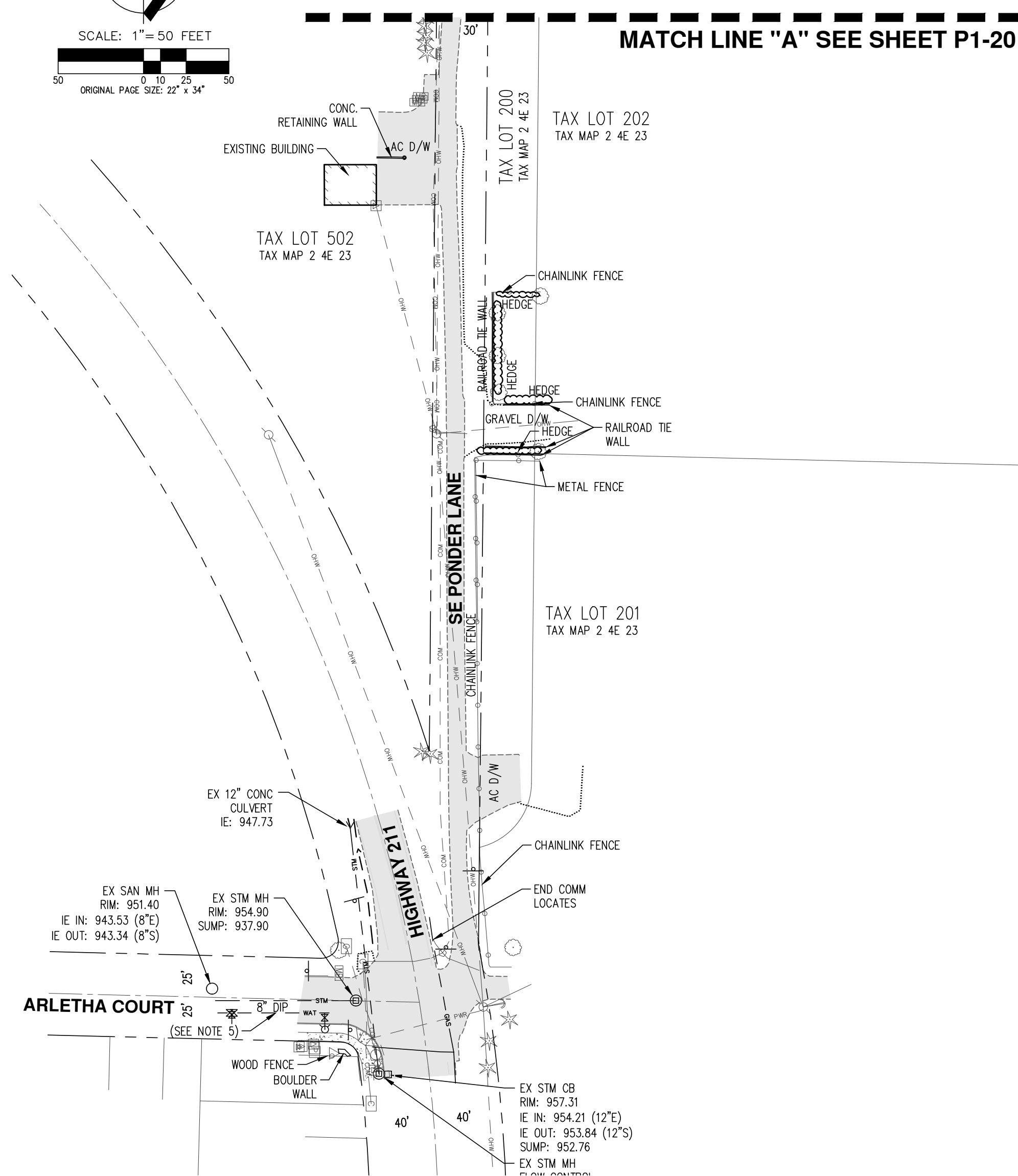
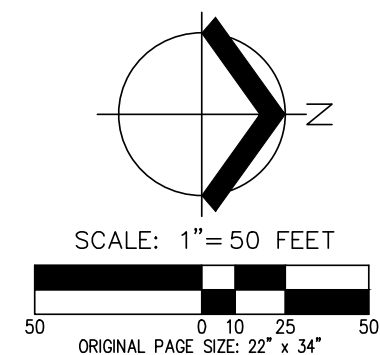


JOB NUMBER: 7107
DATE: 07/03/2019
DESIGNED BY: VN
DRAWN BY: CL
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P1-20

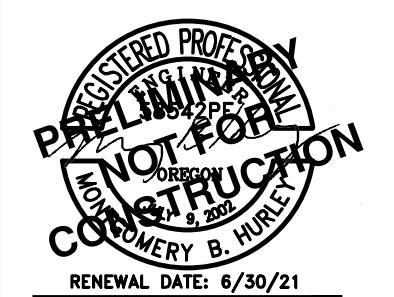
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- 2 PRESERVE EXISTING FENCE. PROTECT FROM DAMAGE.
- 3 REMOVE EXISTING GRAVEL DRIVEWAY.
- 4 REMOVE/RELOCATE EXISTING POWER POLE, GUY WIRES, AND OVERHEAD LINES. COORDINATE WITH POWER AND COMMUNICATION PROVIDERS.
- 5 REMOVE EXISTING BARRICADES
- 6 REMOVE/REPLACE EXISTING PAVEMENT
- 7 PROTECT EXISTING TREES (TYP). SEE TREE PRESERVATION AND REMOVAL PLAN.
- 8 REMOVE EXISTING TREES (TYP). SEE TREE PRESERVATION AND REMOVAL PLAN.



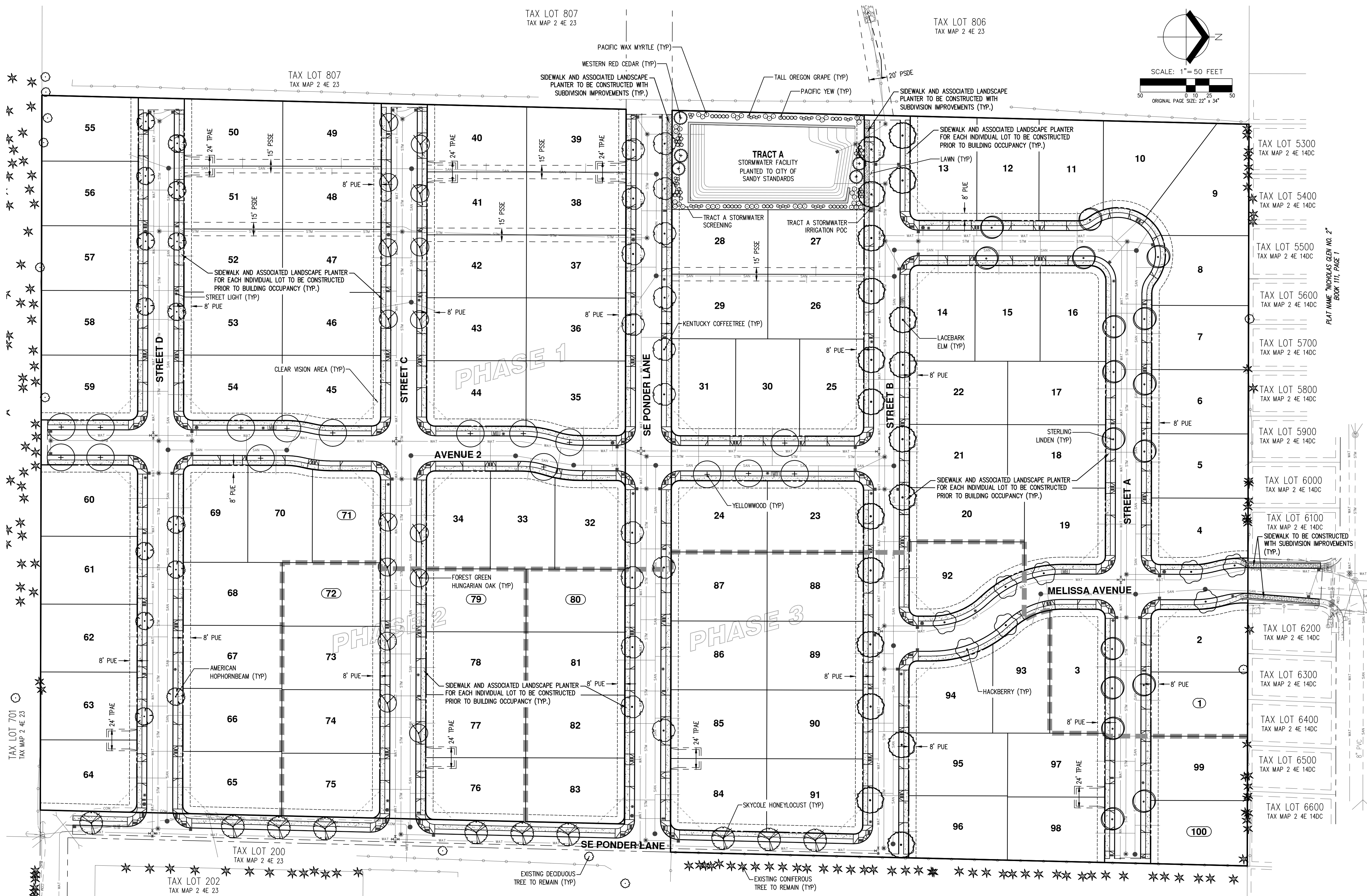
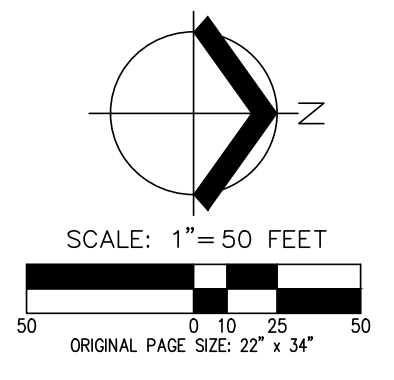
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**PRELIMINARY
 DEMOLITION PLAN
 BAILEY MEADOWS
 SANDY, OREGON**



RENEWAL DATE: 6/30/21
 JOB NUMBER: 7107
 DATE: 07/03/2019
 DESIGNED BY: VN
 DRAWN BY: CL
 CHECKED BY: RSW

P1-21



PLAT NAME: 'MORIAS GLEN NO. 2'
 BOOK 111, PAGE 1

**PRELIMINARY STREET TREE AND
 STORMWATER SCREENING PLANTING PLAN
 BAILEY MEADOWS
 SANDY, OREGON**



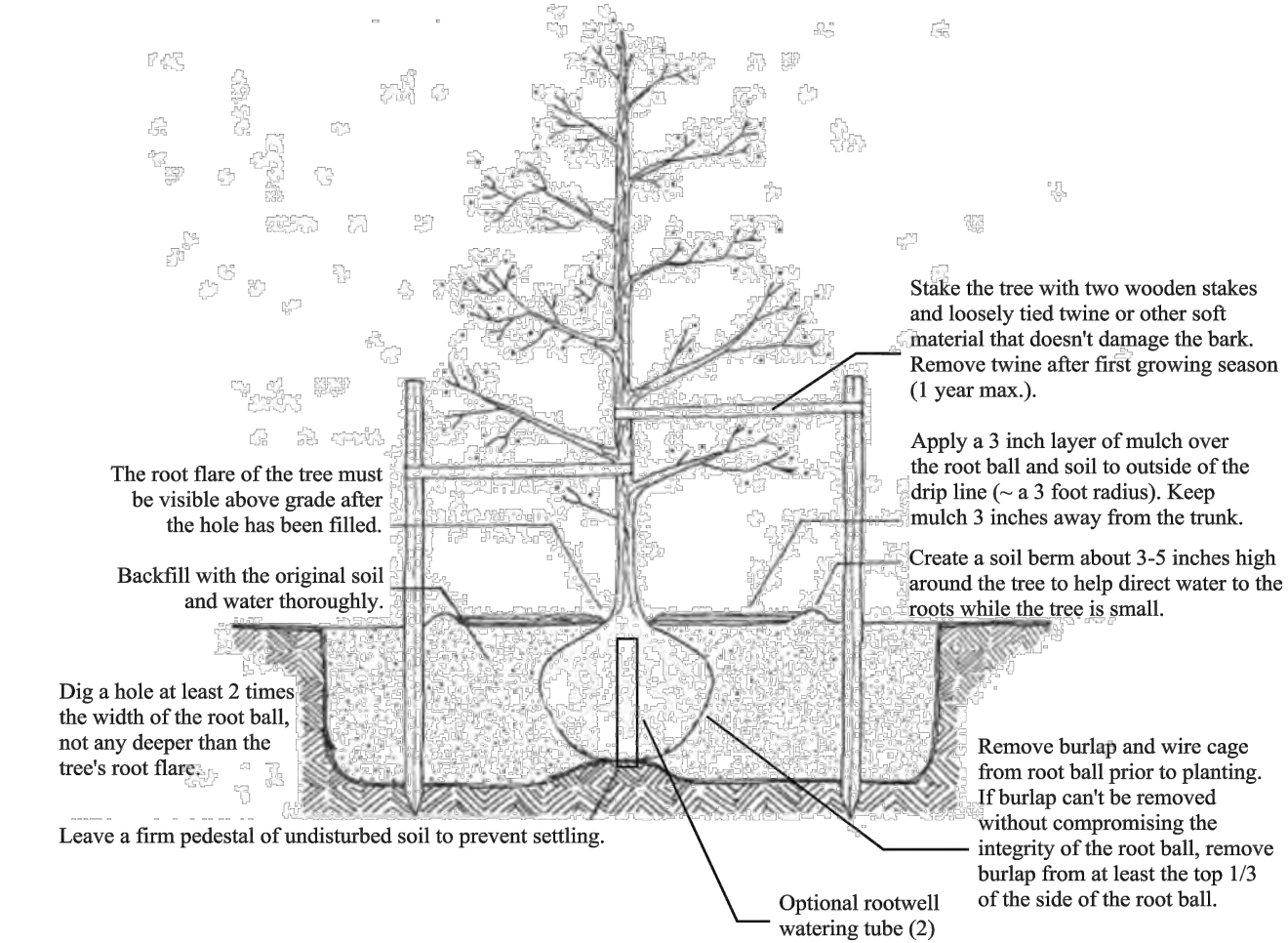
JOB NUMBER: 7107
 DATE: 07/03/2019
 DESIGNED BY: NKP
 DRAWN BY: NKP
 CHECKED BY: KAH

P1-22

**REFER TO SHEET P1-23 FOR PRELIMINARY
 PLANT SCHEDULES, NOTES, AND DETAILS**

STREET TREE STANDARD PLANTING DETAIL

Profile of a newly planted street tree. Diagram not to scale.



- Please water your trees regularly for the first 2 to 3 years. During the summer dry season (roughly May to October), deep-root watering is recommended. Begin with 15 gallons of water per tree per week, and adjust as needed. During the remaining months of the year, monitor the root zone for dryness and water as needed. Good watering practices will promote vigorous growth, ensure well-formed root development, and help produce a beautiful tree for years to come.
- Make sure stakes are placed at the edge of the mulch pile and are pounded securely into the ground so they cannot be easily pulled out. Loosely tie the tree to the stakes with twine or another flexible material. The ties should be located no higher than 2/3 the height of the tree. The tree should be able to sway in the wind, which helps establish strong support roots and trunk. Check the twine periodically to make sure there is room for the tree to grow and the twine is not damaging the trunk. Remove the twine immediately if there are signs of damage on the trunk. Do not leave trees staked for more than one year or the tree may not develop its own proper support structure.
- Reapply mulch as necessary to maintain a 3 inch depth. Keep weeds and grass from growing in the mulch area to reduce competition for water and nutrients.
- Remove any twine, tape, or tags from the tree's trunk and branches prior to planting.

PRELIMINARY LANDSCAPE NOTES:

1. LANDSCAPE PLAN IS PRELIMINARY AND INTENDED TO SHOW DESIGN INTENT ONLY. PLANTING TYPES, LOCATIONS, QUANTITIES, AND DETAILS ARE CONCEPTUAL AND SUBJECT TO CHANGE PRIOR TO FINAL APPROVAL BASED ON SITE PLAN REFINEMENT. LANDSCAPING SHALL COMPLY WITH APPLICABLE CITY OF SANDY STANDARDS. SUBSTITUTIONS TO STREET TREES MUST BE APPROVED AND SELECTED FROM THE CITY'S APPROVED STREET TREE LIST.
2. STREET TREES SHALL COMPLY WITH CITY OF SANDY STANDARDS, INCLUDING APPROPRIATE MAINTENANCE AND WATERING. MEDIUM CANOPY TREES SHALL BE PLANTED 30' ON-CENTER; LARGE TREES SHALL BE PLANTED 50' ON-CENTER. PER CITY OF SANDY CODE 17.92.30, TREES MAY NOT BE PLANTED WITHIN 5' OF PERMANENT HARD SURFACE PAVING OR WALKWAYS; 10' OF FIRE HYDRANTS AND UTILITY POLES; 20' OF STREET LIGHT STANDARDS; 5' FROM AN EXISTING CURB FACE; 10' OF A PUBLIC SANITARY SEWER, STORM DRAINAGE, OR WATER LINE; AND 30' FROM INTERSECTIONS. TREES SHALL BE PRUNED TO PROVIDE A MINIMUM 8' CLEARANCE ABOVE SIDEWALKS AND 12' CLEARANCE ABOVE STREET AND ROADWAY SURFACES.
3. LANDSCAPE PLANT MATERIAL SHALL BE HEALTHY, FREE FROM DISEASE OR PESTS, SYMMETRICAL, AND TYPICAL FOR ITS SPECIES. PLANT MATERIAL, INCLUDING TREES, SHALL COMPLY WITH THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1). DOUBLE STAKE ALL TREES.
4. SOIL PREPARATION: ALL PLANTING AREAS SHALL HAVE SUFFICIENT SOIL DEPTH AND FERTILITY TO SUPPORT HEALTHY PLANT GROWTH. TOPSOIL MAY BE NON-COMPACTED, NATIVE EXISTING TOPSOIL, FROM CLEAN SOURCES STOCKPILED ON SITE, OR FROM IMPORTED SOURCES IF REQUIRED. TOPSOIL SHALL BE FREE OF ROOTS, WEEDS/WEED SEEDS, CLAY LUMPS, DEBRIS, ROCKS, LARGE WOODY MATERIAL, AND OTHER EXTRANEOUS, NON-ORGANIC MATERIAL HARMFUL TO PLANT GROWTH. ALL PLANTINGS IN PLANTING BEDS SHALL BE POCKET-PLANTED WITH AMENDED SOIL CONTAINING 2/3 NATIVE TOPSOIL, AND 1/3 ORGANIC COMPOST. FINISH GRADE OF NEW PLANTING AREAS SHALL SEAMLESSLY MEET GRADE OF SURROUNDING AREAS AND GRADES SHOWN ON GRADING PLANS.
5. MULCH: APPLY 3" DEEP BY MINIMUM 3' DIAMETER BARK MULCH RING AROUND STREET TREES. BARK MULCH SHALL BE DARK HEMLOCK, MEDIUM GRIND OR SHREDDED, OR SIMILAR AGED BARK MULCH. AVOID COVERING ROOT FLARES. ADJUST ROOT BALL DEPTH TO ACCOMMODATE MULCH APPLICATION.
6. IRRIGATION: LANDSCAPING SHALL BE IRRIGATED, EITHER WITH A MANUAL OR AUTOMATIC SYSTEM, TO SUSTAIN VIABLE PLANT LIFE. A WATER-EFFICIENT IRRIGATION SYSTEM IS RECOMMENDED FOR HEALTHY PLANT ESTABLISHMENT AND SURVIVABILITY. ALTERNATIVE METHODS OF IRRIGATION, SUCH AS HAND WATERING OR WATER BAGS, MAY BE APPROVED BY THE CITY OF SANDY. IF USED, IRRIGATION SYSTEMS SHALL BE DESIGN-BUILT BY THE LANDSCAPE CONTRACTOR AND REQUIRE ITS OWN SERVICE METER AND BACKFLOW PREVENTION DEVICE.

PRELIMINARY STREET TREE AND FRONTAGE PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
	8	CELTIS OCCIDENTALIS LARGE TREE	HACKBERRY	1.5" MIN. CAL. B&B	50' O.C OR AS SHOWN
	16	CLADRASTIS KENTUKEA LARGE TREE	YELLOWWOOD	1.5" MIN. CAL. B&B	50' O.C OR AS SHOWN
	10	OLEDTISIA TRIACANTHOS INERMIS 'SKYCOLE' TM LARGE TREE	SKYCOLE HONEYLOCUST	1.5" MIN. CAL. B&B	50' O.C OR AS SHOWN
	16	GYMNOCALADUS DIOICA 'ESPRESSO' LARGE TREE	KENTUCKY COFFEETREE	1.5" MIN. CAL. B&B	50' O.C OR AS SHOWN
	14	OSTRYA VIRGINIANA LARGE TREE	AMERICAN HOPHORNBEAM	1.5" MIN. CAL. B&B	50' O.C OR AS SHOWN
	15	QUERCUS FRAINETTO 'SCHMIDT' LARGE TREE	FOREST GREEN HUNGARIAN OAK	1.5" MIN. CAL. B&B	50' O.C OR AS SHOWN
	17	TILIA TOMENTOSA 'STERLING' LARGE TREE	STERLING LINDEN	1.5" MIN. CAL. B&B	50' O.C OR AS SHOWN
	19	ULMUS PARVIFOLIA LARGE TREE	LACEBARK ELM	1.5" MIN. CAL. B&B	50' O.C OR AS SHOWN
GROUND COVERS	QTY	DESCRIPTION			
	952 SF	LAWN			

PRELIMINARY STORMWATER FACILITY SCREENING PLANT SCHEDULE

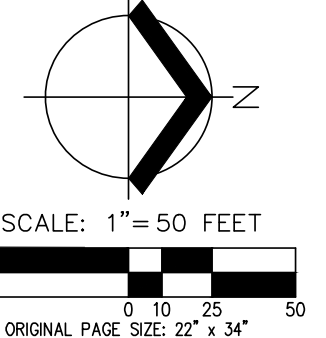
TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
	5	THUJA PLICATA	WESTERN RED CEDAR	5' MIN. B&B	AS SHOWN
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
	43	MAHONIA AQUIFOLIUM	TALL OREGON GRAPE	2 GAL. CONT.	36" o.c.
	39	MYRICA CALIFORNICA	PACIFIC WAX MYRTLE	2 GAL. CONT.	60" o.c.
	46	TAXUS BREVIFOLIA	PACIFIC YEW	2 GAL. CONT.	48" o.c.

PRELIMINARY LANDSCAPE NOTES AND DETAILS
BAILEY MEADOWS SANDY, OREGON



JOB NUMBER: 7107
 DATE: 07/03/2019
 DESIGNED BY: NKP
 DRAWN BY: NKP
 CHECKED BY: KAH

P1-23



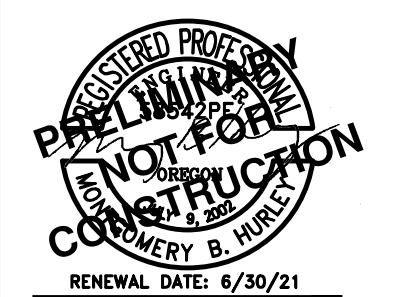
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- TAX LOT 5300 TAX MAP 2 4E 14DC
- TAX LOT 5400 TAX MAP 2 4E 14DC
- TAX LOT 5500 TAX MAP 2 4E 14DC
- TAX LOT 5600 TAX MAP 2 4E 14DC
- TAX LOT 5700 TAX MAP 2 4E 14DC
- TAX LOT 5800 TAX MAP 2 4E 14DC
- TAX LOT 5900 TAX MAP 2 4E 14DC
- TAX LOT 6000 TAX MAP 2 4E 14DC
- TAX LOT 6100 TAX MAP 2 4E 14DC
- TAX LOT 6200 TAX MAP 2 4E 14DC
- TAX LOT 6300 TAX MAP 2 4E 14DC
- TAX LOT 6400 TAX MAP 2 4E 14DC
- TAX LOT 6500 TAX MAP 2 4E 14DC
- TAX LOT 6600 TAX MAP 2 4E 14DC

PLAT NAME: "MELISSA AVENUE NO. 2"
 BOOK 111, PAGE 1

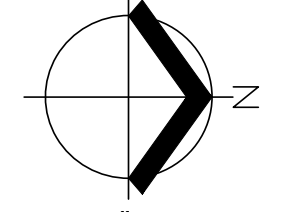
**PRELIMINARY
 PARKING PLAN
 BAILEY MEADOWS
 SANDY, OREGON**



RENEWAL DATE: 6/30/21
 JOB NUMBER: 7107
 DATE: 07/03/2019
 DESIGNED BY: VN
 DRAWN BY: CL
 CHECKED BY: RSW

P1-24

NOTE:
 TOTAL ON-STREET PARKING SPACES: 122
 LOCATIONS FOR PARKINGS, DRIVEWAYS, STREET TREES, STREET LIGHTS, MAILBOXES, ETC. AS SHOWN ARE CONCEPTUAL AND TO BE DETERMINED DURING THE FINAL CONSTRUCTION PLAN REVIEW PROCESS.



SCALE: 1" = 50 FEET
ORIGINAL PAGE SIZE: 22" x 34"

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MATCH LINE "C" SEE SHEET P1-26

TAX LOT 807
TAX MAP 2 4E 23

TAX LOT 806
TAX MAP 2 4E 23

TAX LOT 5300
TAX MAP 2 4E 14DC

TAX LOT 5400
TAX MAP 2 4E 14DC

TAX LOT 5500
TAX MAP 2 4E 14DC

TAX LOT 5600
TAX MAP 2 4E 14DC

TAX LOT 5700
TAX MAP 2 4E 14DC

TAX LOT 5800
TAX MAP 2 4E 14DC

TAX LOT 5900
TAX MAP 2 4E 14DC

TAX LOT 6000
TAX MAP 2 4E 14DC

TAX LOT 6100
TAX MAP 2 4E 14DC

TAX LOT 6200
TAX MAP 2 4E 14DC

TAX LOT 6300
TAX MAP 2 4E 14DC

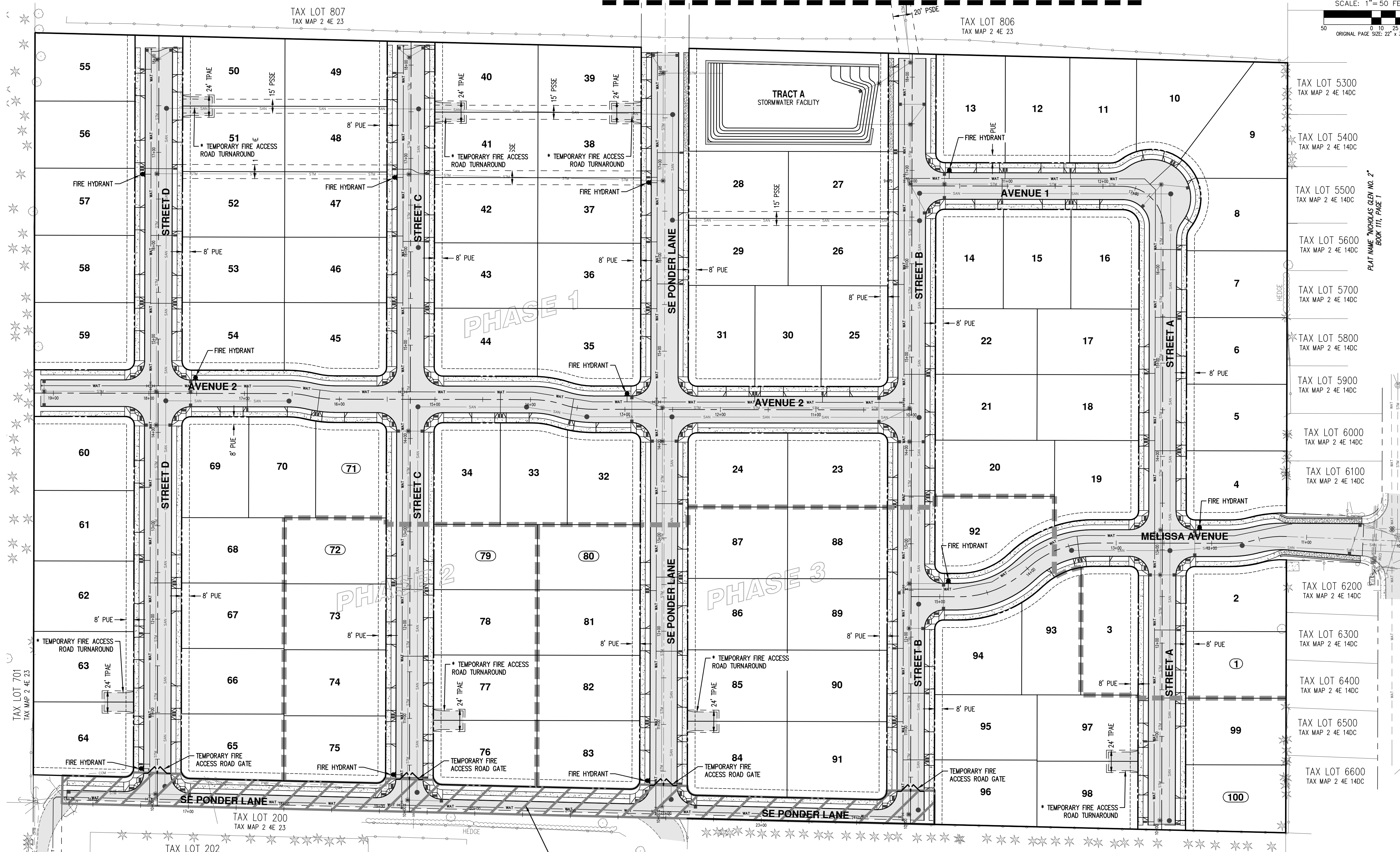
TAX LOT 6400
TAX MAP 2 4E 14DC

TAX LOT 6500
TAX MAP 2 4E 14DC

TAX LOT 6600
TAX MAP 2 4E 14DC

PLAT NAME: "MORIAS GEN. NO. 2"
BOOK 111, PAGE 1

MATCH LINE "B" SEE SHEET P1-26

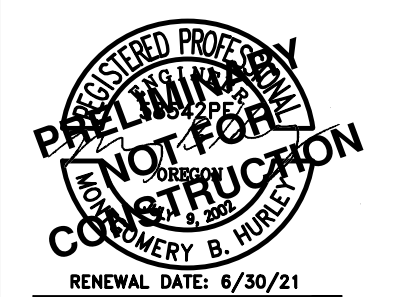


MATCH LINE "A" SEE SHEET P1-26

FEE-IN-LIEU OF STREET IMPROVEMENTS

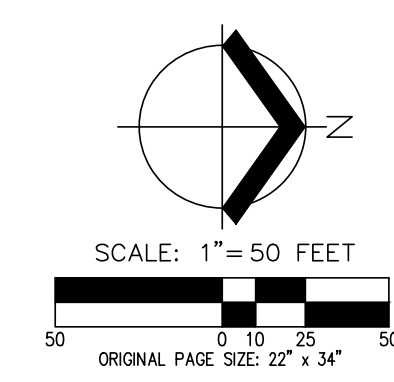
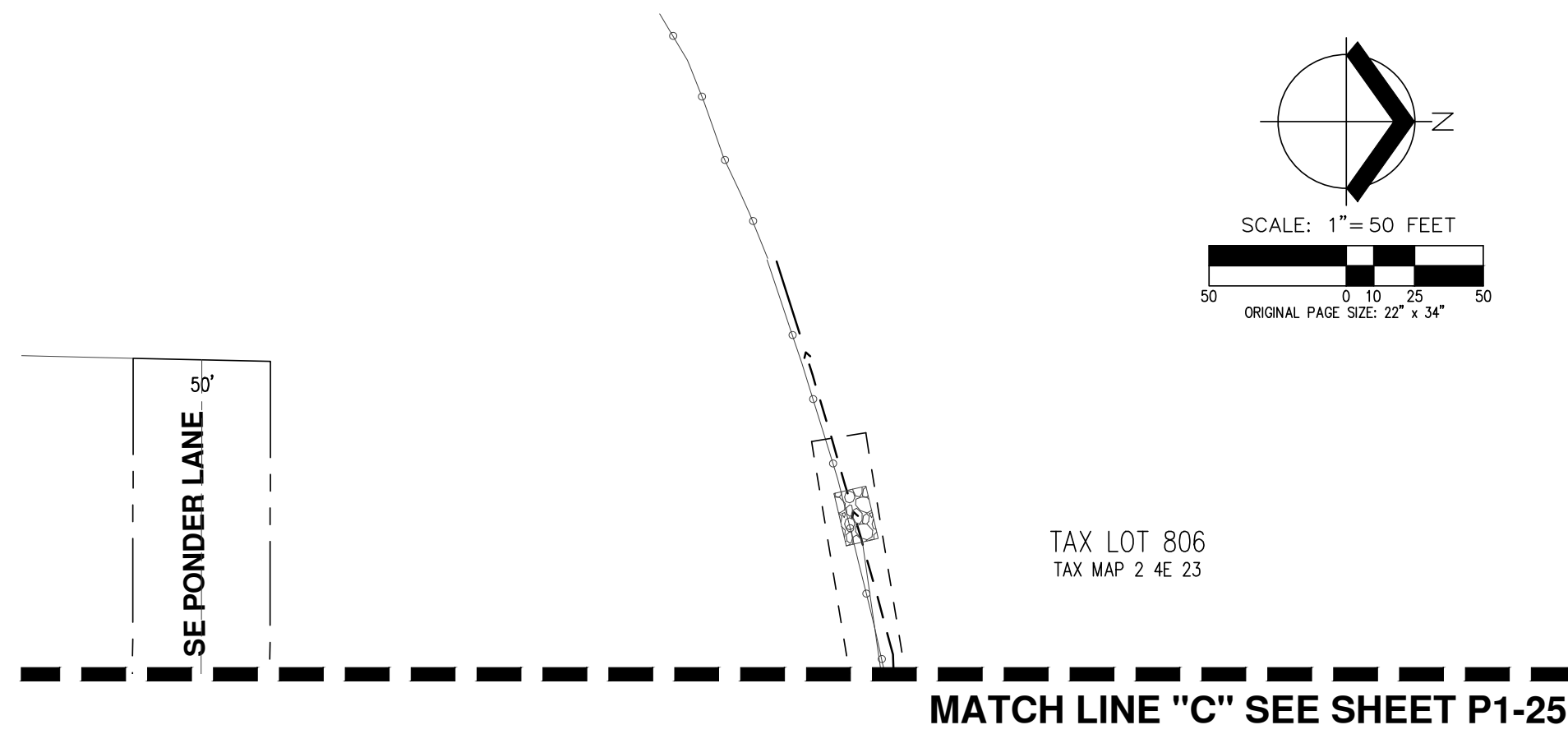
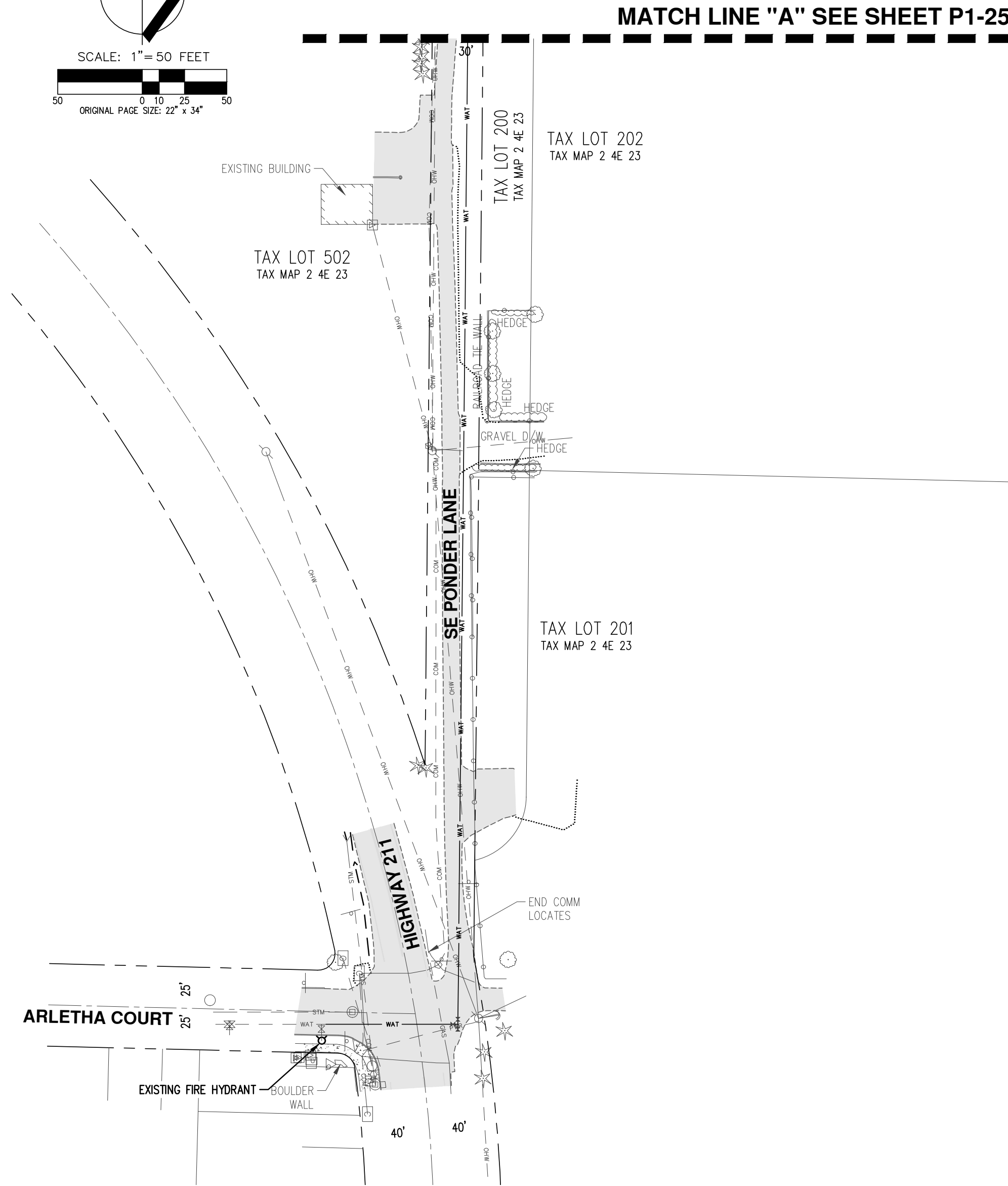
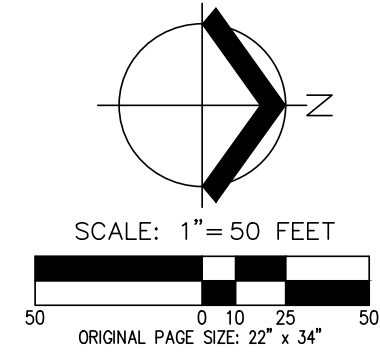
* TEMPORARY EMERGENCY VEHICLE AND FRANCHISE WASTE HAULER TURNAROUND. LOCATIONS SHOWN AREA CONCEPTUAL AND TO BE DETERMINED DURING THE FINAL CONSTRUCTION PLAN REVIEW PROCESS.

**PRELIMINARY EMERGENCY
VEHICLE ACCESS PLAN
BAILEY MEADOWS
SANDY, OREGON**

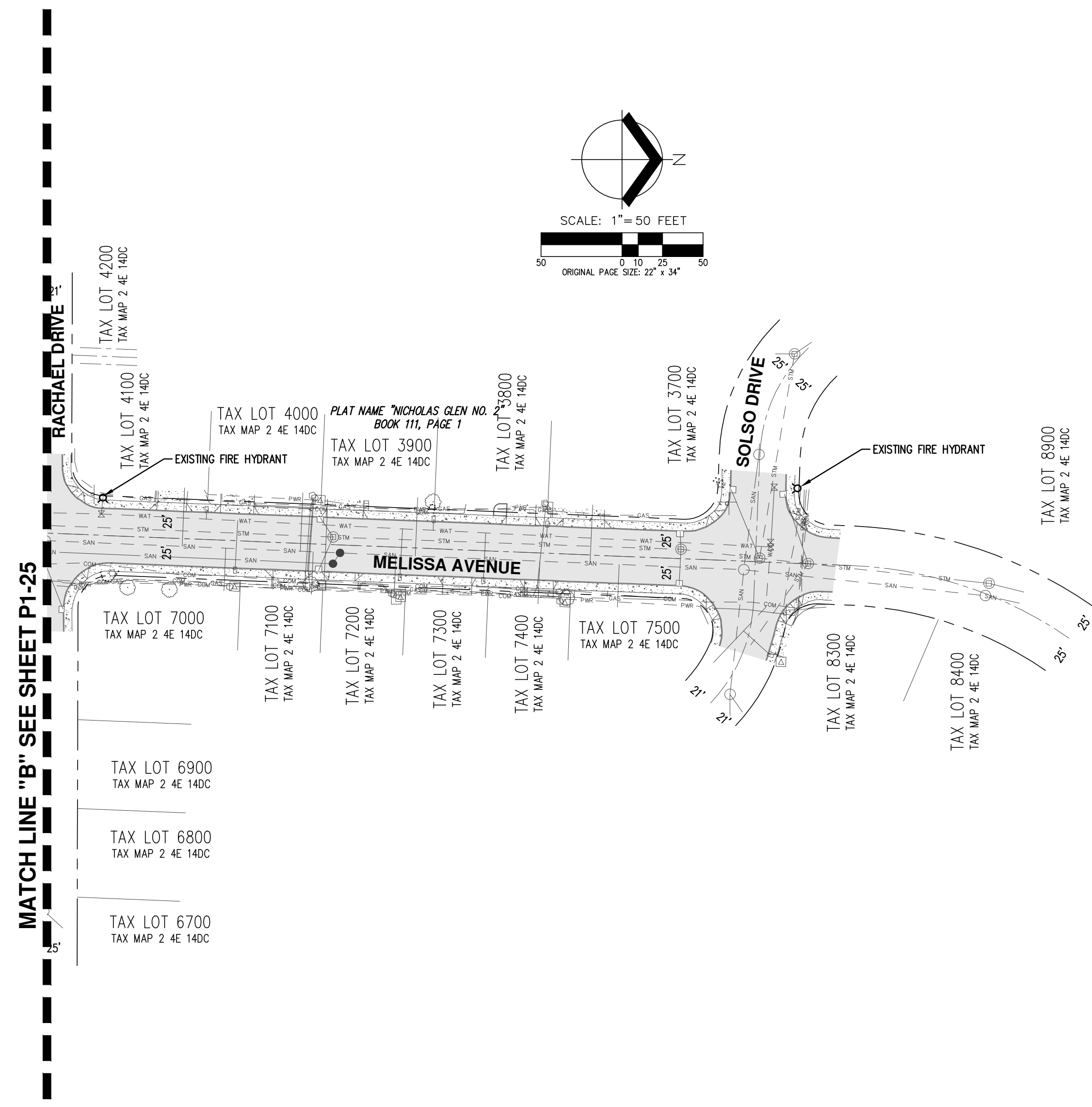
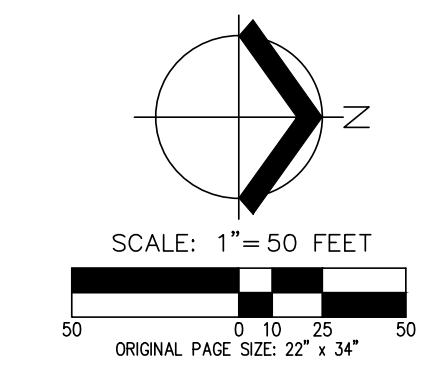


RENEWAL DATE: 6/30/21
JOB NUMBER: 7107
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DESIGNED BY: VN
DRAWN BY: CL
CHECKED BY: RSW

P1-25



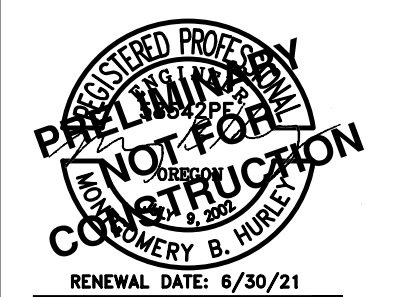
MATCH LINE "C" SEE SHEET P1-25



AKS DRAWING FILE: 7107 FIRE ACCESS/DWG LAYOUT: P1-26

AKS
 AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD, STE. 100
 TUALATIN, OR 97062
 503.563.6151
 WWW.AKS-ENG.COM
 ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

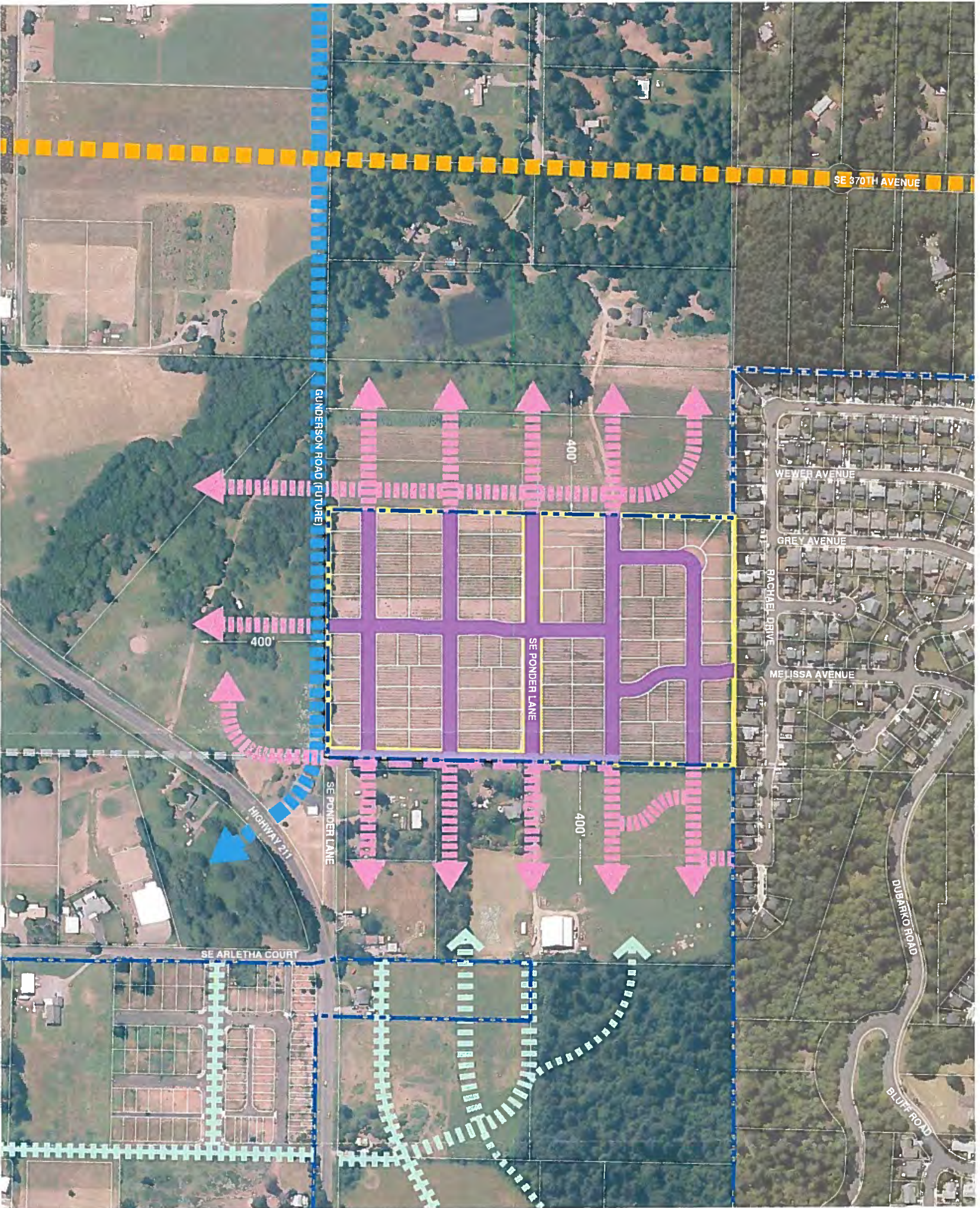
**PRELIMINARY EMERGENCY
 VEHICLE ACCESS PLAN
 BAILEY MEADOWS
 SANDY, OREGON**



RENEWAL DATE: 6/30/21
 JOB NUMBER: 7107
 DATE: 07/03/2019
 DESIGNED BY: VN
 DRAWN BY: CL
 CHECKED BY: RSW

P1-26

EXHIBIT D

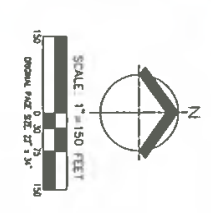


LEGEND

CITY LIMITS	Blue dashed line
URBAN GROWTH BOUNDARY	Grey dashed line
PROJECT SITE BOUNDARY	Yellow dashed line
PLANNED LOCAL STREET	Purple solid line
PLANNED LOCAL STREET (1/2 STREET IMPROVEMENTS)	Blue dashed line
FUTURE MINOR ARTERIAL (0+12')	Yellow dashed line
FUTURE COLLECTOR (0+12')	Pink dashed line
FUTURE LOCAL STREET	Pink dashed line
FUTURE LOCAL STREET (1/2 STREET IMPROVEMENTS)	Blue dashed line
CONCEPTUAL STREET FROM BOSTON VALLEY SPECIFIC AREA PLAN ILLUSTRATING STREET PLAN DATED 6/16/2003	Green dashed line

NOTES

1. THIS PLAN IS ACQUIRED TO MEET THE SUBMITTAL REQUIREMENTS FOR A CITY OF SMOOT FOR THE BALEY MEADOWS SUBDIVISION APPLICATION.
2. CONCEPTUAL FUTURE STREET LOCATIONS ARE SHOWN FOR ILLUSTRATING PURPOSES FOR THE LAND USE APPLICATION ONLY. BEARING ON ANY OTHER PROPERTIES.



DATE: 06/09/2018	DRAWN BY: C
PROJECT: BALEY MEADOWS CONCEPTUAL CONNECTIVITY PLAN	CHECKED BY: C
DESIGNED BY: AKS	DATE: 06/09/2018
PROJECT NO: 1703	SCALE: 1" = 150 FEET
PROJECT ADDRESS: 3700 SE 370TH AVE, STE 100	DATE: 06/09/2018
DRAWN BY: AKS-DG/COM	DATE: 06/09/2018
CHECKED BY: AKS-DG/COM	DATE: 06/09/2018
PROJECT NO: 1703	DATE: 06/09/2018

EXHIBIT E



- NOTES:**
- TOTAL ON-STREET PARKING SPACES: 122
 - LOCATIONS FOR PARKING SPACES, DRIVEWAYS, STREET REEFS, STREET LIGHTS, WALLBOARDS, ETC. AS SHOWN ARE CONCEPTUAL AND TO BE DETERMINED DURING THE FINAL CONSTRUCTION PLAN REVIEW PROCESS.
 - PARKING SPACES ALLOCATED TO SPECIFIC PARCELS SHOWN ON THIS CONCEPTUAL AND SUBJECT TO CHANGE.
 - NEIGHBORHOOD LOT NUMBERS THAT PARKING SPACES IS ASSOCIATED WITH.
 - NEIGHBORHOOD DISTANCE FROM LOT TO PARKING SPACE.

DATE: 09/20/2018
 PRELIMINARY NUMBERED PARKING PLAN
 SHEET D
 17365 SW HERMAN RD. ST. 101
 ALAIN, OR 97102
 503.531.9151 WWW.AKS-ENC.COM

AKS
 451 7107

Bailey Meadows Subdivision

Traffic Impact Analysis
Sandy, Oregon

Date:

June 20, 2019

Prepared for:

Cody Bjugan, Allied Homes & Development

Prepared by:

Jessica Hijar
Todd Mobley, PE



RENEWS: 12/31/2020



321 SW 4th Ave., Suite 400 | Portland, OR 97204 | 503.248.0313 | lancasterengineering.com



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Executive Summary

1. A 100-lot single family detached swelling unit subdivision is proposed for the following tax lots in Sandy, Oregon: 24E23 800, 801, 802, 803, and 804.
2. Access to the project is planned via an existing right-of-way street stub on Melissa Avenue that was created to provide access to the subject site as part of the adjoining Nicholas Glen No. 2 subdivision.
3. The proposed subdivision is calculated to generate 74 trips during the morning peak hour, 99 trips during the evening peak hour, and 944 trips each weekday.
4. Based on a review of the most recent five years of crash history, no significant safety issues or trends are evident at the study intersections.
5. Due to insufficient major and minor street volumes, preliminary traffic signal warrants were not met at the study intersections under all analysis scenarios.
6. Left-turn lane warrants were analyzed for the intersection of Melissa Avenue at Dubarko Road and not met under any analysis scenario.
7. All study intersections, including the intersection of Melissa Avenue at Dubarko Road, are currently operating within the City's performance standards and are projected to continue operating acceptably through year 2022, with or without the addition of site trips from the proposed development.



Project Description

Introduction

The proposed development will include the construction of a 100-lot subdivision to be located on tax lots 24E23 800, 801, 802, 803, and 804 in Sandy, Oregon. The site is currently within the City of Sandy Urban Growth Boundary, the city limits, and is zoned Single Family Residential (SFR), which allows the subdivision as proposed. The project will be built in three phases, with the expected completion year of 2022.

This report includes traffic counts and a full operational analysis at the intersections listed below. This scope was developed based on City of Sandy's Traffic Impact Analysis (TIA) requirements and was approved by Replinger and Associates, the City's consulting transportation engineer. Coordination of the scope of work with the Oregon Department of Transportation (ODOT) was not necessary since no intersections on the state highway are affected.

1. SE 362nd Drive at Dubarko Road,
2. Ruben Lane at Dubarko Road,
3. Dubarko Road at Melissa Avenue, and
4. Dubarko Road at Bluff Road.

The purpose of this study is to determine whether the transportation system within the vicinity of the site is capable of supporting the existing uses as well as the proposed subdivision and to determine if mitigation is necessary. Detailed information on traffic counts, trip generation calculations, safety analyses, and level-of-service calculations is included in the appendix to this report.

Location Description

The subject site is located south of Rachel Drive and west of Ponder Lane in Sandy, Oregon. Although roadway stubs will be provided within the site for future roadway connections, access to the project is planned via an existing right-of-way street stub on Melissa Avenue that was created to provide access to the subject site as part of the adjoining Nicholas Glen No. 2 subdivision.

Access to the subdivision cannot be provided via SE Ponder Lane in the southeast corner of the site since the existing right-of-way along SE Ponder Lane does not allow for two directions of travel and the current configuration of SE Ponder Lane at Highway 211 cannot support additional vehicle trips. There is not sufficient right-of-way available to realign Ponder Lane at its intersection with Highway 211. It is expected that additional access will be available to the east of the site as other properties develop.

Vicinity Streets

Five roadways have been identified in the traffic study scope. Table 1 provides a description of each of the roadways.



Table 1: Vicinity Roadway Descriptions

Street Name	Jurisdiction	Classification	Speed (MPH)	Curbs	Sidewalks	Bicycle Lanes
SE 362 nd Drive	City of Sandy	Rural Minor Arterial	35 mph posted	Partial	Partial	Partial
Ruben Lane	City of Sandy	Collector	25 mph posted	Yes	Partial	Yes
Dubarko Road	City of Sandy	Minor Arterial	25 mph posted	Yes	Yes	Partial
Melissa Avenue	City of Sandy	Local Road	25 mph statutory	Yes	Yes	No
Bluff Road	City of Sandy	Minor Arterial	25 mph posted	Partial	Partial	Partial

Study Intersections

Four nearby intersections were identified in discussions with City staff that are expected to be impacted by the proposed project. Table 2 below provides a summary of each of the study intersections.

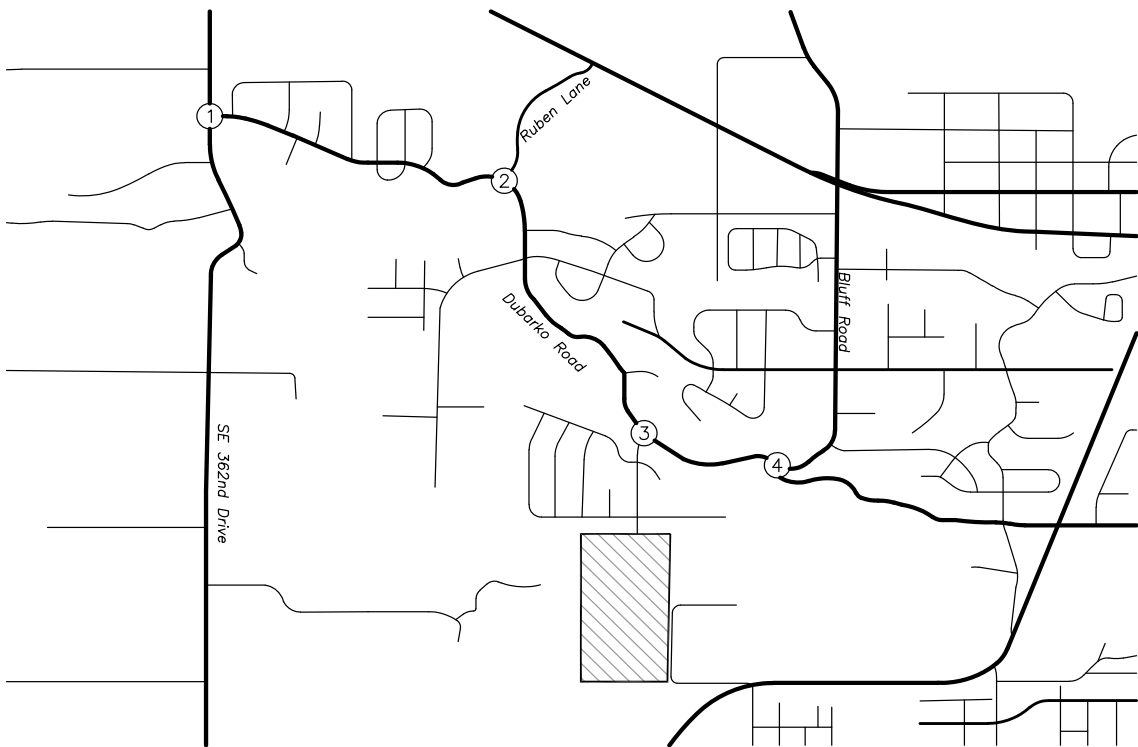
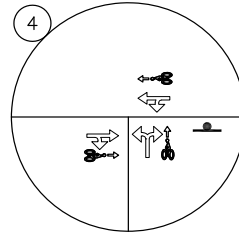
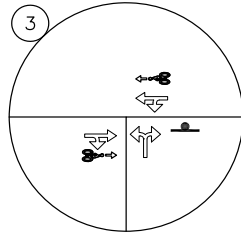
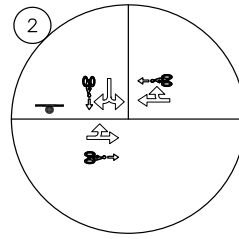
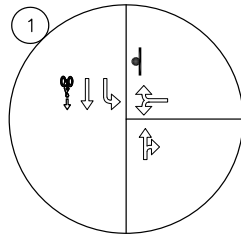
Table 2: Vicinity Intersection Descriptions

Number	Intersection	Geometry	Traffic Control	Stopped Approaches
1	SE 362 nd Drive at Dubarko Road	Three-Legged	Two-Way Stop Controlled	Westbound
2	Ruben Lane at Dubarko Road	Three-Legged	Two-Way Stop Controlled	Southbound
3	Dubarko Road at Melissa Avenue	Three-Legged	Two-Way Stop Controlled	Northbound
4	Dubarko Road at Bluff Rod	Three-Legged	All-Way Stop Controlled	All

The figure on the following page shows the site vicinity and the study intersection configurations.

LEGEND

-  STUDY INTERSECTION (EXISTING)
-  STOP SIGN
-  BIKE LANE
-  PROJECT SITE
-  ARTERIAL ROADWAY
-  COLLECTOR ROADWAY
-  LOCAL ROADWAY



VICINITY MAP



FIGURE 1

PAGE 4



Site Trips

Trip Generation

To estimate the number of trips that will be generated by the proposed use, trip rates from the *Trip Generation Manual*¹ were used. Data from land use codes 210, *Single-Family Detached Housing*, was used to estimate the proposed development’s trip generation based on the number of dwelling units.

The trip generation calculations show that the proposed subdivision is projected to generate 74 morning peak hour trips, 99 evening peak hour trips, and 944 average weekday trips. The trip generation estimates are summarized in Table 3 below and detailed trip generation calculations are included as an attachment to this report.

Table 3: Trip Generation Summary

Land Use Code	Size	Morning Peak Hour			Evening Peak Hour			Weekday Total
		In	Out	Total	In	Out	Total	
210 – Single-Family Detached Housing	100 units	19	55	74	62	37	99	944

Custom Trip Rates

Based on traffic counts collected at the existing intersection of Melissa Avenue at Dubarko Road and 24-hour counts collected along Melissa Avenue, a localized trip rate was derived for the existing subdivision that accesses Dubarko Road via Melissa Avenue. The custom trip rate was calculated to be 0.49 trips per unit during the morning peak hour, 0.63 trips per unit during the evening peak hour, and 6.90 trips per unit during each weekday. A comparison of the ITE trip rates and the trip rates based on localized data is provided in the following table.

Table 4: Trip Rate Comparison

Data	Morning Trip Rate	Evening Trip Rate	Weekday Trip Rate
ITE	0.74 trips/unit	0.99 trips/unit	9.44 trips/unit
Local Data	0.49 trips/unit	0.63 trips/unit	6.90 trips/unit

Since the localized data shows lower trip rates during all analysis periods, it can be expected that the proposed subdivision will yield site trips at a similar rate. Although this lower trip generation rate was not used for analysis, it should be noted that the trip generation based on ITE rates represents a conservative, worst-case analysis.

¹ Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 10th Edition, 2017.

Trip Distribution

The directional distribution of site trips to and from the proposed development was calculated based on travel patterns of trips to and from the existing neighborhood that is served by Melissa Avenue. In addition, the locations of likely trip destinations, locations of major transportation facilities in the site vicinity, and existing travel patterns at the study intersections.

The following trip distribution was estimated and used for analysis:

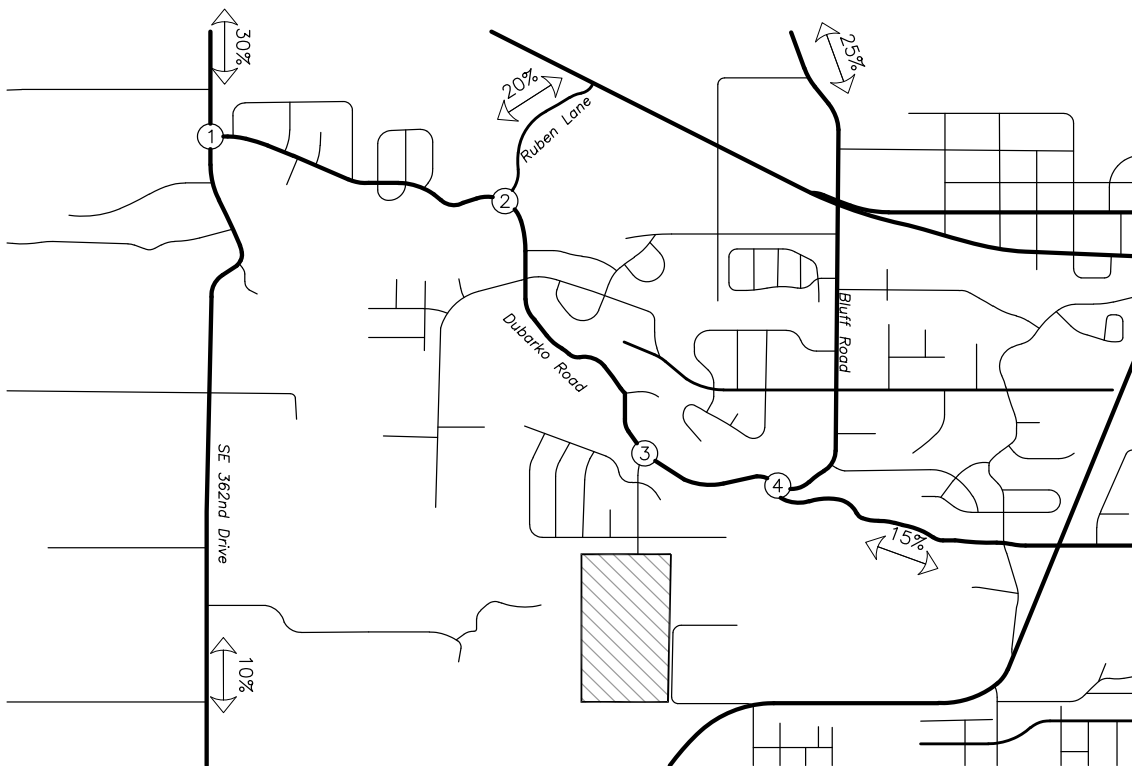
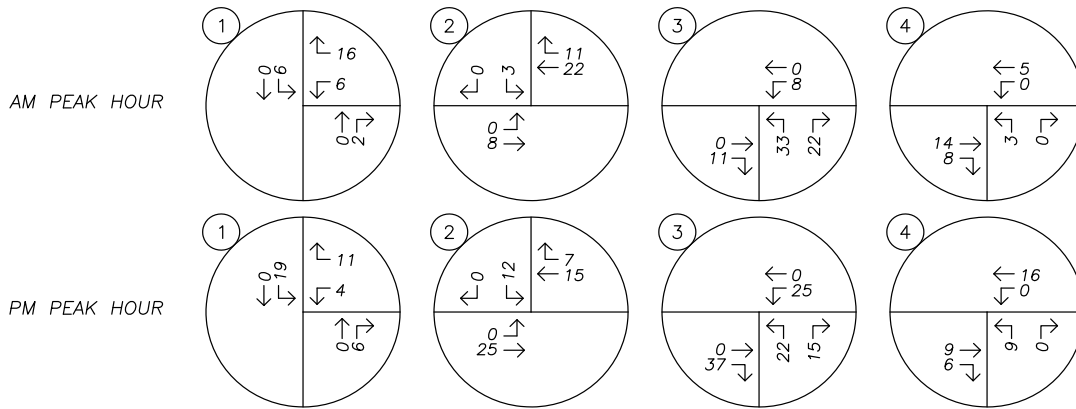
- Approximately 30 percent of site trips will travel to/from the north along SE 362nd Drive;
- Approximately 25 percent of site trips will travel to/from the north along Bluff Road;
- Approximately 20 percent of site trips will travel to/from the north on Ruben Lane;
- Approximately 15 percent of site trips will travel to/from the east along Dubarko Road; and
- Approximately 10 percent of site trips will travel to/from the south along SE 362nd Drive.

Figure 2 on page 7 shows the distribution and assignment of site trips for the proposed development.

LEGEND

XX% PERCENT OF PROJECT TRIPS

TRIP GENERATION			
	IN	OUT	TOTAL
AM	19	55	74
PM	62	37	99



SITE TRIP DISTRIBUTION & ASSIGNMENT
Proposed Development Plan – Site Trips
AM & PM Peak Hours



FIGURE
2
PAGE
7



Traffic Volumes

Existing Conditions

Traffic counts were conducted at the intersection of Melissa Avenue at Dubarko Road on Thursday, April 25th, 2019 from 7:00 AM to 9:00 AM, and from 4:00 PM to 6:00 PM. Traffic counts were conducted at all other study intersections on Wednesday, May 22nd, 2019 from 4:00 PM to 6:00 PM, and on Thursday, May 23rd, 2019 from 7:00 AM to 9:00 AM. Each intersection's respective morning and evening peak hours were used for analysis.

Background Conditions

In order to calculate the future traffic volumes on local streets, an exponential growth rate of two percent per year for an assumed period of three years was applied to the measured existing traffic volumes to approximate year 2022 background conditions.

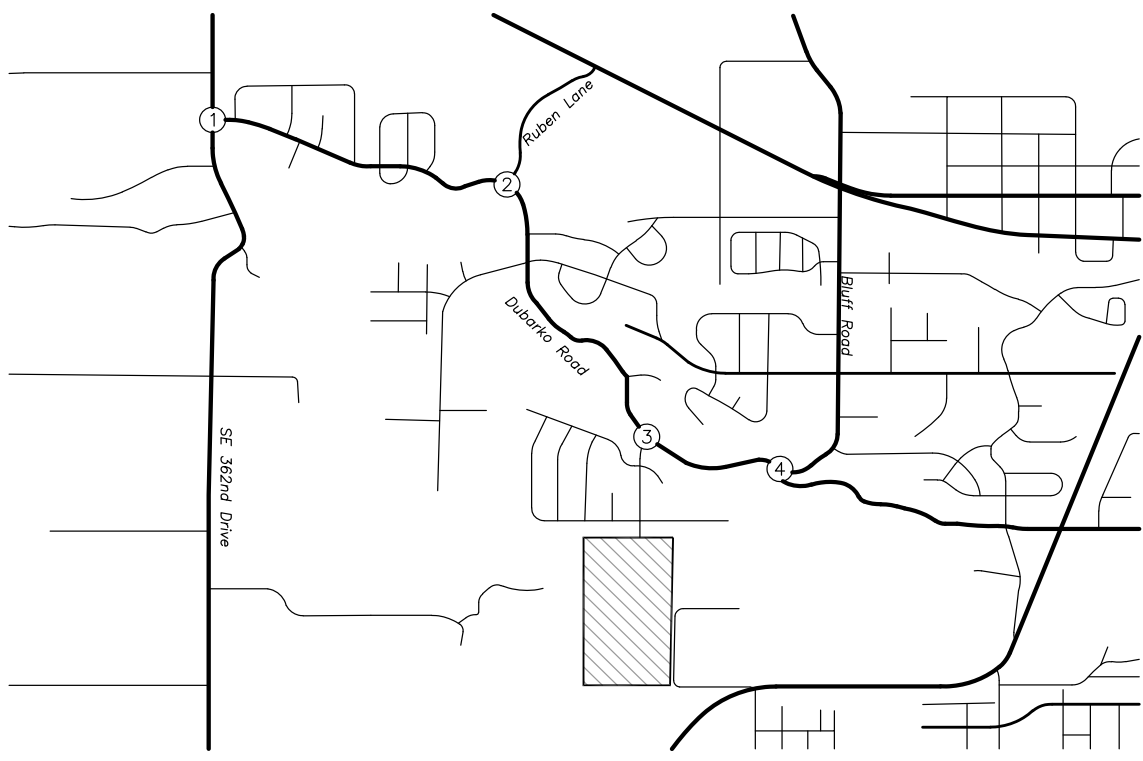
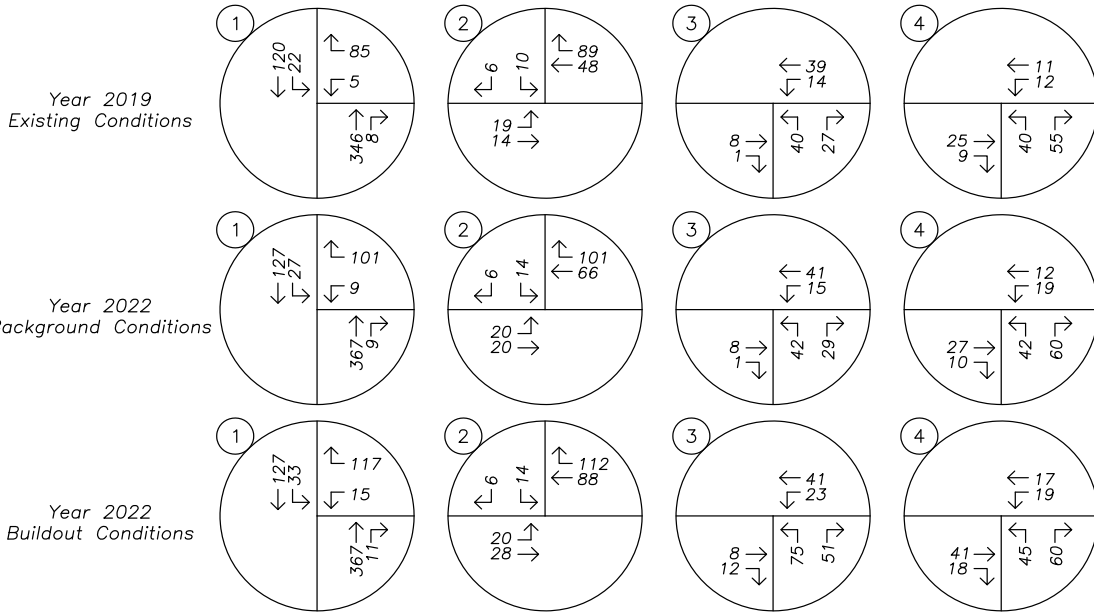
In-Process Trips

In-process trips associated with previously approved developments were added to the background volumes in order to represent future traffic volumes at the study intersections prior to the approval of the subject development. Trips associated with the approved 138-unit Sandy Heights Apartments were added to the study intersections.

Buildout Conditions

Trips to be generated by the proposed development, as described earlier within the *Site Trips* section, were added to the projected year 2022 background traffic volumes to obtain the expected year 2022 buildout volumes.

Figure 3 on page 9 shows the existing, year 2022 background, and year 2022 buildout traffic volumes for the morning peak hour. Figure 4 on page 10 shows the existing, year 2022 background, and year 2022 buildout traffic volumes for the evening peak hour.

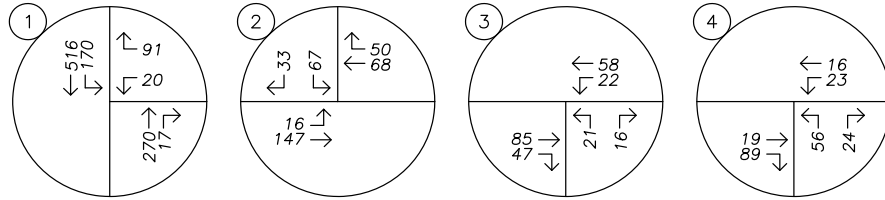


TRAFFIC VOLUMES
 All Analysis Scenarios
 AM Peak Hour

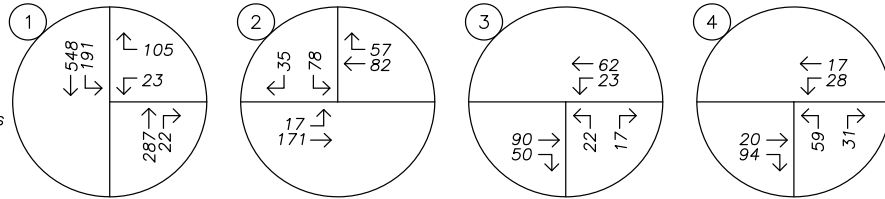
no scale

FIGURE 3
PAGE 9

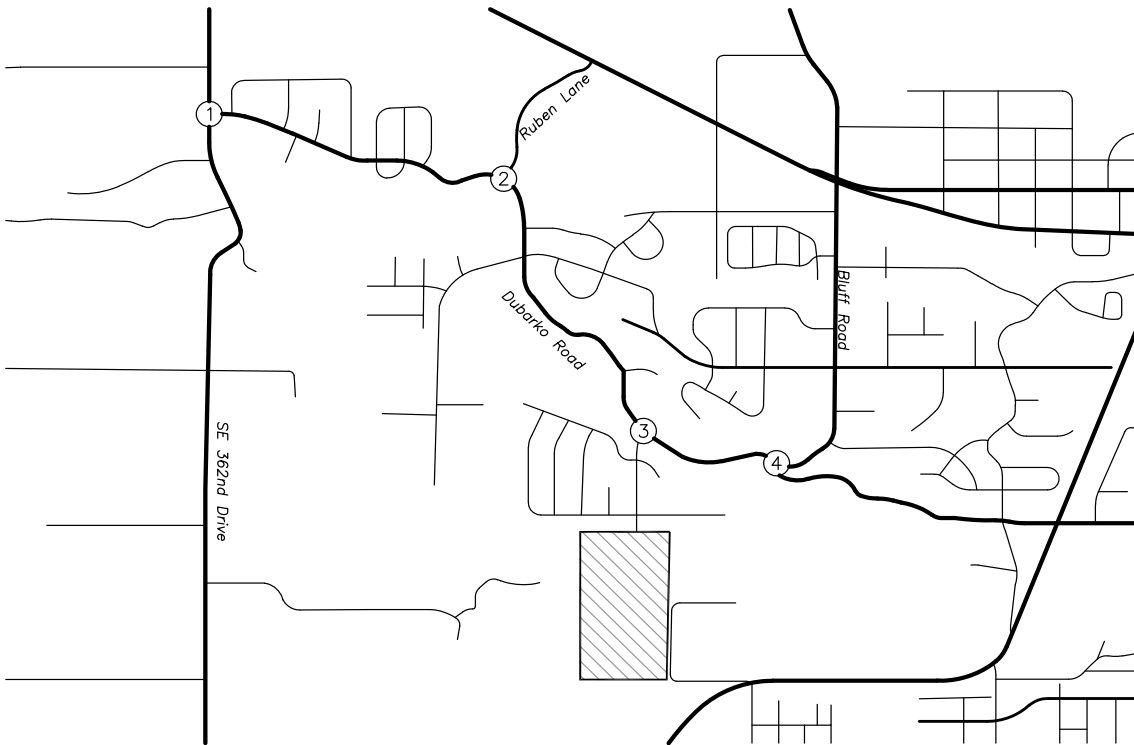
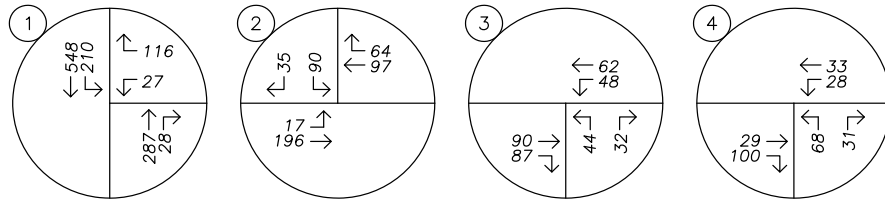
Year 2019
Existing Conditions



Year 2022
Background Conditions



Year 2022
Buildout Conditions



TRAFFIC VOLUMES
All Analysis Scenarios
PM Peak Hour



FIGURE
4

PAGE
10



Safety Analysis

Crash History Review

Using data obtained from the ODOT's Crash Analysis and Reporting Unit, a review of the most recent available five years of crash history (January 2012 to December 2016) at the study intersections was performed. The crash data was evaluated based on the number of crashes, the type of collisions, the severity of the collisions, and the resulting crash rate for the intersection. Crash rates provide the ability to compare safety risks at different intersections by accounting for both the number of crashes that have occurred during the study period and the number of vehicles that typically travel through the intersection. Crash rates were calculated using the common assumption that traffic counted during the evening peak hour represents approximately 10 percent of the annual average daily traffic (AADT) at the intersection. Crash rates in excess of 1.0 crashes per million entering vehicles (CMEV) may be indicative of design deficiencies and therefore require a need for further investigation and possible mitigation.

Table 5: Crash Analysis Summary

Intersection	Crash Type		Crash Severity	Total	AADT	Crash Rate
	Turn	Sideswipe	PDO			
Dubarko Road at SE 362 nd Drive	0	1	1	1	10,840	0.05
Dubarko Road at Melissa Avenue	2	0	2	2	2,490	0.44

The calculated crash rates at the intersections of Dubarko Road at SE 362nd Drive and at Melissa Avenue are not indicative of safety deficiencies or design flaws. No mitigation is recommended.

No reported crashes were found at the intersections of Dubarko Road at Ruben Lane and Dubarko Road at Bluff Road during the analysis period. Accordingly, no safety concerns were identified at these study intersections.

Warrant Analysis

Traffic Signal Warrants

Traffic signal warrants were examined for all study intersections based on the methodologies in the *Manual on Uniform Traffic Control Devices*² (MUTCD). Warrant 1, *Eight Hour Vehicular Volumes*, was used from the MUTCD. Warrants were evaluated based on the common assumption that traffic counted during the evening peak hour represents ten percent of the AADT. Volumes were used for the year 2022 buildout conditions. Traffic signal warrants were not met at any of the study intersections due to low major and minor street

² Federal Highway Administration (FTA), America Traffic Safety Services Association (ATSSA), Institute of Transportation Engineers (ITE), American Association of State Highway and Transportation Officials (AASHTO), *Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD), 2009 Edition, 2010.



traffic volumes. Detailed information on the traffic signal warrant analysis is included in the attached appendix.

Left-Turn Lane Warrants

Left-turn lane warrants were examined for the westbound left-turn lane at the intersection of Melissa Avenue at Dubarko Road. A left-turn refuge is primarily a safety consideration for the major-street approach, removing left-turning vehicles from the through traffic stream. Warrants were based on the methodology outlined in the National Cooperative Highway Research Program (NCHRP) Report Number 457³. These turn-lane warrants were evaluated based on the number of left-turning vehicles, the number of advancing and opposing vehicles, and the roadway travel speed.

Left-turn lanes were not warranted during any of the analysis scenarios. No new left-turn lanes are recommended.

³ Bonneson, James A. and Michael D. Fontaine, *NCHRP Report 457: An Engineering Study Guide for Evaluating Intersection Improvements*, Transportation Research Board, 2001.



Operational Analysis

Delay & Capacity Analysis

A capacity and delay analysis was conducted for the study intersection per the unsignalized intersection analysis methodologies in the *Highway Capacity Manual*⁴ (HCM). Intersections are generally evaluated based on the average control delay experienced by vehicles and are assigned a grade according to their operation. The level of service (LOS) of an intersection can range from LOS A, which indicates very little or no delay experienced by vehicles, to LOS F, which indicates a high degree of congestion and delay. The volume-to-capacity (v/c) ratio is a measure that compares the traffic volumes (demand) against the available capacity of an intersection.

The City of Sandy’s Transportation System Plan states that both signalized and unsignalized intersections are required to operate at LOS D or better.

Based on the results of the operational analysis, shown in Table 6, the study intersections are currently operating acceptably and are projected to continue operating acceptably through the 2022 buildout year of the site. Detailed calculations as well as tables showing the relationship between delay and LOS are included in the appendix to this report.

Table 6: Intersection Capacity Analysis Summary

	Morning Peak Hour			Evening Peak Hour		
	Delay	LOS	V/C	Delay	LOS	V/C
SE 362nd Drive at Dubarko Road						
Existing Conditions	12	B	0.17	16	C	0.27
Year 2022 Background Conditions	13	B	0.22	18	C	0.34
Year 2022 Buildout Conditions	13	B	0.27	21	C	0.40
Ruben Lane at Dubarko Road						
Existing Conditions	9	A	0.02	11	B	0.15
Year 2022 Background Conditions	10	A	0.03	11	B	0.18
Year 2022 Buildout Conditions	10	A	0.03	12	B	0.21
Dubarko Road at Melissa Avenue						
Existing Conditions	9	A	0.09	10	A	0.05
Year 2022 Background Conditions	9	A	0.09	10	A	0.06
Year 2022 Buildout Conditions	10	A	0.17	11	B	0.12
Dubarko Road at Bluff Road						
Existing Conditions	8	A	0.15	8	A	0.13
Year 2022 Background Conditions	8	A	0.16	8	A	0.14
Year 2022 Buildout Conditions	8	A	0.17	8	A	0.16

⁴ Transportation Research Board, *Highway Capacity Manual, 6th Edition, 2016.*



Conclusions

Based on a review of the most recent five years of crash history, no significant safety issues or trends are evident at the study intersections.

Due to insufficient major and minor street volumes, traffic signal warrants were not met at the study intersections under all analysis scenarios.

Left-turn lane warrants were analyzed for the intersection of Melissa Avenue at Dubarko Road and not estimated to be met under any analysis scenario.

All study intersections, including the intersection of Melissa Avenue and Dubarko Road are currently operating within the City's performance standards and are projected to continue operating acceptably through year 2022, with or without the addition of site trips from the proposed development.

1e

Appendix



TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing
Land Use Code: 210
Setting/Location: General Urban/Suburban
Variable: Dwelling Units
Variable Value: 100

AM PEAK HOUR

Trip Rate: 0.74

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	19	55	74

PM PEAK HOUR

Trip Rate: 0.99

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	62	37	99

WEEKDAY

Trip Rate: 9.44

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	472	472	944

SATURDAY

Trip Rate: 9.54

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	477	477	954

Source: Trip Generation Manual, Tenth Edition

All Traffic Data Services, Inc.
alltrafficdata.net

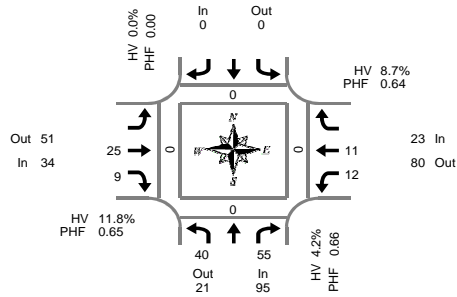
Melissa Ave S-O Dubarko Rd

Start Time	25-Apr-19 Thu	NB	SB							Total
12:00 AM		2	5							7
01:00		1	1							2
02:00		1	0							1
03:00		7	2							9
04:00		20	1							21
05:00		30	5							35
06:00		57	11							68
07:00		67	15							82
08:00		37	17							54
09:00		30	17							47
10:00		25	18							43
11:00		23	22							45
12:00 PM		35	25							60
01:00		16	24							40
02:00		29	46							75
03:00		35	58							93
04:00		44	64							108
05:00		30	54							84
06:00		32	74							106
07:00		28	40							68
08:00		16	36							52
09:00		9	30							39
10:00		5	12							17
11:00		0	4							4
Total		579	581							1160
Percent		49.9%	50.1%							
AM Peak	-	07:00	11:00	-	-	-	-	-	-	07:00
Vol.	-	67	22	-	-	-	-	-	-	82
PM Peak	-	16:00	18:00	-	-	-	-	-	-	16:00
Vol.	-	44	74	-	-	-	-	-	-	108
Grand Total		579	581							1160
Percent		49.9%	50.1%							
ADT		ADT 11,874	AADT 11,874							

Total Vehicle Summary



Clay Carney
(603) 833-2740



Dubarko Rd & Bluff Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	3	4	0			0	2	1	0	0	1	0	11	0	0	0	0
7:05 AM	1	8	0			0	2	0	0	1	0	0	12	0	0	0	0
7:10 AM	3	7	0			0	5	1	0	2	1	0	19	0	0	0	0
7:15 AM	8	6	0			0	4	0	0	0	1	0	19	0	0	0	0
7:20 AM	2	7	0			0	0	0	0	1	1	0	11	0	0	0	0
7:25 AM	6	7	0			0	3	2	0	4	2	0	24	0	0	0	0
7:30 AM	3	2	0			0	6	1	0	1	0	0	13	0	0	0	0
7:35 AM	1	3	0			0	1	0	0	1	1	0	7	0	0	0	0
7:40 AM	3	1	0			0	1	1	0	1	1	0	8	0	0	0	0
7:45 AM	1	2	0			0	0	2	0	1	0	0	6	0	0	0	0
7:50 AM	5	6	0			0	1	0	0	0	3	0	15	0	0	0	0
7:55 AM	4	2	0			0	0	1	0	0	0	0	7	0	0	0	0
8:00 AM	2	1	0			0	1	2	0	2	0	0	8	0	0	0	0
8:05 AM	2	1	0			0	0	1	0	0	0	0	4	0	0	0	0
8:10 AM	1	5	0			0	2	0	0	1	2	0	11	0	0	0	0
8:15 AM	2	7	0			0	0	0	0	2	1	0	12	0	0	0	0
8:20 AM	3	2	0			0	3	0	0	1	0	0	9	0	0	0	0
8:25 AM	3	5	0			0	1	3	0	1	0	0	13	0	0	0	0
8:30 AM	0	5	0			0	0	2	0	1	0	0	8	0	0	0	0
8:35 AM	3	0	0			0	0	2	0	0	0	0	5	0	0	0	0
8:40 AM	3	2	0			0	0	2	0	0	1	0	8	0	0	0	0
8:45 AM	1	1	0			0	1	1	0	3	1	0	8	0	0	0	0
8:50 AM	0	1	0			0	0	1	0	1	0	0	3	0	0	0	0
8:55 AM	1	0	0			0	0	2	0	0	0	0	3	0	0	0	0
Total Survey	61	85	0			0	33	25	0	24	16	0	244	0	0	0	0

15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	7	19	0			0	9	2	0	3	2	0	42	0	0	0	0
7:15 AM	16	20	0			0	7	2	0	5	4	0	54	0	0	0	0
7:30 AM	7	6	0			0	8	2	0	3	2	0	28	0	0	0	0
7:45 AM	10	10	0			0	1	3	0	1	3	0	28	0	0	0	0
8:00 AM	5	7	0			0	3	3	0	3	2	0	23	0	0	0	0
8:15 AM	8	14	0			0	4	3	0	4	1	0	34	0	0	0	0
8:30 AM	6	7	0			0	0	6	0	1	1	0	21	0	0	0	0
8:45 AM	2	2	0			0	1	4	0	4	1	0	14	0	0	0	0
Total Survey	61	85	0			0	33	25	0	24	16	0	244	0	0	0	0

Peak Hour Summary

7:00 AM to 8:00 AM

By Approach	Northbound Dubarko Rd				Southbound Dubarko Rd				Eastbound Bluff Rd				Westbound Bluff Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	95	21	116	0	0	0	0	0	34	51	85	0	23	80	103	0	0	0	0	0	
%HV	4.2%				0.0%				11.8%				8.7%				6.6%				
PHF	0.66				0.00				0.65				0.64				0.70				

By Movement	Northbound Dubarko Rd				Southbound Dubarko Rd				Eastbound Bluff Rd				Westbound Bluff Rd				Total
	L	R	Total	Bikes			Total	Bikes	T	R	Total	Bikes	L	T	Total	Bikes	
Volume	40	55	95	0	NA	NA	NA	0.0%	NA	25	9	34	12	11	23	152	
%HV	2.5%	NA	5.5%	4.2%	NA	NA	NA	0.0%	NA	12.0%	11.1%	11.8%	8.3%	9.1%	NA	8.7%	6.6%
PHF	0.63	0.65	0.66	0.00	0.00	0.00	0.00	0.00	0.57	0.75	0.65	0.50	0.69	0.64	0.70		

Rolling Hour Summary

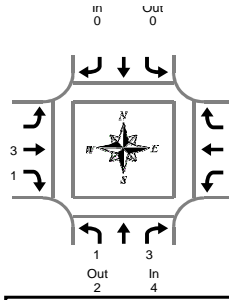
7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	40	55	0			0	25	9	0	12	11	0	152	0	0	0	0
7:15 AM	38	43	0			0	19	10	0	12	11	0	133	0	0	0	0
7:30 AM	30	37	0			0	16	11	0	11	8	0	113	0	0	0	0
7:45 AM	29	38	0			0	8	15	0	9	7	0	106	0	0	0	0
8:00 AM	21	30	0			0	8	16	0	12	5	0	92	0	0	0	0

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Dubarko Rd & Bluff Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Peak Hour Summary
7:00 AM to 8:00 AM

Heavy Vehicle 5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	0	0	0			0	0	0	0	0	1	0	1
7:05 AM	0	1	1			0	0	0	0	1	0	0	1
7:10 AM	0	0	0			0	1	0	1	0	0	0	0
7:15 AM	1	0	1			0	1	0	1	0	0	0	2
7:20 AM	0	0	0			0	0	0	0	0	0	0	0
7:25 AM	0	0	0			0	0	0	0	0	0	0	0
7:30 AM	0	0	0			0	1	0	1	0	0	0	1
7:35 AM	0	1	1			0	0	0	0	0	0	0	1
7:40 AM	0	0	0			0	0	1	1	0	0	0	1
7:45 AM	0	0	0			0	0	0	0	0	0	0	0
7:50 AM	0	1	1			0	0	0	0	0	0	0	1
7:55 AM	0	0	0			0	0	0	0	0	0	0	0
8:00 AM	0	0	0			0	0	0	0	0	0	0	0
8:05 AM	0	0	0			0	0	0	0	0	0	0	0
8:10 AM	0	1	1			0	0	0	0	0	0	0	1
8:15 AM	1	0	1			0	0	0	0	0	0	0	1
8:20 AM	0	0	0			0	1	0	1	0	0	0	1
8:25 AM	0	1	1			0	0	0	0	0	0	0	1
8:30 AM	0	1	1			0	0	0	0	0	0	0	1
8:35 AM	0	0	0			0	0	0	0	0	0	0	0
8:40 AM	0	0	0			0	0	0	0	0	0	0	0
8:45 AM	0	0	0			0	0	0	0	0	0	0	0
8:50 AM	0	0	0			0	0	0	0	0	0	0	0
8:55 AM	0	0	0			0	0	0	0	0	0	0	0
Total Survey	2	6	8			0	4	1	5	1	1	2	15

Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	0	1	1			0	1	0	1	1	1	0	2
7:15 AM	1	0	1			0	1	0	1	0	0	0	2
7:30 AM	0	1	1			0	1	1	2	0	0	0	3
7:45 AM	0	1	1			0	0	0	0	0	0	0	1
8:00 AM	0	1	1			0	0	0	0	0	0	0	1
8:15 AM	1	1	2			0	1	0	1	0	0	0	3
8:30 AM	0	1	1			0	0	0	0	0	0	0	1
8:45 AM	0	0	0			0	0	0	0	0	0	0	0
Total Survey	2	6	8			0	4	1	5	1	1	2	15

Heavy Vehicle Peak Hour Summary 7:00 AM to 8:00 AM

By Approach	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	4	2	6	0	0	0	4	2	6	2	6	8	10
PHF	0.50			0.00			0.50			0.25			0.50

By Movement	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	1	3	4			0	3	1	4	1	1	2	10
PHF	0.25	0.75	0.50			0.00	0.38	0.25	0.50	0.25	0.25	0.25	0.50

Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	1	3	4			0	3	1	4	1	1	2	10
7:15 AM	1	3	4			0	2	1	3	0	0	0	7
7:30 AM	1	4	5			0	2	1	3	0	0	0	8
7:45 AM	1	4	5			0	1	0	1	0	0	0	6
8:00 AM	1	3	4			0	1	0	1	0	0	0	5

Peak Hour Summary



Clay Carney
(503) 833-2740

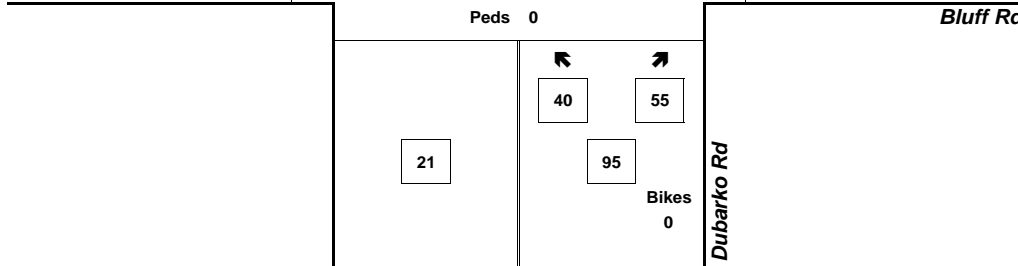
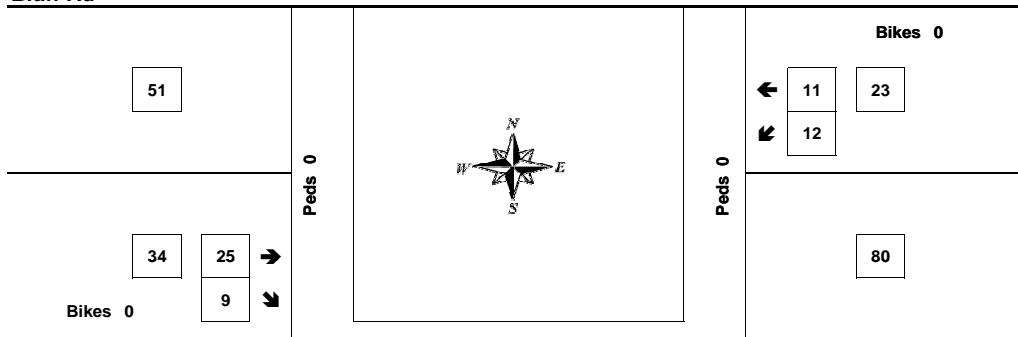
Dubarko Rd & Bluff Rd

7:00 AM to 8:00 AM
Thursday, May 23, 2019

Bikes
0

Bluff Rd

Peds 0



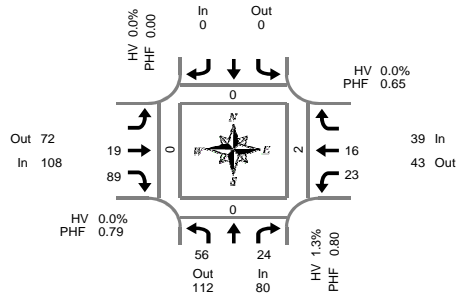
Approach	PHF	HV%	Volume
EB	0.65	11.8%	34
WB	0.64	8.7%	23
NB	0.66	4.2%	95
SB	0.00	0.0%	0
Intersection	0.70	6.6%	152

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary



Clay Carney
(603) 833-2740



Dubarko Rd & Bluff Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Peak Hour Summary
4:45 PM to 5:45 PM

5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	4	0	0			0			0	4	7	0	5	0	0	0	0
4:05 PM	2	0	0			0			0	1	4	0	3	3	0	0	0
4:10 PM	7	1	0			0			0	1	4	0	2	0	0	0	0
4:15 PM	5	1	0			0			0	2	7	0	1	1	0	0	0
4:20 PM	3	0	0			0			0	0	5	0	2	3	0	0	0
4:25 PM	7	2	0			0			0	3	8	0	3	0	0	0	0
4:30 PM	6	2	0			0			0	0	6	0	1	0	0	0	0
4:35 PM	2	2	0			0			0	3	9	0	1	0	0	0	0
4:40 PM	7	3	0			0			0	2	7	0	1	0	0	0	0
4:45 PM	7	0	0			0			0	0	10	0	3	0	0	0	0
4:50 PM	8	4	0			0			0	2	5	0	1	0	0	0	0
4:55 PM	3	1	0			0			0	0	6	0	0	1	0	0	0
5:00 PM	4	3	0			0			0	1	5	0	3	2	0	0	0
5:05 PM	6	1	1			0			0	3	8	0	1	2	0	1	0
5:10 PM	1	0	0			0			0	4	9	0	1	0	0	0	0
5:15 PM	3	0	0			0			0	1	9	0	1	2	0	0	0
5:20 PM	7	4	0			0			0	3	6	0	1	3	0	0	0
5:25 PM	1	2	0			0			0	0	8	0	3	1	0	0	0
5:30 PM	5	2	0			0			0	1	6	0	5	1	0	0	0
5:35 PM	3	0	0			0			0	2	9	0	2	3	0	0	0
5:40 PM	8	7	0			0			0	2	8	0	2	1	0	1	0
5:45 PM	7	1	0			0			0	0	3	0	0	1	0	0	0
5:50 PM	6	2	0			0			0	1	6	0	1	0	0	0	0
5:55 PM	3	0	0			0			0	1	2	0	1	2	0	0	0
Total Survey	115	38	1			0			0	37	157	0	44	26	0	2	0

15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	13	1	0			0			0	6	15	0	10	3	0	0	0
4:15 PM	15	3	0			0			0	5	20	0	6	4	0	0	0
4:30 PM	15	7	0			0			0	5	22	0	3	0	0	0	0
4:45 PM	18	5	0			0			0	2	21	0	4	1	0	0	0
5:00 PM	11	4	1			0			0	8	22	0	5	4	0	1	0
5:15 PM	11	6	0			0			0	4	23	0	5	6	0	0	0
5:30 PM	16	9	0			0			0	5	23	0	9	5	0	1	0
5:45 PM	16	3	0			0			0	2	11	0	2	3	0	0	0
Total Survey	115	38	1			0			0	37	157	0	44	26	0	2	0

Peak Hour Summary

4:45 PM to 5:45 PM

By Approach	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	80	112	192	1	0	0	0	0	108	72	180	0	39	43	82	0	227
%HV	1.3%			0.0%			0.0%			0.0%			0.4%				
PHF	0.80			0.00			0.79			0.65			0.85				

By Movement	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	56	24	80			0	19	89	108	23	16	39	227
%HV	1.8%	NA	0.0%	1.3%	NA	NA	0.0%	NA	0.0%	0.0%	0.0%	0.0%	0.4%
PHF	0.78	0.67	0.80			0.00	0.59	0.86	0.79	0.58	0.67	0.65	0.85

Rolling Hour Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	61	16	0			0			0	18	78	0	23	8	0	0	0
4:15 PM	59	19	1			0			0	20	85	0	18	9	0	1	0
4:30 PM	55	22	1			0			0	19	88	0	17	11	0	1	0
4:45 PM	56	24	1			0			0	19	89	0	23	16	0	2	0
5:00 PM	54	22	1			0			0	19	79	0	21	18	0	2	0

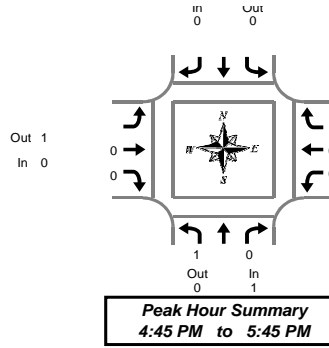
Heavy Vehicle Summary



Clay Carney
(503) 833-2740

Dubarko Rd & Bluff Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM



Heavy Vehicle 5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0		0	2	0	2	0	0	0	2
4:05 PM	0	0	0		0	0	0	0	0	0	0	0
4:10 PM	0	0	0		0	0	0	0	0	0	0	0
4:15 PM	0	0	0		0	0	0	0	1	0	1	1
4:20 PM	0	0	0		0	0	0	0	0	0	0	0
4:25 PM	0	0	0		0	0	0	0	0	0	0	0
4:30 PM	0	0	0		0	0	0	0	1	0	1	1
4:35 PM	0	0	0		0	0	0	0	0	0	0	0
4:40 PM	0	0	0		0	0	0	0	0	0	0	0
4:45 PM	0	0	0		0	0	0	0	0	0	0	0
4:50 PM	0	0	0		0	0	0	0	0	0	0	0
4:55 PM	0	0	0		0	0	0	0	0	0	0	0
5:00 PM	0	0	0		0	0	0	0	0	0	0	0
5:05 PM	0	0	0		0	0	0	0	0	0	0	0
5:10 PM	0	0	0		0	0	0	0	0	0	0	0
5:15 PM	0	0	0		0	0	0	0	0	0	0	0
5:20 PM	0	0	0		0	0	0	0	0	0	0	0
5:25 PM	0	0	0		0	0	0	0	0	0	0	0
5:30 PM	0	0	0		0	0	0	0	0	0	0	0
5:35 PM	0	0	0		0	0	0	0	0	0	0	0
5:40 PM	1	0	1		0	0	0	0	0	0	0	1
5:45 PM	0	0	0		0	0	0	0	0	0	0	0
5:50 PM	0	0	0		0	0	0	0	0	0	0	0
5:55 PM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	1	0	1		0	2	0	2	2	0	2	5

Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0		0	2	0	2	0	0	0	2
4:15 PM	0	0	0		0	0	0	0	1	0	1	1
4:30 PM	0	0	0		0	0	0	0	1	0	1	1
4:45 PM	0	0	0		0	0	0	0	0	0	0	0
5:00 PM	0	0	0		0	0	0	0	0	0	0	0
5:15 PM	0	0	0		0	0	0	0	0	0	0	0
5:30 PM	1	0	1		0	0	0	0	0	0	0	1
5:45 PM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	1	0	1		0	2	0	2	2	0	2	5

Heavy Vehicle Peak Hour Summary 4:45 PM to 5:45 PM

By Approach	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	1	0	1	0	0	0	0	1	1	0	0	0	1
PHF	0.25			0.00			0.00			0.00			0.25

By Movement	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Total
	L	R	Total		Total	T	R	Total	L	T	Total	
Volume	1	0	1		0	0	0	0	0	0	0	1
PHF	0.25		0.25		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.25

Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0		0	2	0	2	2	0	2	4
4:15 PM	0	0	0		0	0	0	0	2	0	2	2
4:30 PM	0	0	0		0	0	0	0	1	0	1	1
4:45 PM	1	0	1		0	0	0	0	0	0	0	1
5:00 PM	1	0	1		0	0	0	0	0	0	0	1

Peak Hour Summary



Clay Carney
(503) 833-2740

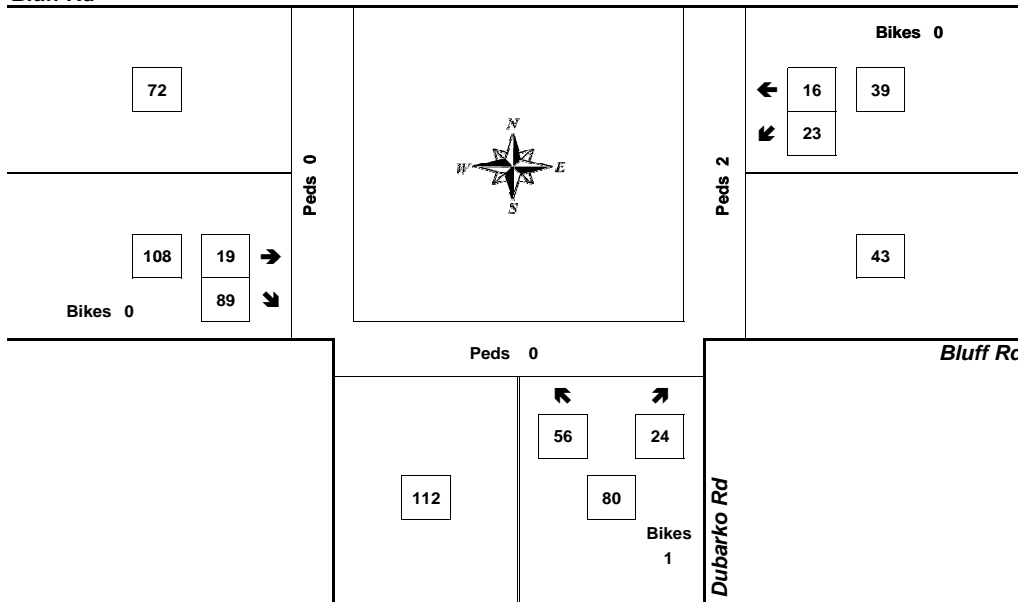
Dubarko Rd & Bluff Rd

4:45 PM to 5:45 PM
Wednesday, May 22, 2019

Bikes
0

Bluff Rd

Peds 0



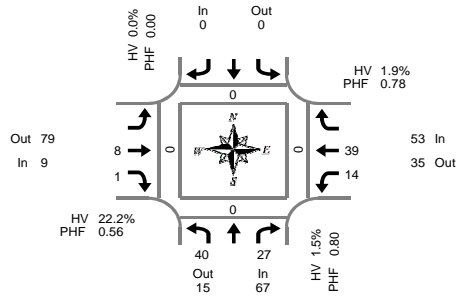
Approach	PHF	HV%	Volume
EB	0.79	0.0%	108
WB	0.65	0.0%	39
NB	0.80	1.3%	80
SB	0.00	0.0%	0
Intersection	0.85	0.4%	227

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary



Clay Carney
(603) 833-2740



Peak Hour Summary
7:00 AM to 8:00 AM

Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
7:00 AM to 9:00 AM

5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	5	2	0			0	0	0	0	2	3	0	12	0	0	0	0
7:05 AM	4		6			0	0	0	0	2	4	0	16	0	0	0	0
7:10 AM	2		2			0	1	0	0	1	2	0	8	0	0	0	0
7:15 AM	4		1			0	0	0	0	0	4	0	9	0	0	0	0
7:20 AM	2		3			0	2	0	0	2	3	0	12	0	0	0	0
7:25 AM	2		3			0	0	1	0	0	6	0	12	0	0	0	0
7:30 AM	6		4			0	1	0	0	3	3	0	17	0	0	0	0
7:35 AM	0		0			0	1	0	0	1	3	0	5	0	0	0	0
7:40 AM	2		1			0	1	0	0	0	4	0	8	0	0	0	0
7:45 AM	4		1			0	0	0	0	0	2	0	7	0	0	0	0
7:50 AM	6		1			0	1	0	0	2	3	0	13	0	0	0	0
7:55 AM	3		3			0	1	0	0	1	2	0	10	0	0	0	0
8:00 AM	3		0			0	0	0	0	0	1	0	4	0	0	0	0
8:05 AM	4		0			0	1	0	0	1	2	0	8	0	0	0	0
8:10 AM	3		1			0	0	1	0	0	2	0	7	0	0	0	0
8:15 AM	1		0			0	1	1	0	1	3	0	7	0	0	0	0
8:20 AM	1		3			0	3	1	0	1	4	0	13	0	0	0	0
8:25 AM	3		2			0	2	0	0	1	4	0	12	0	0	0	0
8:30 AM	3		3			0	5	0	0	0	2	0	13	0	0	0	0
8:35 AM	2		1			0	4	1	0	0	1	0	9	0	0	0	0
8:40 AM	0		2			0	4	1	0	1	3	0	11	0	0	0	0
8:45 AM	0		2			0	5	1	0	0	5	0	13	0	0	0	0
8:50 AM	0		1			0	2	2	0	1	2	0	8	0	0	0	0
8:55 AM	2		0			0	0	0	0	3	3	0	8	0	0	0	0
Total Survey	62		42			0	35	9	0	23	71	0	242	0	0	0	0

15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	11		10			0	1	0	0	5	9	0	36	0	0	0	0
7:15 AM	8		7			0	2	1	0	2	13	0	33	0	0	0	0
7:30 AM	8		5			0	3	0	0	4	10	0	30	0	0	0	0
7:45 AM	13		5			0	2	0	0	3	7	0	30	0	0	0	0
8:00 AM	10		1			0	1	1	0	1	5	0	19	0	0	0	0
8:15 AM	5		5			0	6	2	0	3	11	0	32	0	0	0	0
8:30 AM	5		6			0	13	2	0	1	6	0	33	0	0	0	0
8:45 AM	2		3			0	7	3	0	4	10	0	29	0	0	0	0
Total Survey	62		42			0	35	9	0	23	71	0	242	0	0	0	0

Peak Hour Summary

7:00 AM to 8:00 AM

By Approach	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	67	15	82	0	0	0	0	9	79	88	0	53	35	88	0	129	
%HV	1.5%				0.0%				22.2%				1.9%			3.1%	
PHF	0.80				0.00				0.56				0.78			0.79	

By Movement	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total				
	L	R	Total			Total	T	R	Total	L	T	Total					
Volume	40		27	67		0	8	1	9	14	39	53	129				
%HV	2.5%	NA	0.0%	1.5%	NA	NA	NA	0.0%	NA	12.5%	#####	22.2%	7.1%	0.0%	NA	1.9%	3.1%
PHF	0.77		0.68	0.80		0.00	0.67	0.25	0.56	0.70	0.75	0.78	0.79				

Rolling Hour Summary

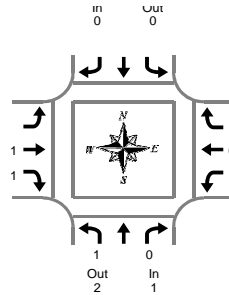
7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	40		27			0	8	1	0	14	39	0	129	0	0	0	0
7:15 AM	39		18			0	8	2	0	10	35	0	112	0	0	0	0
7:30 AM	36		16			0	12	3	0	11	33	0	111	0	0	0	0
7:45 AM	33		17			0	22	5	0	8	29	0	114	0	0	0	0
8:00 AM	22		15			0	27	8	0	9	32	0	113	0	0	0	0

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Out 1
In 2

Peak Hour Summary
7:00 AM to 8:00 AM

Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
7:00 AM to 9:00 AM

Heavy Vehicle 5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
7:00 AM	1	0	1		0	0	0	0	1	0	1	2
7:05 AM	0	0	0		0	0	0	0	0	0	0	0
7:10 AM	0	0	0		0	0	0	0	0	0	0	0
7:15 AM	0	0	0		0	0	0	0	0	0	0	0
7:20 AM	0	0	0		0	0	0	0	0	0	0	0
7:25 AM	0	0	0		0	0	1	1	0	0	0	1
7:30 AM	0	0	0		0	0	0	0	0	0	0	0
7:35 AM	0	0	0		0	0	0	0	0	0	0	0
7:40 AM	0	0	0		0	0	0	0	0	0	0	0
7:45 AM	0	0	0		0	0	0	0	0	0	0	0
7:50 AM	0	0	0		0	0	0	0	0	0	0	0
7:55 AM	0	0	0		0	0	1	1	0	0	0	1
8:00 AM	0	0	0		0	0	0	0	0	0	0	0
8:05 AM	0	0	0		0	0	0	0	0	0	0	0
8:10 AM	1	0	1		0	0	0	0	0	0	0	1
8:15 AM	1	0	1		0	0	0	0	1	0	1	2
8:20 AM	0	1	1		0	0	0	0	0	0	0	1
8:25 AM	0	0	0		0	0	0	0	0	0	0	0
8:30 AM	0	1	1		0	0	0	0	0	0	0	1
8:35 AM	0	0	0		0	0	0	0	0	0	0	0
8:40 AM	0	0	0		0	0	0	0	0	0	0	0
8:45 AM	0	0	0		0	0	0	0	0	0	0	0
8:50 AM	0	0	0		0	0	0	0	0	0	0	0
8:55 AM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	3	2	5		0	1	1	2	2	0	2	9

Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
7:00 AM	1	0	1		0	0	0	0	1	0	1	2
7:15 AM	0	0	0		0	0	1	1	0	0	0	1
7:30 AM	0	0	0		0	0	0	0	0	0	0	0
7:45 AM	0	0	0		0	1	0	1	0	0	0	1
8:00 AM	1	0	1		0	0	0	0	0	0	0	1
8:15 AM	1	1	2		0	0	0	0	1	0	1	3
8:30 AM	0	1	1		0	0	0	0	0	0	0	1
8:45 AM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	3	2	5		0	1	1	2	2	0	2	9

Heavy Vehicle Peak Hour Summary 7:00 AM to 8:00 AM

By Approach	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	1	2	3	0	0	0	2	1	3	1	1	2	4
PHF	0.25			0.00			0.50			0.25			0.50

By Movement	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	L	R	Total		Total	T	R	Total	L	T	Total	
Volume	1	0	1		0	1	1	2	1	0	1	4
PHF	0.25		0.25		0.00	0.25	0.25	0.50	0.25	0.00	0.25	0.50

Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
7:00 AM	1	0	1		0	1	1	2	1	0	1	4
7:15 AM	1	0	1		0	1	1	2	0	0	0	3
7:30 AM	2	1	3		0	1	0	1	1	0	1	5
7:45 AM	2	2	4		0	1	0	1	1	0	1	6
8:00 AM	2	2	4		0	0	0	0	1	0	1	5

Peak Hour Summary



Clay Carney
(503) 833-2740

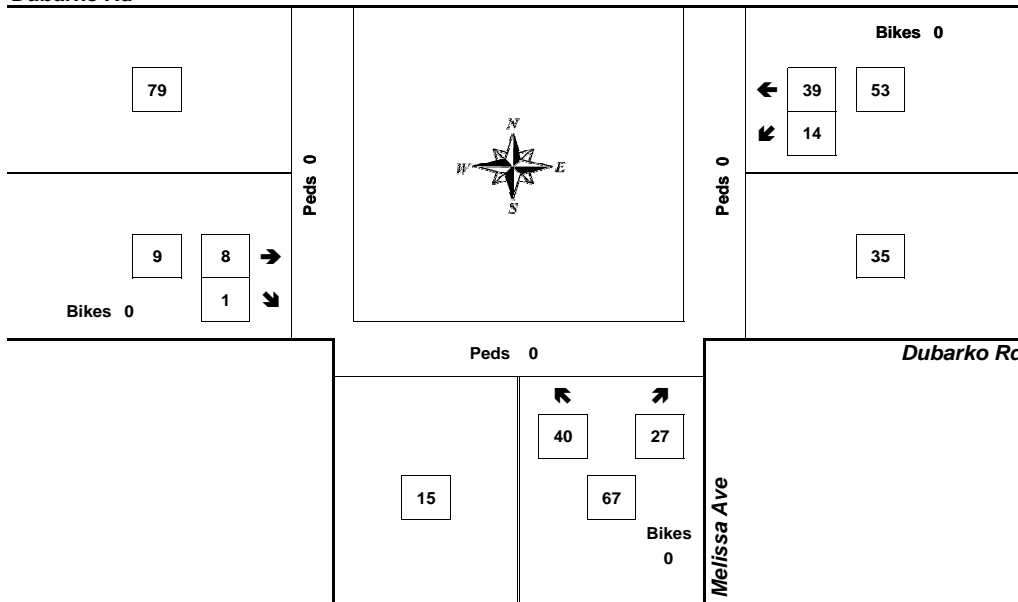
Melissa Ave & Dubarko Rd

7:00 AM to 8:00 AM
Thursday, April 25, 2019

Bikes
0

Dubarko Rd

Peds 0



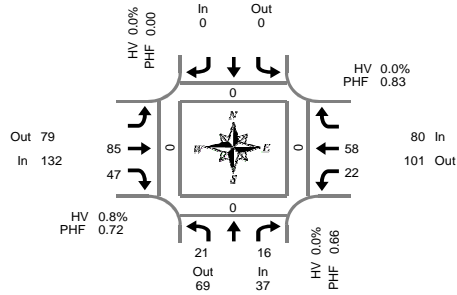
Approach	PHF	HV%	Volume
EB	0.56	22.2%	9
WB	0.78	1.9%	53
NB	0.80	1.5%	67
SB	0.00	0.0%	0
Intersection	0.79	3.1%	129

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary



Clay Carney
(603) 833-2740



Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
4:00 PM to 6:00 PM

Peak Hour Summary
4:40 PM to 5:40 PM

5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	1	3	0			0	12	4	0	3	6	0	29	0	0	0	0
4:05 PM	0	2	0			0	4	2	0	0	3	0	11	0	0	0	0
4:10 PM	4	2	0			0	3	2	0	0	7	0	18	0	0	0	1
4:15 PM	2	2	0			0	5	4	0	2	2	0	17	0	1	0	0
4:20 PM	2	2	0			0	7	1	0	0	1	0	13	0	0	0	0
4:25 PM	3	2	0			0	5	2	0	0	5	0	17	0	0	0	0
4:30 PM	0	1	0			0	7	4	0	2	4	0	18	0	0	0	0
4:35 PM	1	0	0			0	8	2	0	3	5	0	19	0	0	0	0
4:40 PM	1	2	0			0	5	7	0	5	6	0	26	0	0	0	0
4:45 PM	5	2	0			0	4	5	0	0	4	0	20	0	0	0	0
4:50 PM	2	1	0			0	7	8	0	3	6	0	27	0	0	0	0
4:55 PM	2	2	0			0	7	5	0	0	5	0	21	0	0	0	0
5:00 PM	0	0	0			0	14	5	0	1	1	0	21	0	0	0	0
5:05 PM	0	0	0			0	9	1	0	0	5	0	16	0	0	0	0
5:10 PM	2	1	0			0	5	3	0	3	7	0	21	0	0	0	0
5:15 PM	0	1	0			0	4	1	0	1	3	0	10	0	0	0	0
5:20 PM	3	3	0			0	10	4	0	3	4	0	27	0	0	0	0
5:25 PM	1	1	0			0	4	2	0	1	5	0	14	0	0	0	0
5:30 PM	2	1	0			0	7	3	0	3	7	0	23	0	0	0	0
5:35 PM	2	2	0			0	9	3	0	2	5	0	23	0	0	0	0
5:40 PM	3	0	0			0	3	6	0	0	1	0	13	0	0	0	0
5:45 PM	1	1	0			0	8	2	0	4	5	0	21	0	0	0	1
5:50 PM	3	0	0			0	5	2	0	0	5	0	15	0	0	0	0
5:55 PM	2	0	0			0	9	4	0	0	2	0	17	0	0	0	1
Total Survey	43	31	0			0	161	82	0	36	104	0	457	0	1	0	3

15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	5	7	0			0	19	8	0	3	16	0	58	0	0	0	0
4:15 PM	7	6	0			0	17	7	0	2	8	0	47	0	1	0	0
4:30 PM	2	3	0			0	20	13	0	10	15	0	63	0	0	0	0
4:45 PM	9	5	0			0	18	18	0	3	15	0	68	0	0	0	0
5:00 PM	3	1	0			0	28	9	0	4	13	0	58	0	0	0	0
5:15 PM	4	5	0			0	18	7	0	5	12	0	51	0	0	0	0
5:30 PM	7	3	0			0	19	12	0	5	13	0	59	0	0	0	0
5:45 PM	6	1	0			0	22	8	0	4	12	0	53	0	0	0	2
Total Survey	43	31	0			0	161	82	0	36	104	0	457	0	1	0	3

Peak Hour Summary

4:40 PM to 5:40 PM

By Approach	Northbound Melissa Ave				Southbound Melissa Ave				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	37	69	106	0	0	0	0	0	132	79	211	0	80	101	181	0	249	0	0	0	0
%HV	0.0%				0.0%				0.8%				0.0%				0.4%				
PHF	0.66				0.00				0.72				0.83				0.85				

By Movement	Northbound Melissa Ave				Southbound Melissa Ave				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total
	L	R	Total	Bikes			Total	Bikes	T	R	Total	Bikes	L	T	Total	Bikes	
Volume	21	16	37	0	NA	NA	NA	0.0%	NA	85	47	132	0	18	54	0	249
%HV	0.0%	NA	0.0%	0.0%	NA	NA	NA	0.0%	NA	1.2%	0.0%	0.8%	0.0%	0.0%	NA	0.0%	0.4%
PHF	0.58	0.80	0.66	0.00			0.00		0.71	0.59	0.72	0.69	0.69	0.85	0.83	0.85	

Rolling Hour Summary

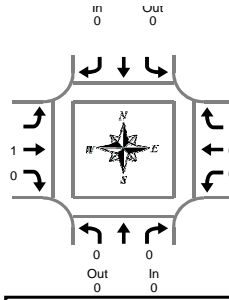
4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	23	21	0			0	74	46	0	18	54	0	236	0	1	0	1
4:15 PM	21	15	0			0	83	47	0	19	51	0	236	0	1	0	1
4:30 PM	18	14	0			0	84	47	0	22	55	0	240	0	0	0	0
4:45 PM	23	14	0			0	83	46	0	17	53	0	236	0	0	0	0
5:00 PM	20	10	0			0	87	36	0	18	50	0	221	0	0	0	2

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Peak Hour Summary
4:40 PM to 5:40 PM

Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0		0	0	1	1	0	1	1	2
4:05 PM	0	0	0		0	0	0	0	0	1	1	1
4:10 PM	1	0	1		0	0	0	0	0	0	0	1
4:15 PM	0	0	0		0	0	0	0	0	0	0	0
4:20 PM	0	0	0		0	0	0	0	0	0	0	0
4:25 PM	0	0	0		0	0	0	0	0	0	0	0
4:30 PM	0	0	0		0	0	0	0	0	0	0	0
4:35 PM	0	0	0		0	0	0	0	0	0	0	0
4:40 PM	0	0	0		0	0	0	0	0	0	0	0
4:45 PM	0	0	0		0	0	0	0	0	0	0	0
4:50 PM	0	0	0		0	0	0	0	0	0	0	0
4:55 PM	0	0	0		0	0	0	0	0	0	0	0
5:00 PM	0	0	0		0	0	0	0	0	0	0	0
5:05 PM	0	0	0		0	0	0	0	0	0	0	0
5:10 PM	0	0	0		0	0	0	0	0	0	0	0
5:15 PM	0	0	0		0	1	0	1	0	0	0	1
5:20 PM	0	0	0		0	0	0	0	0	0	0	0
5:25 PM	0	0	0		0	0	0	0	0	0	0	0
5:30 PM	0	0	0		0	0	0	0	0	0	0	0
5:35 PM	0	0	0		0	0	0	0	0	0	0	0
5:40 PM	0	0	0		0	0	0	0	0	0	0	0
5:45 PM	0	0	0		0	0	0	0	0	0	0	0
5:50 PM	0	0	0		0	0	0	0	0	0	0	0
5:55 PM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	1	0	1		0	1	1	2	0	2	2	5

Heavy Vehicle 15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	1	0	1		0	0	1	1	0	2	2	4
4:15 PM	0	0	0		0	0	0	0	0	0	0	0
4:30 PM	0	0	0		0	0	0	0	0	0	0	0
4:45 PM	0	0	0		0	0	0	0	0	0	0	0
5:00 PM	0	0	0		0	0	0	0	0	0	0	0
5:15 PM	0	0	0		0	1	0	1	0	0	0	1
5:30 PM	0	0	0		0	0	0	0	0	0	0	0
5:45 PM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	1	0	1		0	1	1	2	0	2	2	5

Heavy Vehicle Peak Hour Summary

4:40 PM to 5:40 PM

By Approach	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	0	0	0	1	0	1	0	1	1	1
PHF	0.00			0.00			0.25			0.00			0.25

By Movement	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	L	R	Total		Total	T	R	Total	L	T	Total	
Volume	0	0	0		0	1	0	1	0	0	0	1
PHF	0.00	0.00	0.00		0.00	0.25	0.00	0.25	0.00	0.00	0.00	0.25

Heavy Vehicle Rolling Hour Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	1	0	1		0	0	1	1	0	2	2	4
4:15 PM	0	0	0		0	0	0	0	0	0	0	0
4:30 PM	0	0	0		0	1	0	1	0	0	0	1
4:45 PM	0	0	0		0	1	0	1	0	0	0	1
5:00 PM	0	0	0		0	1	0	1	0	0	0	1

Peak Hour Summary



Clay Carney
(503) 833-2740

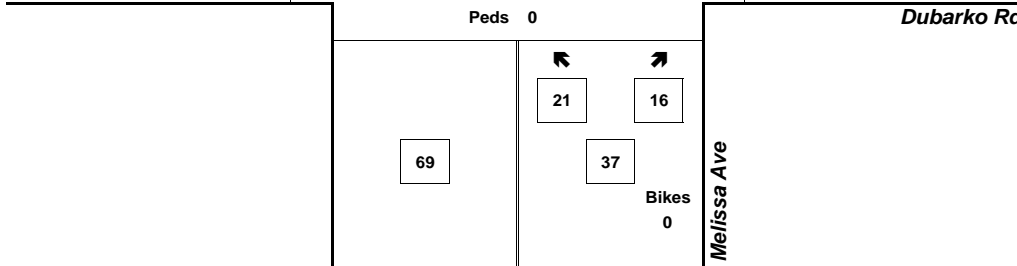
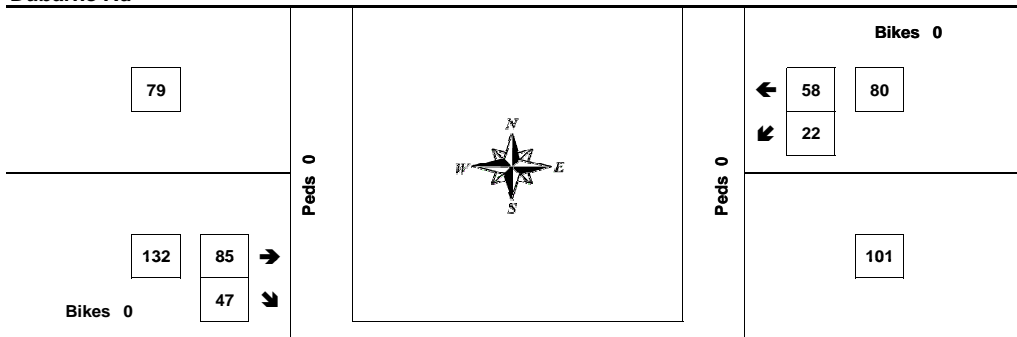
Melissa Ave & Dubarko Rd

4:40 PM to 5:40 PM
Thursday, April 25, 2019

Bikes
0

Dubarko Rd

Peds 0



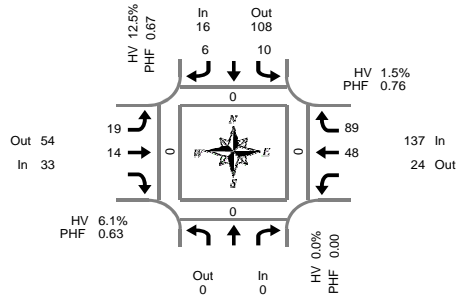
Approach	PHF	HV%	Volume
EB	0.72	0.8%	132
WB	0.83	0.0%	80
NB	0.66	0.0%	37
SB	0.00	0.0%	0
Intersection	0.85	0.4%	249

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary



Clay Carney
(503) 833-2740



Peak Hour Summary
7:05 AM to 8:05 AM

Ruben Ln & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	Total	Bikes	T	R	Total	Bikes		North	South	East	West
7:00 AM																					
7:05 AM																					
7:10 AM																					
7:15 AM																					
7:20 AM																					
7:25 AM																					
7:30 AM																					
7:35 AM																					
7:40 AM																					
7:45 AM																					
7:50 AM																					
7:55 AM																					
8:00 AM																					
8:05 AM																					
8:10 AM																					
8:15 AM																					
8:20 AM																					
8:25 AM																					
8:30 AM																					
8:35 AM																					
8:40 AM																					
8:45 AM																					
8:50 AM																					
8:55 AM																					
Total Survey																					

15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	Total	Bikes	T	R	Total	Bikes		North	South	East	West
7:00 AM																					
7:15 AM																					
7:30 AM																					
7:45 AM																					
8:00 AM																					
8:15 AM																					
8:30 AM																					
8:45 AM																					
Total Survey																					

Peak Hour Summary

7:05 AM to 8:05 AM

By Approach	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	0	0	0	0	16	108	124	0	33	54	87	0	137	24	161	0	186	0	0	0	0
%HV							12.5%				6.1%				1.5%						
PHF							0.67				0.63				0.76						

By Movement	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total
	Total	L	R	Total	L	T	Total	Bikes	L	T	Total	Bikes	T	R	Total	Bikes	
Volume	0	10	6	16	19	14	33	0	48	89	137	0	46	93	139	0	
%HV	NA	NA	NA	0.0%	20.0%	NA	0.0%	12.5%	0.0%	14.3%	NA	6.1%	NA	2.1%	1.1%	1.5%	3.2%
PHF				0.00	0.50	0.30	0.67	0.59	0.70	0.63	0.75	0.77	0.76	0.89			

Rolling Hour Summary

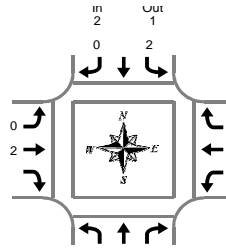
7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	Total	Bikes	T	R	Total	Bikes		North	South	East	West
7:00 AM																					
7:15 AM																					
7:30 AM																					
7:45 AM																					
8:00 AM																					
Total Survey																					

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Out 1
In 2

Peak Hour Summary
7:05 AM to 8:05 AM

Ruben Ln & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Heavy Vehicle 5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
7:00 AM	0	0	0	0	0	0	0	0	0	0	1	1	1
7:05 AM	0	0	0	0	0	0	0	0	0	0	1	1	1
7:10 AM	0	1	1	0	1	1	0	0	0	0	0	0	1
7:15 AM	0	0	0	0	0	0	0	0	0	1	0	1	1
7:20 AM	0	1	1	0	1	1	0	0	0	0	0	0	1
7:25 AM	0	0	0	0	0	0	0	1	1	0	0	0	1
7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
7:35 AM	0	0	0	0	0	0	0	1	1	0	0	0	1
7:40 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
7:50 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
7:55 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:05 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:10 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	0	0	0	1	1	1	1
8:20 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:25 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:35 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:40 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:50 AM	0	0	0	0	0	0	0	0	0	1	1	1	1
8:55 AM	0	0	0	0	0	0	0	0	0	0	1	1	1
Total Survey	0	2	2	0	2	2	0	2	2	2	4	6	10

Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
7:00 AM	0	1	1	0	1	1	0	0	0	0	2	2	3
7:15 AM	0	1	1	0	1	1	0	1	1	1	0	1	3
7:30 AM	0	0	0	0	0	0	0	1	1	0	0	0	1
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	0	0	0	0	1	1	1
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	1	1	2	2
Total Survey	0	2	2	0	2	2	0	2	2	2	4	6	10

Heavy Vehicle Peak Hour Summary 7:05 AM to 8:05 AM

By Approach	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	2	1	3	2	1	3	2	4	6	6
PHF	0.00			0.25			0.25			0.25			0.50

By Movement	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
Volume	0	2	2	0	2	2	0	2	2	1	1	2	6
PHF	0.00	0.25	0.25	0.00	0.25	0.25	0.00	0.25	0.25	0.25	0.25	0.25	0.50

Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
7:00 AM	0	2	2	0	2	2	0	2	2	1	2	3	7
7:15 AM	0	1	1	0	1	1	0	2	2	1	0	1	4
7:30 AM	0	0	0	0	0	0	0	1	1	0	1	1	2
7:45 AM	0	0	0	0	0	0	0	0	0	0	1	1	1
8:00 AM	0	0	0	0	0	0	0	0	0	1	2	3	3

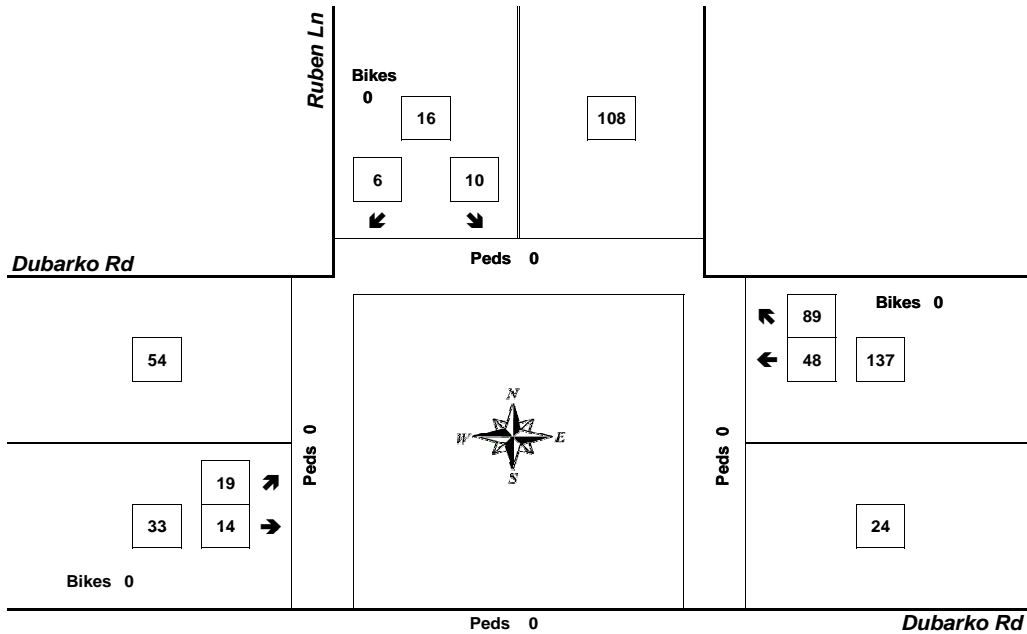
Peak Hour Summary



Clay Carney
(503) 833-2740

Ruben Ln & Dubarko Rd

7:05 AM to 8:05 AM
Thursday, May 23, 2019



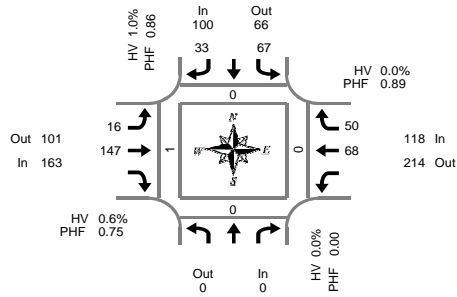
Approach	PHF	HV%	Volume
EB	0.63	6.1%	33
WB	0.76	1.5%	137
NB	0.00	0.0%	0
SB	0.67	12.5%	16
Intersection	0.89	3.2%	186

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary



Clay Carney
(503) 833-2740



Ruben Ln & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Peak Hour Summary
4:25 PM to 5:25 PM

5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Bikes	Total	L	R	Bikes	Total	L	T	Bikes	Total	T	R	Bikes	Total		North	South	East	West
4:00 PM																					
4:05 PM																					
4:10 PM																					
4:15 PM																					
4:20 PM																					
4:25 PM																					
4:30 PM																					
4:35 PM																					
4:40 PM																					
4:45 PM																					
4:50 PM																					
4:55 PM																					
5:00 PM																					
5:05 PM																					
5:10 PM																					
5:15 PM																					
5:20 PM																					
5:25 PM																					
5:30 PM																					
5:35 PM																					
5:40 PM																					
5:45 PM																					
5:50 PM																					
5:55 PM																					
Total Survey																					

15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Bikes	Total	L	R	Bikes	Total	L	T	Bikes	Total	T	R	Bikes	Total		North	South	East	West
4:00 PM																					
4:15 PM																					
4:30 PM																					
4:45 PM																					
5:00 PM																					
5:15 PM																					
5:30 PM																					
5:45 PM																					
Total Survey																					

Peak Hour Summary

4:25 PM to 5:25 PM

By Approach	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	0	0	0	0	100	66	166	0	163	101	264	0	118	214	332	0	381	0	0	0	1
%HV	0.0%				1.0%				0.6%				0.0%				0.5%				
PHF	0.00				0.86				0.75				0.89				0.89				

By Movement	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	
Volume	0	67	33	100	16	147	163	0	68	50	118	0	0	0	0	0	381
%HV	NA	NA	NA	0.0%	0.0%	NA	3.0%	1.0%	6.3%	0.0%	NA	0.6%	NA	0.0%	0.0%	0.0%	0.5%
PHF		0.00	0.80	0.75	0.86	0.57	0.75	0.75	0.75	0.89	0.83	0.89	0.89				0.89

Rolling Hour Summary

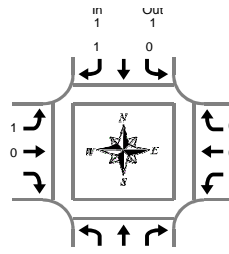
4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Bikes	Total	L	R	Bikes	Total	L	T	Bikes	Total	T	R	Bikes	Total		North	South	East	West
4:00 PM																					
4:15 PM																					
4:30 PM																					
4:45 PM																					
5:00 PM																					

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Out 1
In 1

Out 0
In 0
Peak Hour Summary
4:25 PM to 5:25 PM

Ruben Ln & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
4:00 PM	0	0	0	1	1	0	0	0	0	0	0	0	1
4:05 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:10 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:15 PM	0	1	0	0	1	0	0	0	0	0	0	0	1
4:20 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:25 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:35 PM	0	0	0	1	1	0	0	0	0	0	0	0	1
4:40 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:50 PM	0	0	0	0	0	1	0	1	0	0	0	0	1
4:55 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:05 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:10 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:20 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:25 PM	0	0	0	0	0	0	1	1	0	0	0	0	1
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:35 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:40 PM	0	0	0	0	0	0	0	0	0	0	1	1	1
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:50 PM	0	0	0	0	0	0	2	2	0	0	0	0	2
5:55 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Survey	0	1	1	2	3	1	3	4	0	1	1	1	8

Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
4:00 PM	0	0	0	1	1	0	0	0	0	0	0	0	1
4:15 PM	0	1	0	0	1	0	0	0	0	0	0	0	1
4:30 PM	0	0	0	1	1	0	0	0	0	0	0	0	1
4:45 PM	0	0	0	0	0	1	0	1	0	0	0	0	1
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	1	1	0	0	0	0	1
5:30 PM	0	0	0	0	0	0	0	0	0	1	1	1	1
5:45 PM	0	0	0	0	0	0	2	2	0	0	0	0	2
Total Survey	0	1	1	2	3	1	3	4	0	1	1	1	8

Heavy Vehicle Peak Hour Summary 4:25 PM to 5:25 PM

By Approach	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	1	1	2	1	1	2	0	0	0	2
PHF	0.00			0.25			0.25			0.00			0.50

By Movement	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
Volume	0	0	0	1	1	1	1	0	1	0	0	0	2
PHF	0.00	0.00		0.25	0.25	0.25	0.00		0.25	0.00	0.00	0.00	0.50

Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
4:00 PM	0	0	0	1	1	2	3	1	0	1	0	0	4
4:15 PM	0	1	0	0	1	1	2	1	0	1	0	0	3
4:30 PM	0	0	0	1	1	1	1	1	1	2	0	0	3
4:45 PM	0	0	0	0	0	1	1	1	1	2	0	1	3
5:00 PM	0	0	0	0	0	0	0	3	3	0	1	1	4

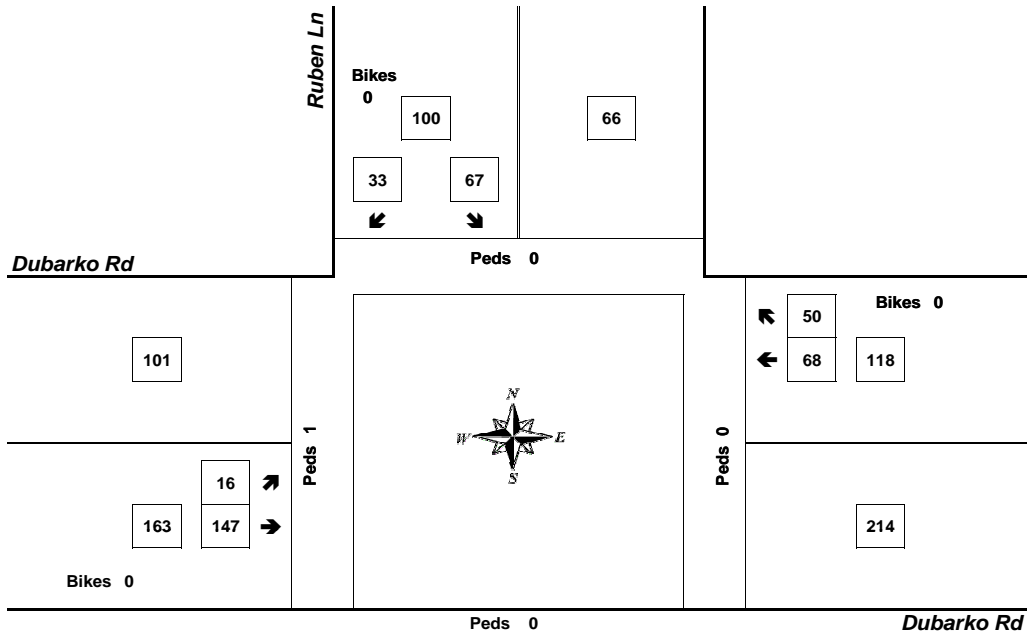
Peak Hour Summary



Clay Carney
(503) 833-2740

Ruben Ln & Dubarko Rd

4:25 PM to 5:25 PM
Wednesday, May 22, 2019



Approach	PHF	HV%	Volume
EB	0.75	0.6%	163
WB	0.89	0.0%	118
NB	0.00	0.0%	0
SB	0.86	1.0%	100
Intersection	0.89	0.5%	381

Count Period: 4:00 PM to 6:00 PM

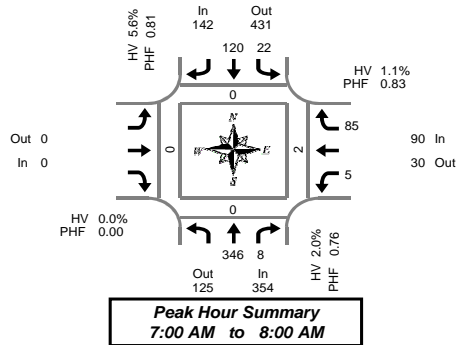
Total Vehicle Summary



Clay Carney
(603) 833-2740

SE 362nd Ave & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM



**5-Minute Interval Summary
7:00 AM to 9:00 AM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
7:00 AM	33	0	0	0	10	0		0	1	11	0	55	0	0	0	0	
7:05 AM	50	1	0	1	7	0		0	0	8	0	67	0	0	0	0	
7:10 AM	32	0	0	3	9	0		0	1	6	0	51	0	0	0	0	
7:15 AM	34	0	0	3	6	0		0	0	9	0	52	0	0	1	0	
7:20 AM	32	1	0	4	13	0		0	0	6	0	56	0	0	0	0	
7:25 AM	25	1	0	1	12	0		0	0	9	0	48	0	0	1	0	
7:30 AM	21	0	0	2	12	0		0	1	7	0	43	0	0	0	0	
7:35 AM	24	1	0	4	8	0		0	0	7	0	44	0	0	0	0	
7:40 AM	34	0	0	1	8	0		0	2	4	0	49	0	0	0	0	
7:45 AM	26	2	0	1	17	0		0	0	5	0	51	0	0	0	0	
7:50 AM	17	2	0	2	11	0		0	0	10	0	42	0	0	0	0	
7:55 AM	18	0	0	0	7	0		0	0	3	0	28	0	0	0	0	
8:00 AM	26	0	0	4	7	0		0	1	8	0	46	0	0	0	0	
8:05 AM	27	2	0	2	15	0		0	1	4	0	51	0	0	1	0	
8:10 AM	33	0	0	1	6	0		0	1	0	0	41	0	0	0	0	
8:15 AM	24	2	0	4	16	0		0	0	3	0	49	0	0	0	0	
8:20 AM	29	0	0	4	6	0		0	1	6	0	46	0	0	0	0	
8:25 AM	33	1	0	3	7	0		0	0	4	0	48	0	0	0	0	
8:30 AM	21	2	0	3	11	0		0	0	6	0	43	0	0	0	0	
8:35 AM	24	2	0	2	15	0		0	0	6	0	49	0	0	0	0	
8:40 AM	21	2	0	1	12	0		0	1	2	0	39	0	0	0	0	
8:45 AM	21	2	0	5	16	0		0	1	7	0	52	0	0	0	0	
8:50 AM	26	2	0	5	16	0		0	0	3	0	52	0	0	0	0	
8:55 AM	16	1	0	1	18	0		0	1	5	0	42	0	0	0	0	
Total Survey	647	24	0	57	265	0		0	12	139	0	1,144	0	0	3	0	

**15-Minute Interval Summary
7:00 AM to 9:00 AM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
7:00 AM	115	1	0	4	26	0		0	2	25	0	173	0	0	0	0	
7:15 AM	91	2	0	8	31	0		0	0	24	0	156	0	0	2	0	
7:30 AM	79	1	0	7	28	0		0	3	18	0	136	0	0	0	0	
7:45 AM	61	4	0	3	35	0		0	0	18	0	121	0	0	0	0	
8:00 AM	86	2	0	7	28	0		0	3	12	0	138	0	0	1	0	
8:15 AM	86	3	0	11	29	0		0	1	13	0	143	0	0	0	0	
8:30 AM	66	6	0	6	38	0		0	1	14	0	131	0	0	0	0	
8:45 AM	63	5	0	11	50	0		0	2	15	0	146	0	0	0	0	
Total Survey	647	24	0	57	265	0		0	12	139	0	1,144	0	0	3	0	

**Peak Hour Summary
7:00 AM to 8:00 AM**

By Approach	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total	Pedestrians Crosswalk			
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total		North	South	East	West
Volume	354	125	479	0	142	431	573	0	0	0	0	90	30	120	0	586	
%HV	2.0%			5.6%			0.0%			1.1%			2.7%				
PHF	0.76			0.81			0.00			0.83			0.85				

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	T	R	Total	L	T	Total		Total	L	R	Total		
Volume	346	8	354	22	120	142		0	5	85	90	586	
%HV	NA	2.0%	0.0%	2.0%	13.6%	4.2%	NA	5.6%	NA	NA	NA	2.7%	
PHF	0.75	0.50	0.76	0.55	0.81	0.81		0.00	0.42	0.85	0.83	0.85	

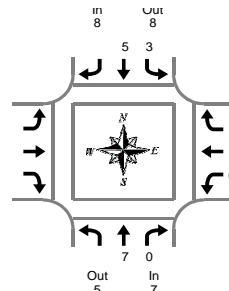
**Rolling Hour Summary
7:00 AM to 9:00 AM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
7:00 AM	346	8	0	22	120	0		0	5	85	0	586	0	0	2	0	
7:15 AM	317	9	0	25	122	0		0	6	72	0	551	0	0	3	0	
7:30 AM	312	10	0	28	120	0		0	7	61	0	538	0	0	1	0	
7:45 AM	299	15	0	27	130	0		0	5	57	0	533	0	0	1	0	
8:00 AM	301	16	0	35	145	0		0	7	54	0	558	0	0	1	0	

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Out 0
In 0

**Peak Hour Summary
7:00 AM to 8:00 AM**

SE 362nd Ave & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Heavy Vehicle 5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total			
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	
7:05 AM	2	0	2	0	0	0	0	0	0	0	0	2	
7:10 AM	1	0	1	0	0	0	0	0	0	0	0	1	
7:15 AM	1	0	1	0	0	0	0	0	0	0	0	1	
7:20 AM	1	0	1	1	0	1	1	0	0	1	1	3	
7:25 AM	0	0	0	0	0	0	0	0	0	0	0	0	
7:30 AM	0	0	0	1	2	3	3	0	0	0	0	3	
7:35 AM	1	0	1	1	0	1	1	0	0	0	0	2	
7:40 AM	0	0	0	0	0	0	0	0	0	0	0	0	
7:45 AM	1	0	1	0	2	2	2	0	0	0	0	3	
7:50 AM	0	0	0	0	1	1	1	0	0	0	0	1	
7:55 AM	0	0	0	0	0	0	0	0	0	0	0	0	
8:00 AM	0	0	0	0	1	1	1	0	0	0	0	1	
8:05 AM	1	0	1	0	0	0	0	0	0	0	0	1	
8:10 AM	0	0	0	0	0	0	0	0	0	0	0	0	
8:15 AM	3	1	4	0	1	1	1	0	0	0	0	5	
8:20 AM	0	0	0	0	0	0	0	0	0	0	0	0	
8:25 AM	0	0	0	0	2	2	2	0	0	1	1	3	
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	
8:35 AM	0	0	0	0	2	2	2	0	0	0	0	2	
8:40 AM	1	0	1	0	0	0	0	0	0	0	0	1	
8:45 AM	1	0	1	0	0	0	0	0	0	0	0	1	
8:50 AM	1	0	1	0	1	1	1	0	0	0	0	2	
8:55 AM	6	0	6	0	1	1	1	0	0	1	1	8	
Total Survey	20	1	21	3	13	16		0	0	3	3	40	

Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total			
7:00 AM	3	0	3	0	0	0	0	0	0	0	0	3	
7:15 AM	2	0	2	1	0	1	1	0	0	1	1	4	
7:30 AM	1	0	1	2	2	4	4	0	0	0	0	5	
7:45 AM	1	0	1	0	3	3	3	0	0	0	0	4	
8:00 AM	1	0	1	0	1	1	1	0	0	0	0	2	
8:15 AM	3	1	4	0	3	3	3	0	0	1	1	8	
8:30 AM	1	0	1	0	2	2	2	0	0	0	0	3	
8:45 AM	8	0	8	0	2	2	2	0	0	1	1	11	
Total Survey	20	1	21	3	13	16		0	0	3	3	40	

Heavy Vehicle Peak Hour Summary 7:00 AM to 8:00 AM

By Approach	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	7	5	12	8	8	16	0	0	0	1	3	4	16
PHF	0.44			0.50			0.00			0.25			0.67

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	T	R	Total	L	T	Total	Total	L	R	Total			
Volume	7	0	7	3	5	8	0	0	0	1	1	2	16
PHF	0.44	0.00	0.44	0.38	0.42	0.50		0.00	0.00	0.25	0.25		0.67

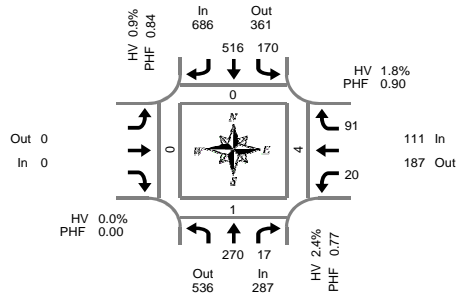
Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total			
7:00 AM	7	0	7	3	5	8		0	0	1	1	16	
7:15 AM	5	0	5	3	6	9		0	0	1	1	15	
7:30 AM	6	1	7	2	9	11		0	0	1	1	19	
7:45 AM	6	1	7	0	9	9		0	0	1	1	17	
8:00 AM	13	1	14	0	8	8		0	0	2	2	24	

Total Vehicle Summary



Clay Carney
(603) 833-2740



**Peak Hour Summary
4:30 PM to 5:30 PM**

SE 362nd Ave & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

**5-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
4:00 PM	25	0	0	11	35	0		0	1	6	0	78	1	0	3	0	
4:05 PM	21	2	0	7	36	0		0	1	5	0	72	0	0	0	0	
4:10 PM	19	2	0	8	36	0		0	1	6	0	72	0	0	0	0	
4:15 PM	26	3	0	8	32	0		0	0	4	0	73	0	0	1	0	
4:20 PM	22	1	0	14	45	0		0	3	4	0	89	0	0	0	0	
4:25 PM	21	2	0	15	34	0		0	0	5	0	77	0	0	0	0	
4:30 PM	19	2	0	18	30	0		0	1	8	0	78	0	0	2	0	
4:35 PM	27	0	0	9	42	0		0	0	9	0	87	0	0	0	0	
4:40 PM	17	3	0	12	33	0		0	2	9	0	76	0	0	0	0	
4:45 PM	28	0	0	7	46	0		0	1	6	0	88	0	0	0	0	
4:50 PM	28	2	0	14	33	0		0	3	7	0	87	0	0	0	0	
4:55 PM	30	2	0	10	51	0		0	4	3	0	100	0	0	0	0	
5:00 PM	30	1	0	15	42	0		0	3	11	0	102	0	0	0	0	
5:05 PM	21	4	0	16	45	0		0	0	7	0	93	0	0	0	0	
5:10 PM	21	1	0	20	49	0		0	2	6	0	99	0	0	0	0	
5:15 PM	16	1	0	14	60	0		0	1	7	0	99	0	0	0	0	
5:20 PM	17	1	0	19	42	0		0	2	12	0	93	0	1	0	0	
5:25 PM	16	0	0	16	43	0		0	1	6	0	82	0	0	2	0	
5:30 PM	19	0	0	16	24	0		0	2	4	0	65	0	0	0	0	
5:35 PM	16	1	0	12	33	0		0	2	7	0	71	0	0	0	0	
5:40 PM	26	0	0	9	39	0		0	1	6	0	81	0	0	0	0	
5:45 PM	18	2	0	13	36	0		0	2	5	0	76	0	0	0	0	
5:50 PM	19	2	0	17	43	0		0	1	7	0	89	0	0	0	0	
5:55 PM	17	3	0	17	29	0		0	1	7	0	74	0	0	0	0	
Total Survey	519	35	0	317	938	0		0	35	157	0	2,001	1	1	8	0	

**15-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
4:00 PM	65	4	0	26	107	0		0	3	17	0	222	1	0	3	0	
4:15 PM	69	6	0	37	111	0		0	3	13	0	239	0	0	1	0	
4:30 PM	63	5	0	39	105	0		0	3	26	0	241	0	0	2	0	
4:45 PM	86	4	0	31	130	0		0	8	16	0	275	0	0	0	0	
5:00 PM	72	6	0	51	136	0		0	5	24	0	294	0	0	0	0	
5:15 PM	49	2	0	49	145	0		0	4	25	0	274	0	1	2	0	
5:30 PM	61	1	0	37	96	0		0	5	17	0	217	0	0	0	0	
5:45 PM	54	7	0	47	108	0		0	4	19	0	239	0	0	0	0	
Total Survey	519	35	0	317	938	0		0	35	157	0	2,001	1	1	8	0	

**Peak Hour Summary
4:30 PM to 5:30 PM**

By Approach	Northbound SE 362nd Ave				Southbound SE 362nd Ave				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	287	536	823	0	686	361	1,047	0	0	0	0	0	111	187	298	0	1,084	0	1	4	0
%HV	2.4%				0.9%				0.0%				1.8%				1.4%				
PHF	0.77				0.84				0.00				0.90				0.92				

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	T	R	Total	L	T	Total		Total	L	R	Total		
Volume	270	17	287	170	516	686		0	20	91	111	1,084	
%HV	NA	2.6%	0.0%	2.4%	1.2%	0.8%	NA	0.9%	NA	NA	NA	1.4%	
PHF	0.77	0.61	0.77	0.80	0.84	0.84		0.00	0.50	0.88	0.90	0.92	

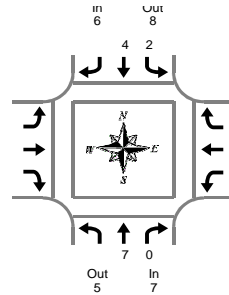
**Rolling Hour Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
4:00 PM	283	19	0	133	453	0		0	17	72	0	977	1	0	6	0	
4:15 PM	290	21	0	158	482	0		0	19	79	0	1,049	1	0	3	0	
4:30 PM	270	17	0	170	516	0		0	20	91	0	1,084	0	1	4	0	
4:45 PM	268	13	0	168	507	0		0	22	82	0	1,060	0	1	2	0	
5:00 PM	236	16	0	184	485	0		0	18	85	0	1,024	0	1	2	0	

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Out 0
In 0

Peak Hour Summary
4:30 PM to 5:30 PM

SE 362nd Ave & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total		
4:00 PM	2	0	2	0	1	1		0	0	0	0	3
4:05 PM	0	0	0	0	0	0		0	0	1	1	1
4:10 PM	2	0	2	0	1	1		0	0	0	0	3
4:15 PM	1	0	1	0	1	1		0	0	0	0	2
4:20 PM	0	0	0	0	1	1		0	0	0	0	1
4:25 PM	0	0	0	0	0	0		0	0	0	0	0
4:30 PM	0	0	0	0	3	3		0	0	0	0	3
4:35 PM	1	0	1	0	0	0		0	0	0	0	1
4:40 PM	0	0	0	1	0	1		0	1	0	1	2
4:45 PM	0	0	0	0	0	0		0	0	0	0	0
4:50 PM	0	0	0	0	0	0		0	0	0	0	0
4:55 PM	0	0	0	0	1	1		0	0	0	0	1
5:00 PM	0	0	0	0	0	0		0	0	0	0	0
5:05 PM	2	0	2	0	0	0		0	0	0	0	2
5:10 PM	0	0	0	0	0	0		0	0	0	0	0
5:15 PM	1	0	1	0	0	0		0	0	0	0	1
5:20 PM	1	0	1	0	0	0		0	0	1	1	2
5:25 PM	2	0	2	1	0	1		0	0	0	0	3
5:30 PM	1	0	1	0	1	1		0	0	0	0	2
5:35 PM	0	0	0	0	0	0		0	0	0	0	0
5:40 PM	0	0	0	0	0	0		0	0	0	0	0
5:45 PM	0	0	0	0	0	0		0	0	0	0	0
5:50 PM	0	0	0	1	0	1		0	0	0	0	1
5:55 PM	1	0	1	0	1	1		0	0	0	0	2
Total Survey	14	0	14	3	10	13		0	1	2	3	30

Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total		
4:00 PM	4	0	4	0	2	2		0	0	1	1	7
4:15 PM	1	0	1	0	2	2		0	0	0	0	3
4:30 PM	1	0	1	1	3	4		0	1	0	1	6
4:45 PM	0	0	0	0	1	1		0	0	0	0	1
5:00 PM	2	0	2	0	0	0		0	0	0	0	2
5:15 PM	4	0	4	1	0	1		0	0	1	1	6
5:30 PM	1	0	1	0	1	1		0	0	0	0	2
5:45 PM	1	0	1	1	1	2		0	0	0	0	3
Total Survey	14	0	14	3	10	13		0	1	2	3	30

Heavy Vehicle Peak Hour Summary 4:30 PM to 5:30 PM

By Approach	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total			
Volume	7	5	12	6	8	14	0	0	0	2	4	15
PHF	0.44			0.38			0.00		0.50			0.63

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Total
	T	R	Total	L	T	Total	Total	L	R	Total		
Volume	7	0	7	2	4	6		0	1	1	2	15
PHF	0.44	0.00	0.44	0.50	0.33	0.38		0.00	0.25	0.25	0.50	0.63

Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total		
4:00 PM	6	0	6	1	8	9		0	1	1	2	17
4:15 PM	4	0	4	1	6	7		0	1	0	1	12
4:30 PM	7	0	7	2	4	6		0	1	1	2	15
4:45 PM	7	0	7	1	2	3		0	0	1	1	11
5:00 PM	8	0	8	2	2	4		0	0	1	1	13

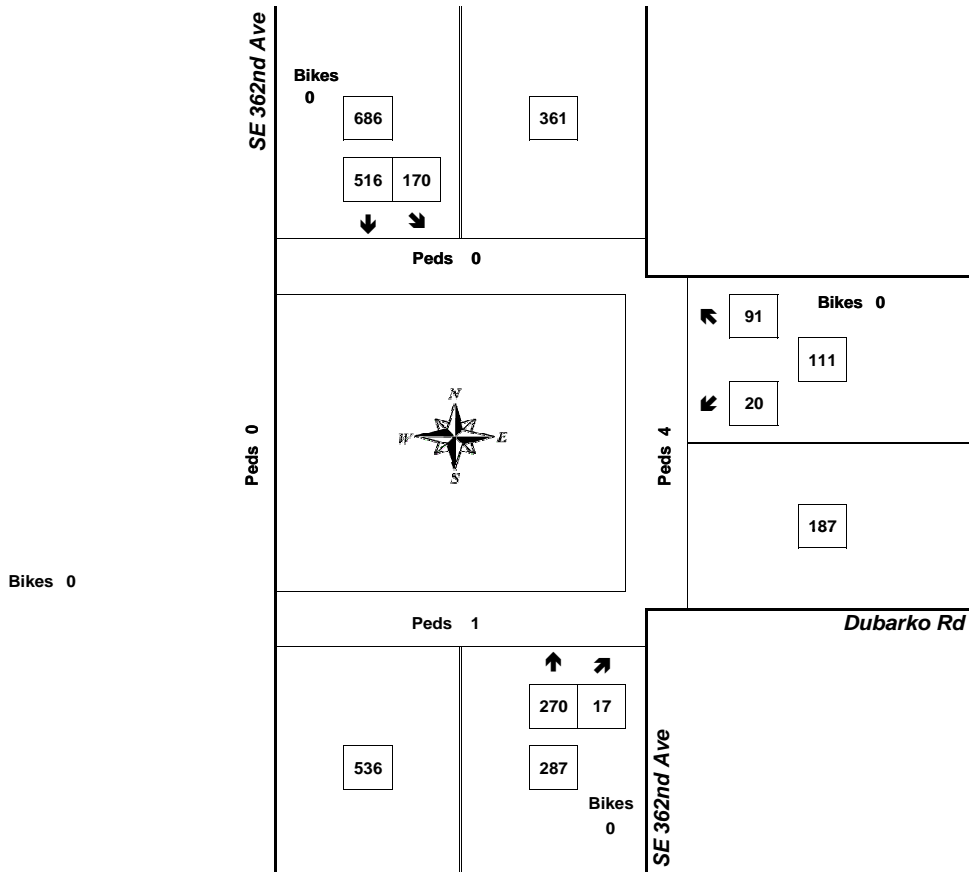
Peak Hour Summary



Clay Carney
(503) 833-2740

SE 362nd Ave & Dubarko Rd

4:30 PM to 5:30 PM
Wednesday, May 22, 2019



Approach	PHF	HV%	Volume
EB	0.00	0.0%	0
WB	0.90	1.8%	111
NB	0.77	2.4%	287
SB	0.84	0.9%	686
Intersection	0.92	1.4%	1,084

Count Period: 4:00 PM to 6:00 PM

CDS380
05/17/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
362ND DR at DUBARKO RD, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

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Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

CDS380
05/12/2019

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at BLUFF RD, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

CITY OF SANDY, CLACKAMAS COUNTY

SER#	P	R	J	S	W	DATE	CLASS	CITY STREET	RD CHAR	INT-TYPE	OFFRD	WTHR	CRASH	SPCL USE	MOVE	A	S	RD DPT	E	L	G	N	H	R	TIME	FROM	SECOND STREET	DIRECT	LEGS	TRAF-	RNDBT	SURF	COLL	OWNER	FROM	PRTC	INJ	G	E	LICNS	PED	UNLOC?	D	C	S	V	L	K	LAT	LONG	LRS	LOCTN	(#LANES)	CONTL	DRVWY	LIGHT	SVRTY	V#	TYPE	TO	P#	TYPE	SVRTY	E	X	RES	LOC	ERROR	ACT	EVENT	CAUSE
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CDS380
05/12/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at BLUFF RD, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 2

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CDS380
05/12/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at MELISSA AVE, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 2

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

CDS380
05/12/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at RUBEN LN, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 2

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: SE 362nd Drive Minor Street: Dubarko Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 538 PM Peak Hour Volumes: 103

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	5,380	8,850	
Minor Street*	1,030	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	5,380	13,300	
Minor Street*	1,030	1,350	No
<i>Combination Warrant</i>			
Major Street	5,380	10,640	
Minor Street*	1,030	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: Dubarko Road Minor Street: Ruben Lane
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 248 PM Peak Hour Volumes: 19

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	2,480	8,850	
Minor Street*	190	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	2,480	13,300	
Minor Street*	190	1,350	No
<i>Combination Warrant</i>			
Major Street	2,480	10,640	
Minor Street*	190	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: Dubarko Road Minor Street: Melissa Avenue
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 84 PM Peak Hour Volumes: 113

Warrant Used:

100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	840	8,850	
Minor Street*	1,130	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	840	13,300	
Minor Street*	1,130	1,350	No
<i>Combination Warrant</i>			
Major Street	840	10,640	
Minor Street*	1,130	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: Dubarko Road Minor Street: Bluff Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 164 PM Peak Hour Volumes: 36

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	1,640	8,850	
Minor Street*	360	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	1,640	13,300	
Minor Street*	360	1,350	No
<i>Combination Warrant</i>			
Major Street	1,640	10,640	
Minor Street*	360	2,120	No

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: SE 362nd Drive Minor Street: Dubarko Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 1073 PM Peak Hour Volumes: 114

Warrant Used:

 X 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	10,730	8,850	
Minor Street*	1,140	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	10,730	13,300	
Minor Street*	1,140	1,350	No
<i>Combination Warrant</i>			
Major Street	10,730	10,640	
Minor Street*	1,140	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: Dubarko Road Minor Street: Ruben Lane
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 374 PM Peak Hour Volumes: 116

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	3,740	8,850	
Minor Street*	1,160	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	3,740	13,300	
Minor Street*	1,160	1,350	No
<i>Combination Warrant</i>			
Major Street	3,740	10,640	
Minor Street*	1,160	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: Dubarko Road Minor Street: Melissa Avenue
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 287 PM Peak Hour Volumes: 68

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	2,870	8,850	
Minor Street*	680	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	2,870	13,300	
Minor Street*	680	1,350	No
<i>Combination Warrant</i>			
Major Street	2,870	10,640	
Minor Street*	680	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: Dubarko Road Minor Street: Bluff Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 220 PM Peak Hour Volumes: 61

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	2,200	8,850	
Minor Street*	610	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	2,200	13,300	
Minor Street*	610	1,350	No
<i>Combination Warrant</i>			
Major Street	2,200	10,640	
Minor Street*	610	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Left-Turn Lane Warrant Analysis

Project: 18197 - Ponder Subdivision
 Intersection: Melissa Avenue at Dubarko Road
 Date: 6/20/2019
 Scenario: 2021 Buildout AM

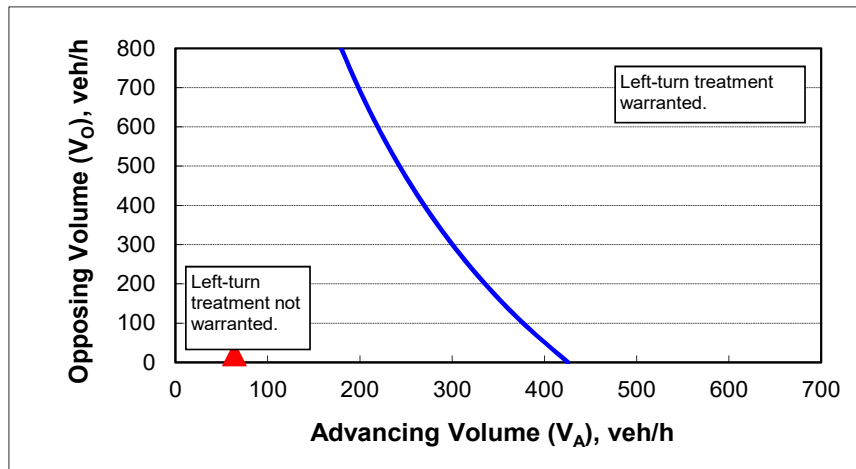
2-lane roadway (English)

INPUT

Variable	Value
85 th percentile speed, mph:	25
Left-turns in advancing volume (V_A), veh/hr:	23
Advancing volume (V_A), veh/h:	64
Opposing volume (V_O), veh/h:	20

OUTPUT

Variable	Value
Limiting advancing volume (V_A), veh/h:	415
Guidance for determining the need for a major-road left-turn bay:	
Left-turn treatment NOT warranted.	



CALIBRATION CONSTANTS (2-Lane Roadway)

Variable	Value
Average time for making left-turn, s:	3.0
Critical headway, s:	5.0
Average time for left-turn vehicle to clear the advancing lane, s:	1.9

Left-Turn Lane Warrant Analysis

Project: 18197 - Ponder Subdivision
 Intersection: Melissa Avenue at Dubarko Road
 Date: 6/20/2019
 Scenario: 2021 Buildout PM

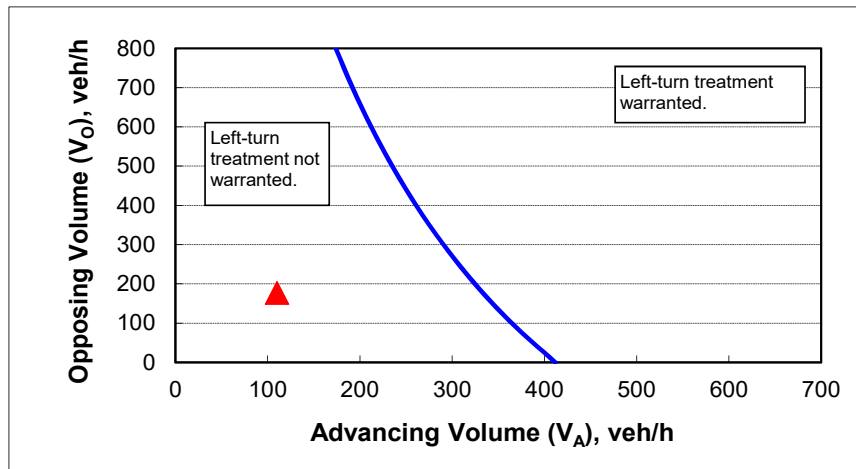
2-lane roadway (English)

INPUT

Variable	Value
85 th percentile speed, mph:	25
Left-turns in advancing volume (V_A), veh/hr:	48
Advancing volume (V_A), veh/h:	110
Opposing volume (V_O), veh/h:	177

OUTPUT

Variable	Value
Limiting advancing volume (V_A), veh/h:	333
Guidance for determining the need for a major-road left-turn bay:	
Left-turn treatment NOT warranted.	



CALIBRATION CONSTANTS (2-Lane Roadway)

Variable	Value
Average time for making left-turn, s:	3.0
Critical headway, s:	5.0
Average time for left-turn vehicle to clear the advancing lane, s:	1.9

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

05/28/2019

Intersection

Int Delay, s/veh	2.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		T		T	T
Traffic Vol, veh/h	5	85	346	8	22	120
Future Vol, veh/h	5	85	346	8	22	120
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	6	100	407	9	26	141

Major/Minor

	Minor1	Major1		Major2	
Conflicting Flow All	605	412	0	0	416
Stage 1	412	-	-	-	-
Stage 2	193	-	-	-	-
Critical Hdwy	6.41	6.21	-	-	4.16
Critical Hdwy Stg 1	5.41	-	-	-	-
Critical Hdwy Stg 2	5.41	-	-	-	-
Follow-up Hdwy	3.509	3.309	-	-	2.254
Pot Cap-1 Maneuver	462	642	-	-	1122
Stage 1	671	-	-	-	-
Stage 2	842	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	451	642	-	-	1122
Mov Cap-2 Maneuver	451	-	-	-	-
Stage 1	671	-	-	-	-
Stage 2	822	-	-	-	-

Approach

	WB	NB	SB
HCM Control Delay, s	11.9	0	1.3
HCM LOS	B		

Minor Lane/Major Mvmt

	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	627	1122
HCM Lane V/C Ratio	-	-	0.169	0.023
HCM Control Delay (s)	-	-	11.9	8.3
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	0.6	0.1

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

05/28/2019

Intersection

Int Delay, s/veh 1.6

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	19	14	48	89	10	6
Future Vol, veh/h	19	14	48	89	10	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	21	16	54	100	11	7

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	154	0	-	0	162	104
Stage 1	-	-	-	-	104	-
Stage 2	-	-	-	-	58	-
Critical Hdwy	4.16	-	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	-	3.617	3.417
Pot Cap-1 Maneuver	1402	-	-	-	804	922
Stage 1	-	-	-	-	893	-
Stage 2	-	-	-	-	937	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1402	-	-	-	792	922
Mov Cap-2 Maneuver	-	-	-	-	792	-
Stage 1	-	-	-	-	893	-
Stage 2	-	-	-	-	923	-

Approach EB WB SB

HCM Control Delay, s	4.4	0	9.4
HCM LOS			A

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1402	-	-	-	836
HCM Lane V/C Ratio	0.015	-	-	-	0.022
HCM Control Delay (s)	7.6	0	-	-	9.4
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0.1

HCM 2010 TWSC
 3: Melissa Avenue & Dubarko Road

05/28/2019

Intersection

Int Delay, s/veh 5.5

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	1	14	39	40	27
Future Vol, veh/h	8	1	14	39	40	27
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	1	18	49	51	34

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	11	0	96	11
Stage 1	-	-	-	-	11	-
Stage 2	-	-	-	-	85	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1608	-	903	1070
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	938	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1608	-	892	1070
Mov Cap-2 Maneuver	-	-	-	-	892	-
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	927	-

Approach EB WB NB

HCM Control Delay, s	0	1.9	9.1
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	956	-	-	1608	-
HCM Lane V/C Ratio	0.089	-	-	0.011	-
HCM Control Delay (s)	9.1	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.3	-	-	0	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

05/28/2019

Intersection	
Intersection Delay, s/veh	7.6
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	25	9	12	11	40	55
Future Vol, veh/h	25	9	12	11	40	55
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	36	13	17	16	57	79
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.5	7.7	7.6
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	42%	0%	52%
Vol Thru, %	0%	74%	48%
Vol Right, %	58%	26%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	95	34	23
LT Vol	40	0	12
Through Vol	0	25	11
RT Vol	55	9	0
Lane Flow Rate	136	49	33
Geometry Grp	1	1	1
Degree of Util (X)	0.145	0.057	0.04
Departure Headway (Hd)	3.844	4.21	4.435
Convergence, Y/N	Yes	Yes	Yes
Cap	927	844	801
Service Time	1.892	2.267	2.495
HCM Lane V/C Ratio	0.147	0.058	0.041
HCM Control Delay	7.6	7.5	7.7
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.5	0.2	0.1

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

05/28/2019

Intersection

Int Delay, s/veh 2.9

Movement WBL WBR NBT NBR SBL SBT

Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	20	91	270	17	170	516
Future Vol, veh/h	20	91	270	17	170	516
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	22	99	293	18	185	561

Major/Minor Minor1 Major1 Major2

Conflicting Flow All	1233	303	0	0	312	0
Stage 1	303	-	-	-	-	-
Stage 2	930	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.11	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.209	-
Pot Cap-1 Maneuver	195	737	-	-	1254	-
Stage 1	749	-	-	-	-	-
Stage 2	384	-	-	-	-	-
Platoon blocked, %			-	-	-	-
Mov Cap-1 Maneuver	166	737	-	-	1254	-
Mov Cap-2 Maneuver	166	-	-	-	-	-
Stage 1	749	-	-	-	-	-
Stage 2	327	-	-	-	-	-

Approach WB NB SB

HCM Control Delay, s	15.7	0	2.1
HCM LOS	C		

Minor Lane/Major Mvmt NBT NBRWBLn1 SBL SBT

Capacity (veh/h)	-	-	455	1254	-
HCM Lane V/C Ratio	-	-	0.265	0.147	-
HCM Control Delay (s)	-	-	15.7	8.4	-
HCM Lane LOS	-	-	C	A	-
HCM 95th %tile Q(veh)	-	-	1.1	0.5	-

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

05/28/2019

Intersection

Int Delay, s/veh 3.1

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	16	147	68	50	67	33
Future Vol, veh/h	16	147	68	50	67	33
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	18	165	76	56	75	37

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	133	0	-	0	305	104
Stage 1	-	-	-	-	104	-
Stage 2	-	-	-	-	201	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1458	-	-	-	689	953
Stage 1	-	-	-	-	923	-
Stage 2	-	-	-	-	835	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1458	-	-	-	679	953
Mov Cap-2 Maneuver	-	-	-	-	679	-
Stage 1	-	-	-	-	923	-
Stage 2	-	-	-	-	823	-

Approach EB WB SB

HCM Control Delay, s	0.7	0	10.6
HCM LOS			B

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1458	-	-	-	750
HCM Lane V/C Ratio	0.012	-	-	-	0.15
HCM Control Delay (s)	7.5	0	-	-	10.6
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.5

HCM 2010 TWSC
3: Melissa Avenue & Dubarko Road

05/28/2019

Intersection						
Int Delay, s/veh	2.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	85	47	22	58	21	16
Future Vol, veh/h	85	47	22	58	21	16
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	100	55	26	68	25	19
Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	155	0	248	128
Stage 1	-	-	-	-	128	-
Stage 2	-	-	-	-	120	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1438	-	745	927
Stage 1	-	-	-	-	903	-
Stage 2	-	-	-	-	910	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1438	-	731	927
Mov Cap-2 Maneuver	-	-	-	-	731	-
Stage 1	-	-	-	-	903	-
Stage 2	-	-	-	-	893	-
Approach	EB	WB	NB			
HCM Control Delay, s	0	2.1	9.7			
HCM LOS			A			
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	805	-	-	1438	-	
HCM Lane V/C Ratio	0.054	-	-	0.018	-	
HCM Control Delay (s)	9.7	-	-	7.5	0	
HCM Lane LOS	A	-	-	A	A	
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-	

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

05/28/2019

Intersection	
Intersection Delay, s/veh	7.4
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↷	
Traffic Vol, veh/h	19	89	23	16	56	24
Future Vol, veh/h	19	89	23	16	56	24
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	22	105	27	19	66	28
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.2	7.6	7.7
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	70%	0%	59%
Vol Thru, %	0%	18%	41%
Vol Right, %	30%	82%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	80	108	39
LT Vol	56	0	23
Through Vol	0	19	16
RT Vol	24	89	0
Lane Flow Rate	94	127	46
Geometry Grp	1	1	1
Degree of Util (X)	0.109	0.127	0.055
Departure Headway (Hd)	4.175	3.606	4.282
Convergence, Y/N	Yes	Yes	Yes
Cap	853	983	829
Service Time	2.228	1.668	2.345
HCM Lane V/C Ratio	0.11	0.129	0.055
HCM Control Delay	7.7	7.2	7.6
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.4	0.4	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh	2.5					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	9	101	367	9	27	127
Future Vol, veh/h	9	101	367	9	27	127
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	11	119	432	11	32	149

Major/Minor

	Minor1	Major1		Major2	
Conflicting Flow All	650	437	0	0	442
Stage 1	437	-	-	-	-
Stage 2	213	-	-	-	-
Critical Hdwy	6.41	6.21	-	-	4.16
Critical Hdwy Stg 1	5.41	-	-	-	-
Critical Hdwy Stg 2	5.41	-	-	-	-
Follow-up Hdwy	3.509	3.309	-	-	2.254
Pot Cap-1 Maneuver	435	622	-	-	1097
Stage 1	653	-	-	-	-
Stage 2	825	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	422	622	-	-	1097
Mov Cap-2 Maneuver	422	-	-	-	-
Stage 1	653	-	-	-	-
Stage 2	801	-	-	-	-

Approach

	WB	NB	SB
HCM Control Delay, s	12.7	0	1.5
HCM LOS	B		

Minor Lane/Major Mvmt

	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	599	1097
HCM Lane V/C Ratio	-	-	0.216	0.029
HCM Control Delay (s)	-	-	12.7	8.4
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	0.8	0.1

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh	1.5					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	20	20	66	101	14	6
Future Vol, veh/h	20	20	66	101	14	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	22	22	74	113	16	7

Major/Minor

	Major1	Major2	Minor2		
Conflicting Flow All	188	0	0	198	131
Stage 1	-	-	-	131	-
Stage 2	-	-	-	67	-
Critical Hdwy	4.16	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	3.617	3.417
Pot Cap-1 Maneuver	1362	-	-	766	890
Stage 1	-	-	-	869	-
Stage 2	-	-	-	929	-
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	1362	-	-	754	890
Mov Cap-2 Maneuver	-	-	-	754	-
Stage 1	-	-	-	869	-
Stage 2	-	-	-	914	-

Approach

	EB	WB	SB
HCM Control Delay, s	3.8	0	9.7
HCM LOS			A

Minor Lane/Major Mvmt

	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1362	-	-	-	790
HCM Lane V/C Ratio	0.016	-	-	-	0.028
HCM Control Delay (s)	7.7	0	-	-	9.7
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0.1	-	-	-	0.1

HCM 2010 TWSC
 3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 5.6

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	1	15	41	42	29
Future Vol, veh/h	8	1	15	41	42	29
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	1	19	52	53	37

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	11	0	101	11
Stage 1	-	-	-	-	11	-
Stage 2	-	-	-	-	90	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1608	-	898	1070
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	934	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1608	-	887	1070
Mov Cap-2 Maneuver	-	-	-	-	887	-
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	923	-

Approach EB WB NB

HCM Control Delay, s	0	1.9	9.2
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	954	-	-	1608	-
HCM Lane V/C Ratio	0.094	-	-	0.012	-
HCM Control Delay (s)	9.2	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.3	-	-	0	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

Intersection	
Intersection Delay, s/veh	7.6
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	27	10	19	12	42	60
Future Vol, veh/h	27	10	19	12	42	60
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	39	14	27	17	60	86
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.6	7.8	7.6
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	41%	0%	61%
Vol Thru, %	0%	73%	39%
Vol Right, %	59%	27%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	102	37	31
LT Vol	42	0	19
Through Vol	0	27	12
RT Vol	60	10	0
Lane Flow Rate	146	53	44
Geometry Grp	1	1	1
Degree of Util (X)	0.156	0.062	0.055
Departure Headway (Hd)	3.864	4.233	4.475
Convergence, Y/N	Yes	Yes	Yes
Cap	919	838	794
Service Time	1.923	2.299	2.54
HCM Lane V/C Ratio	0.159	0.063	0.055
HCM Control Delay	7.6	7.6	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.6	0.2	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 3.4

Movement WBL WBR NBT NBR SBL SBT

Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	23	105	287	22	191	548
Future Vol, veh/h	23	105	287	22	191	548
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	25	114	312	24	208	596

Major/Minor Minor1 Major1 Major2

Conflicting Flow All	1335	324	0	0	336	0
Stage 1	324	-	-	-	-	-
Stage 2	1011	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.11	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.209	-
Pot Cap-1 Maneuver	169	717	-	-	1229	-
Stage 1	733	-	-	-	-	-
Stage 2	352	-	-	-	-	-
Platoon blocked, %			-	-	-	-
Mov Cap-1 Maneuver	140	717	-	-	1229	-
Mov Cap-2 Maneuver	140	-	-	-	-	-
Stage 1	733	-	-	-	-	-
Stage 2	292	-	-	-	-	-

Approach WB NB SB

HCM Control Delay, s	18.1	0	2.2
HCM LOS	C		

Minor Lane/Major Mvmt NBT NBRWBLn1 SBL SBT

Capacity (veh/h)	-	-	412	1229	-
HCM Lane V/C Ratio	-	-	0.338	0.169	-
HCM Control Delay (s)	-	-	18.1	8.5	-
HCM Lane LOS	-	-	C	A	-
HCM 95th %tile Q(veh)	-	-	1.5	0.6	-

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh 3.2

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	17	171	82	57	78	35
Future Vol, veh/h	17	171	82	57	78	35
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	19	192	92	64	88	39

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	156	0	-	0	354	124
Stage 1	-	-	-	-	124	-
Stage 2	-	-	-	-	230	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1430	-	-	-	646	929
Stage 1	-	-	-	-	904	-
Stage 2	-	-	-	-	811	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1430	-	-	-	636	929
Mov Cap-2 Maneuver	-	-	-	-	636	-
Stage 1	-	-	-	-	904	-
Stage 2	-	-	-	-	799	-

Approach EB WB SB

HCM Control Delay, s	0.7	0	11.2
HCM LOS			B

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1430	-	-	-	705
HCM Lane V/C Ratio	0.013	-	-	-	0.18
HCM Control Delay (s)	7.6	0	-	-	11.2
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.7

HCM 2010 TWSC
3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 2.1

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	90	50	23	62	22	17
Future Vol, veh/h	90	50	23	62	22	17
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	106	59	27	73	26	20

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	165	0	262	135
Stage 1	-	-	-	-	135	-
Stage 2	-	-	-	-	127	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1426	-	731	919
Stage 1	-	-	-	-	896	-
Stage 2	-	-	-	-	904	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1426	-	716	919
Mov Cap-2 Maneuver	-	-	-	-	716	-
Stage 1	-	-	-	-	896	-
Stage 2	-	-	-	-	886	-

Approach EB WB NB

HCM Control Delay, s	0	2	9.8
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	792	-	-	1426	-
HCM Lane V/C Ratio	0.058	-	-	0.019	-
HCM Control Delay (s)	9.8	-	-	7.6	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

Intersection	
Intersection Delay, s/veh	7.6
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↷	
Traffic Vol, veh/h	20	94	28	17	59	31
Future Vol, veh/h	20	94	28	17	59	31
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	24	111	33	20	69	36
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.3	7.7	7.8
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	66%	0%	62%
Vol Thru, %	0%	18%	38%
Vol Right, %	34%	82%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	90	114	45
LT Vol	59	0	28
Through Vol	0	20	17
RT Vol	31	94	0
Lane Flow Rate	106	134	53
Geometry Grp	1	1	1
Degree of Util (X)	0.122	0.135	0.063
Departure Headway (Hd)	4.162	3.631	4.314
Convergence, Y/N	Yes	Yes	Yes
Cap	854	975	822
Service Time	2.222	1.7	2.385
HCM Lane V/C Ratio	0.124	0.137	0.064
HCM Control Delay	7.8	7.3	7.7
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.4	0.5	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 3

Movement WBL WBR NBT NBR SBL SBT

Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	15	117	367	11	33	127
Future Vol, veh/h	15	117	367	11	33	127
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	18	138	432	13	39	149

Major/Minor Minor1 Major1 Major2

Conflicting Flow All	665	438	0	0	445	0
Stage 1	438	-	-	-	-	-
Stage 2	227	-	-	-	-	-
Critical Hdwy	6.41	6.21	-	-	4.16	-
Critical Hdwy Stg 1	5.41	-	-	-	-	-
Critical Hdwy Stg 2	5.41	-	-	-	-	-
Follow-up Hdwy	3.509	3.309	-	-	2.254	-
Pot Cap-1 Maneuver	427	621	-	-	1094	-
Stage 1	653	-	-	-	-	-
Stage 2	813	-	-	-	-	-
Platoon blocked, %			-	-	-	-
Mov Cap-1 Maneuver	412	621	-	-	1094	-
Mov Cap-2 Maneuver	412	-	-	-	-	-
Stage 1	653	-	-	-	-	-
Stage 2	784	-	-	-	-	-

Approach WB NB SB

HCM Control Delay, s	13.3	0	1.7
HCM LOS	B		

Minor Lane/Major Mvmt NBT NBRWBLn1 SBL SBT

Capacity (veh/h)	-	-	587	1094	-
HCM Lane V/C Ratio	-	-	0.265	0.035	-
HCM Control Delay (s)	-	-	13.3	8.4	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	1.1	0.1	-

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh 1.3

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	20	28	88	112	14	6
Future Vol, veh/h	20	28	88	112	14	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	22	31	99	126	16	7

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	225	0	-	0	238	162
Stage 1	-	-	-	-	162	-
Stage 2	-	-	-	-	76	-
Critical Hdwy	4.16	-	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	-	3.617	3.417
Pot Cap-1 Maneuver	1320	-	-	-	727	855
Stage 1	-	-	-	-	841	-
Stage 2	-	-	-	-	920	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1320	-	-	-	715	855
Mov Cap-2 Maneuver	-	-	-	-	715	-
Stage 1	-	-	-	-	841	-
Stage 2	-	-	-	-	904	-

Approach EB WB SB

HCM Control Delay, s	3.2	0	9.9
HCM LOS			A

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1320	-	-	-	752
HCM Lane V/C Ratio	0.017	-	-	-	0.03
HCM Control Delay (s)	7.8	0	-	-	9.9
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0.1	-	-	-	0.1

HCM 2010 TWSC
 3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 6.6

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	12	23	41	75	51
Future Vol, veh/h	8	12	23	41	75	51
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	15	29	52	95	65

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	25	0	128	18
Stage 1	-	-	-	-	18	-
Stage 2	-	-	-	-	110	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1589	-	866	1061
Stage 1	-	-	-	-	1005	-
Stage 2	-	-	-	-	915	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1589	-	850	1061
Mov Cap-2 Maneuver	-	-	-	-	850	-
Stage 1	-	-	-	-	1005	-
Stage 2	-	-	-	-	898	-

Approach EB WB NB

HCM Control Delay, s	0	2.6	9.7
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	924	-	-	1589	-
HCM Lane V/C Ratio	0.173	-	-	0.018	-
HCM Control Delay (s)	9.7	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.6	-	-	0.1	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

Intersection	
Intersection Delay, s/veh	7.8
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	41	18	19	17	45	60
Future Vol, veh/h	41	18	19	17	45	60
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	59	26	27	24	64	86
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.8	7.9	7.8
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	43%	0%	53%
Vol Thru, %	0%	69%	47%
Vol Right, %	57%	31%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	105	59	36
LT Vol	45	0	19
Through Vol	0	41	17
RT Vol	60	18	0
Lane Flow Rate	150	84	51
Geometry Grp	1	1	1
Degree of Util (X)	0.164	0.099	0.064
Departure Headway (Hd)	3.944	4.224	4.488
Convergence, Y/N	Yes	Yes	Yes
Cap	897	838	788
Service Time	2.024	2.302	2.572
HCM Lane V/C Ratio	0.167	0.1	0.065
HCM Control Delay	7.8	7.8	7.9
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.6	0.3	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh	3.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	27	116	287	28	210	548
Future Vol, veh/h	27	116	287	28	210	548
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	29	126	312	30	228	596

Major/Minor

	Minor1	Major1		Major2	
Conflicting Flow All	1379	327	0	0	342
Stage 1	327	-	-	-	-
Stage 2	1052	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.11
Critical Hdwy Stg 1	5.42	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.209
Pot Cap-1 Maneuver	159	714	-	-	1223
Stage 1	731	-	-	-	-
Stage 2	336	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	129	714	-	-	1223
Mov Cap-2 Maneuver	129	-	-	-	-
Stage 1	731	-	-	-	-
Stage 2	273	-	-	-	-

Approach

	WB	NB	SB
HCM Control Delay, s	20.5	0	2.4
HCM LOS	C		

Minor Lane/Major Mvmt

	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	385	1223
HCM Lane V/C Ratio	-	-	0.404	0.187
HCM Control Delay (s)	-	-	20.5	8.6
HCM Lane LOS	-	-	C	A
HCM 95th %tile Q(veh)	-	-	1.9	0.7

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh 3.2

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	17	196	97	64	90	35
Future Vol, veh/h	17	196	97	64	90	35
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	19	220	109	72	101	39

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	181	0	-	0	403	145
Stage 1	-	-	-	-	145	-
Stage 2	-	-	-	-	258	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1400	-	-	-	605	905
Stage 1	-	-	-	-	885	-
Stage 2	-	-	-	-	787	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1400	-	-	-	596	905
Mov Cap-2 Maneuver	-	-	-	-	596	-
Stage 1	-	-	-	-	885	-
Stage 2	-	-	-	-	775	-

Approach EB WB SB

HCM Control Delay, s	0.6	0	11.9
HCM LOS			B

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1400	-	-	-	659
HCM Lane V/C Ratio	0.014	-	-	-	0.213
HCM Control Delay (s)	7.6	0	-	-	11.9
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.8

HCM 2010 TWSC
3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection						
Int Delay, s/veh	3.3					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	90	87	48	62	44	32
Future Vol, veh/h	90	87	48	62	44	32
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	106	102	56	73	52	38
Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	208	0	343	157
Stage 1	-	-	-	-	157	-
Stage 2	-	-	-	-	186	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1375	-	657	894
Stage 1	-	-	-	-	876	-
Stage 2	-	-	-	-	851	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1375	-	629	894
Mov Cap-2 Maneuver	-	-	-	-	629	-
Stage 1	-	-	-	-	876	-
Stage 2	-	-	-	-	815	-
Approach	EB	WB	NB			
HCM Control Delay, s	0	3.4	10.7			
HCM LOS			B			
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	719	-	-	1375	-	
HCM Lane V/C Ratio	0.124	-	-	0.041	-	
HCM Control Delay (s)	10.7	-	-	7.7	0	
HCM Lane LOS	B	-	-	A	A	
HCM 95th %tile Q(veh)	0.4	-	-	0.1	-	

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

Intersection	
Intersection Delay, s/veh	7.7
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	29	100	28	33	68	31
Future Vol, veh/h	29	100	28	33	68	31
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	34	118	33	39	80	36
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.5	7.8	8
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	69%	0%	46%
Vol Thru, %	0%	22%	54%
Vol Right, %	31%	78%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	99	129	61
LT Vol	68	0	28
Through Vol	0	29	33
RT Vol	31	100	0
Lane Flow Rate	116	152	72
Geometry Grp	1	1	1
Degree of Util (X)	0.137	0.156	0.086
Departure Headway (Hd)	4.249	3.695	4.316
Convergence, Y/N	Yes	Yes	Yes
Cap	833	955	819
Service Time	2.33	1.78	2.401
HCM Lane V/C Ratio	0.139	0.159	0.088
HCM Control Delay	8	7.5	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.5	0.6	0.3

Bailey Meadows

Preliminary Stormwater Report

Date: June 2019
Client: Allied Homes and Development
Engineering Contact: Monty Hurley, PE, PLS/ Vu Nguyen, PE
Prepared By: Vu Nguyen, PE
Engineering Firm: AKS Engineering & Forestry, LLC
AKS Job No.: 7107



RENEWAL DATE: 6/30/21



12965 SW Herman Road, Suite 100
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SMALL WATERSHEDS BY NATURAL RESOURCE CONSERVATION SERVICE

Preliminary Stormwater Report **Bailey Meadows**

1.0 Purpose of Report

The purpose of this report is to analyze the effect development of this site will have on the downstream stormwater conveyance system, document the criteria the proposed stormwater system was designed to meet, identify the sources of information on which the analysis was based, detail the design methodology, and document the results of the analysis.

2.0 Project Location/Description

The development is located on Tax Lots 800, 801, 802, 803, and 804 of Clackamas County Map 2 4E 23. The project site is located northwest of the Ponder Lane and the Woodburn Sandy Highway (Hwy 211) intersection. Currently, the majority of the existing stormwater runoff from this site drains west to existing drainage ditch across the property that drains to the Bull Frog Reservoir to the west. This project includes approximately ±23.42 acres of the site.

3.0 Regulatory Design Criteria

3.1 STORMWATER QUANTITY MANAGEMENT CRITERIA

The site will provide stormwater quantity management per City of Sandy requirements, including:

- Detain the peak flow from the post-developed site to match the peak flow of the pre-developed site for 2-year, 5-year, 10-year, and 25-year frequency storm events.
- Size the storm sewer pipes to convey stormwater flows for the 25-year storm event.
- Provide an emergency overflow spillway for the 100-year storm, assuming that the flow control manhole is plugged.

The stormwater facility was designed to meet the above criteria for detention, conveyance, and overflow. Slopes in the facility will be no steeper than 3:1 or a retaining wall will be installed. Beyond the top of the stormwater facility, the ground will slope at 2:1 and daylight at the existing ground surface, or a retaining wall will be installed.

3.2 STORMWATER QUALITY MANAGEMENT CRITERIA

The stormwater facility will provide stormwater quality management per City of Sandy standards, which includes treating 80 percent of the average annual volume of stormwater runoff from the site and achieving at least 70% removal of the Total Suspended Solids.

4.0 Design Methodology

The Santa Barbara Urban Hydrograph (SBUH) method was used to design the stormwater facility. The SBUH method utilizes the SCS Type 1A 24-hour storm, as defined by the King County, Washington Surface Water Design Manual. HydroCAD computer software aided in the analysis. Representative runoff curve (CN) numbers were obtained from Technical Release 55 Urban Hydrology for Small Watersheds by the Natural Resources Conservation Service and are included in Appendix E.

5.0 Design Parameters

5.1 DESIGN STORM

5.1.1 24-Hour Rainfall Depths

2-year storm: 3.5 inches

5-year storm: 4.5 inches

10-year storm: 4.8 inches

25-year storm: 5.5 inches

100-year storm: 6.5 inches

5.1.2 On-Site Inlet and Conduit Sizing

Stormwater inlets for the site have been placed at locations that will adequately control stormwater runoff from streets. The onsite stormwater pipes will be sized using Manning's equation, based on peak flows for the 25-year, 24-hour storm event.

5.1.3 Upstream Basin

Stormwater runoff from the off-site upstream (undeveloped) basin area along the eastern property line of the site (catchment 2S) will be collected and routed to the stormwater facility as pass through. The stormwater lines that carry these runoffs will be sized using Manning's equation, based on peak flows for the fully developed 25-year, 24-hour storm event.

5.2 PRE-DEVELOPED SITE TOPOGRAPHY AND LAND USE

5.2.1 Site Topography

The existing stormwater runoff from this site drains west, with slopes ranging from 1% to 10%. The vegetative cover of the site consists of grass, trees, and crops.

5.2.2 Land Use

Currently, the land is being used for agriculture.

5.3 SOIL TYPE

The soils present on the site are classified as Cazadero silty clay loam (hydrologic group "C") and Cottrell silty clay loam (hydrologic group "C") by the USDA Soil Survey for Clackamas County. Information on these soil types is provided in Appendix F.

5.4 POST-DEVELOPED SITE TOPOGRAPHY AND LAND USE

5.4.1 Site Topography

The post-developed site topography will be altered from the pre-developed site topography to allow for the construction of public streets, single-family residential dwellings, and other associated infrastructure and features.

5.4.2 Land Use

The post-developed land use will consist of 100 residential lots, streets, and stormwater facility.

5.4.3 Future Development

The project's stormwater facilities are not sized to treat and detain any future development beyond the planned 100-lot Bailey Meadows subdivision.

5.4.4 Post-Developed Input Parameters

Per City of Sandy requirements, each of the detached single-family dwelling lots was assessed with 2,750 square feet of impervious area.

5.5 DESCRIPTION OF OFF-SITE CONTRIBUTORY BASINS

There are no off-site stormwater runoff basins contributing to this site (other than the basins described in Section 5.1.3).

6.0 Calculation Methodology

6.1 PROPOSED STORMWATER CONDUIT SIZING AND INLET SPACING

To meet City of Sandy standards, the onsite stormwater conduit will be sized using Manning's equation for the 25-year storm event. Catch basins have been placed at locations to adequately convey stormwater runoff from the streets.

6.2 PROPOSED STORMWATER QUANTITY CONTROL FACILITY DESIGN

The stormwater facility (detention pond) was designed to accommodate flows generated by the developed areas of the subject property and to meet City of Sandy water quantity requirements (described in Section 3.1).

6.3 PROPOSED STORMWATER QUALITY FACILITY DESIGN

The CDS manholes were sized to treat stormwater runoff from impervious area generated by a rainfall intensity of 0.2 inches per hour. The designed flow rate for treatment is 1.97 cubic feet per second. Two CDS manholes (CDS Model CDS 2020-5) will be utilized to accommodate flows generated by developed areas of the subject property in compliance with City of Sandy water quality requirements (described in Section 3.2).

6.4 EMERGENCY OVERFLOW CALCULATIONS

The emergency overflow weirs were sized to convey the 100-year storm event. Calculations are included in Appendix D. If the stormwater facility's outlet structures become plugged and cannot convey runoff from the site, the overflow stormwater from the stormwater facility will sheet flow across the access driveway and downhill to the existing drainage ditch.

6.6 DOWNSTREAM ANALYSIS

The stormwater discharge from the stormwater facility (post-developed condition) will discharge to the existing drainage ditch across Tax Lot 806 of Clackamas County Map 2 4E 23. It will continue to flow west to the Bull Frog Reservoir. The stormwater facility has been designed so that the duration of peak flow rates from post-development conditions will be less than or equal to the duration of peak flow rates from pre-development conditions of the 2-year, 5-year, 10-year, and 25-year storm events. This development will not negatively impact downstream capacity.

7.0 Stormwater Summary Table

The tables below summarize the pre-developed and post-developed peak flows for each storm event

that are routed to the new stormwater facility:

Table 7.1 Pre-Developed Peak Flows

CATCHMENT	PEAK FLOWS (CFS)			
	2-YR	5-YR	10-YR	25-YR
1S (Pre-Developed)	6.60	10.67	11.96	15.03
2S (Existing Upstream)	2.41*	3.91*	4.38*	5.56*

Table 7.2 Post Developed Peak Flows

CATCHMENT	PEAK FLOWS (CFS)			
	2-YR	5-YR	10-YR	25-YR
1S (Post-Developed)	12.23	17.45	19.07	22.94
2S (Existing Upstream)	2.41*	3.91*	4.38*	5.56*
Allowable Release Rate**	9.01	14.58	16.34	20.59
Design Pond Release Rate	8.68	14.20	15.41	17.91
Undetained Rate	0.00	0.00	0.00	0.00
Actual Release Rate to Downstream (Design Pond Release Rate + Undetained Rate)	8.68	14.20	15.41	17.91

*The flows from Catchment 2S are routed to the stormwater facility as pass through flows based on undeveloped area.

**The allowable release rate for the post-developed 2-year storm event per City of Sandy standards is equal to the sum of the pre-developed peak runoff rates for the 2-year storm from Catchments 1S and 2S.

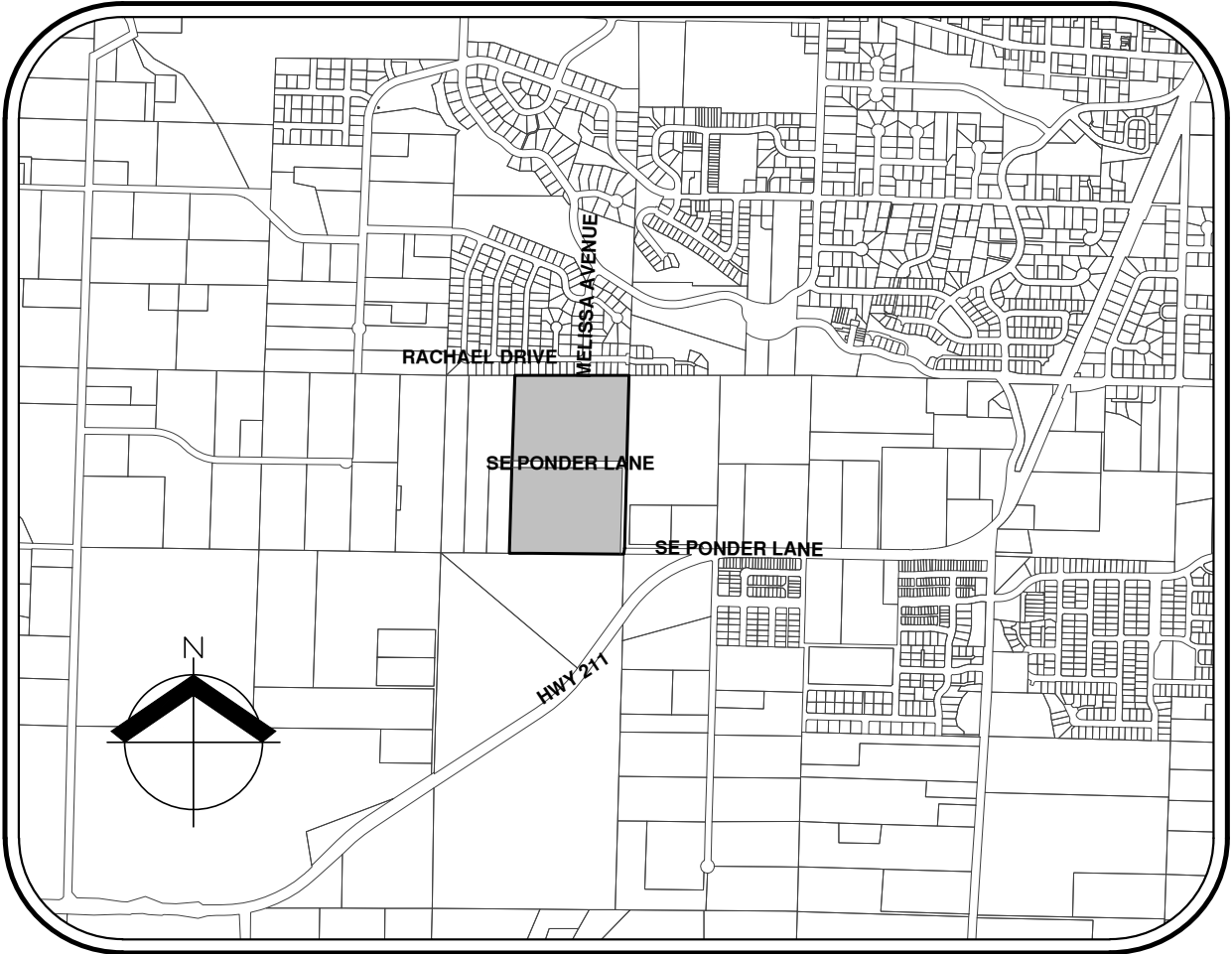
**The allowable release rate for the post-developed 5-year storm event per City of Sandy standards is equal to the sum of the pre-developed peak runoff rates for the 5-year storm from Catchments 1S and 2S.

**The allowable release rate for the post-developed 10-year storm event per City of Sandy standards is equal to the sum of the pre-developed peak runoff rates for the 10-year storm from Catchments 1S and 2S.

**The allowable release rate for the post-developed 25-year storm event per City of Sandy standards is equal to the sum of the pre-developed peak runoff rates for the 25-year storm from Catchments 1S and 2S.



Appendix A: Vicinity Map

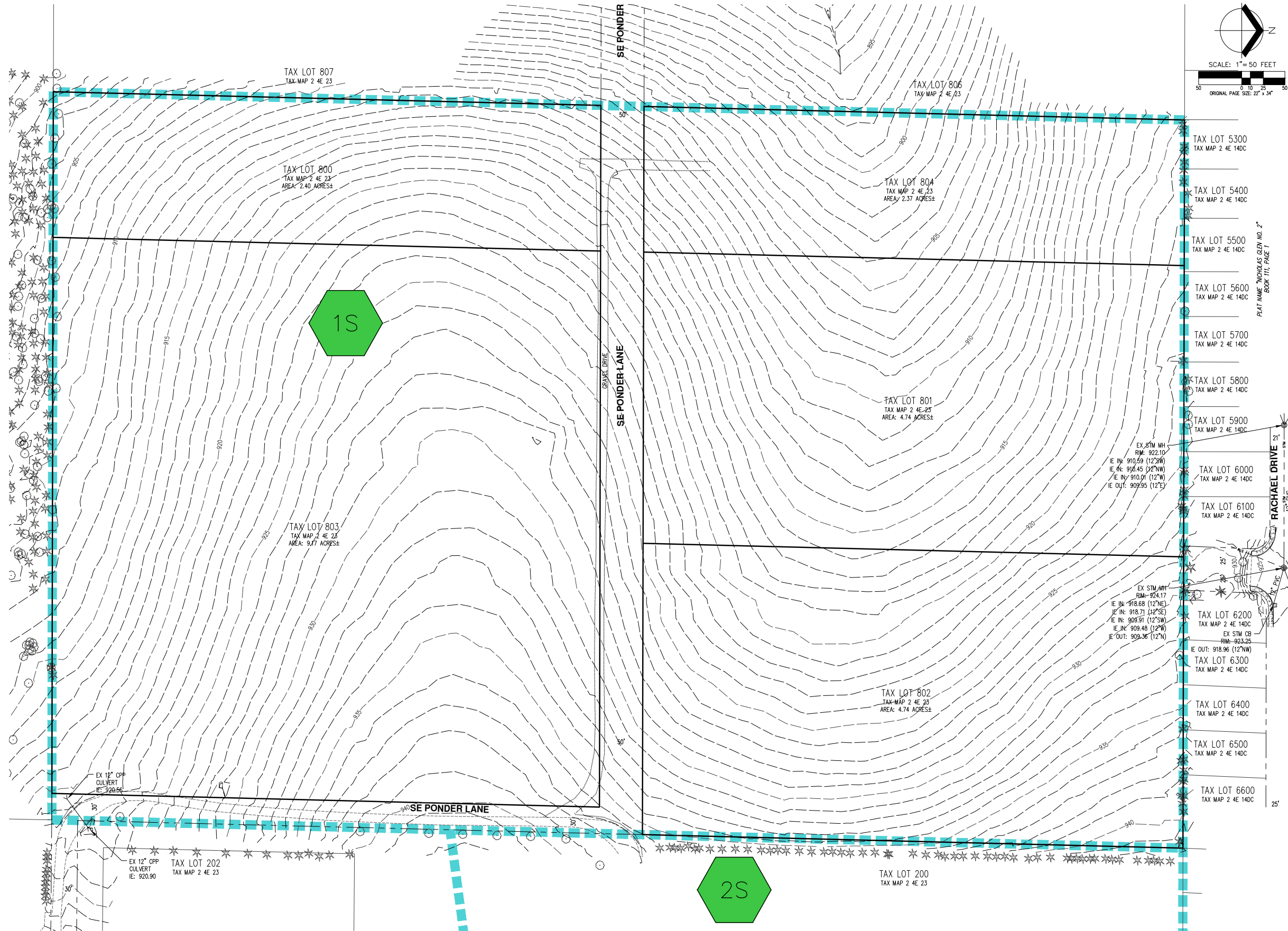


VICINITY MAP

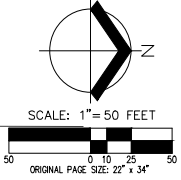
SCALE: 1" = N.T.S.



Appendix B.1: Pre-Developed Catchment Map and Detail



AKS DRAWING FILE: 7107 PRE-DEVELOPED BASIN MAPS | LAYOUT: 1

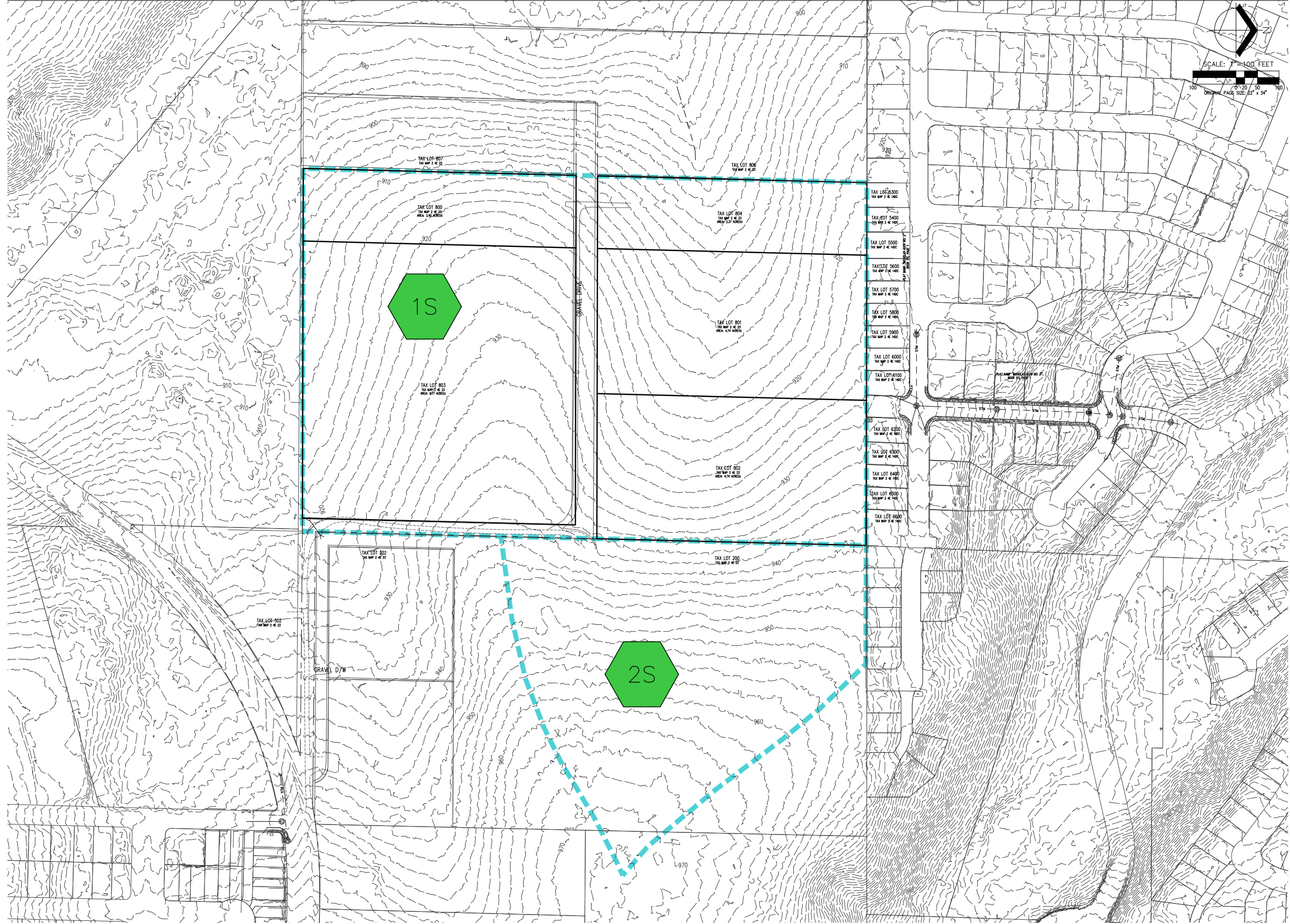


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 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

PRE-DEVELOPED BASIN MAP
BAILEY MEADOWS
SANDY, OREGON

JOB NUMBER: 7107
 DATE: 06/12/2019
 DESIGNED BY: VN
 DRAWN BY: CL
 CHECKED BY: RSW

ANS DRAWING FILE: 7107 PRE-DEVELOPED MAP.DWG | LAYOUT: 2



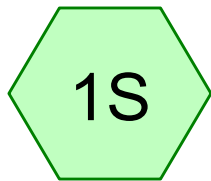
PRE-DEVELOPED BASIN MAP

BAILEY MEADOWS SANDY, OREGON

JOB NUMBER:	7107
DATE:	06/12/2019
DESIGNED BY:	VN
DRAWN BY:	CL
CHECKED BY:	RSW

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Pre-Developed



Existing Upstream



Routing Diagram for 7107 HydroCAD Pre
Prepared by AKS Engineering & Forestry, LLC, Printed 5/28/2019
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7107 HydroCAD Pre

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Printed 5/28/2019

Area Listing (all nodes)

Area (sq-ft)	CN	Description (subcatchment-numbers)
1,497,050	80	Row Crops (C + CR) (1S, 2S)
1,497,050	80	TOTAL AREA



**Appendix B.2:
Pre-Developed Hydrograph and Flow
Information 2-Year Storm Event**

7107 HydroCAD Pre

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 2-YR Rainfall=3.50"

Printed 5/28/2019

Time span=0.00-24.00 hrs, dt=0.15 hrs, 161 points
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Pre-Developed

Runoff Area=1,061,450 sf 0.00% Impervious Runoff Depth>1.62"
Flow Length=900' Tc=23.8 min CN=80/0 Runoff=6.60 cfs 142,858 cf

Subcatchment 2S: Existing Upstream

Runoff Area=10,000 ac 0.00% Impervious Runoff Depth>1.61"
Flow Length=750' Tc=32.3 min CN=80/0 Runoff=2.41 cfs 58,339 cf

Total Runoff Area = 1,497,050 sf Runoff Volume = 201,197 cf Average Runoff Depth = 1.61"
100.00% Pervious = 1,497,050 sf 0.00% Impervious = 0 sf

7107 HydroCAD Pre

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 2-YR Rainfall=3.50"

Printed 5/28/2019

Summary for Subcatchment 1S: Pre-Developed

Runoff = 6.60 cfs @ 8.15 hrs, Volume= 142,858 cf, Depth> 1.62"

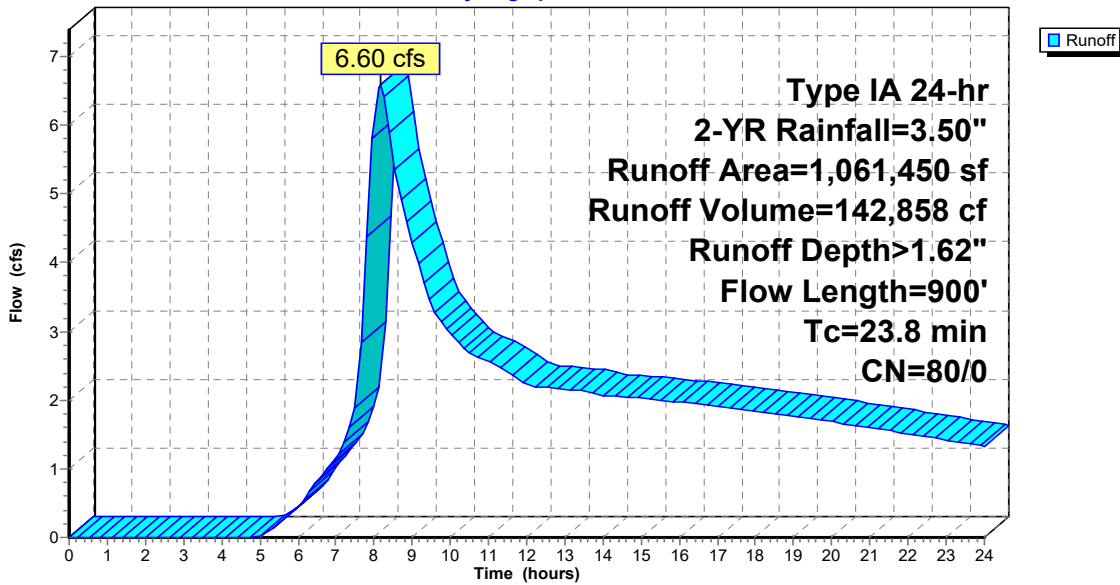
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 2-YR Rainfall=3.50"

Area (sf)	CN	Description
* 1,061,450	80	Row Crops (C + CR)
1,061,450		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
18.6	300	0.0600	0.27		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
5.2	600	0.0450	1.91		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
23.8	900	Total			

Subcatchment 1S: Pre-Developed

Hydrograph



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Type IA 24-hr 2-YR Rainfall=3.50"

Printed 5/28/2019

Summary for Subcatchment 2S: Existing Upstream

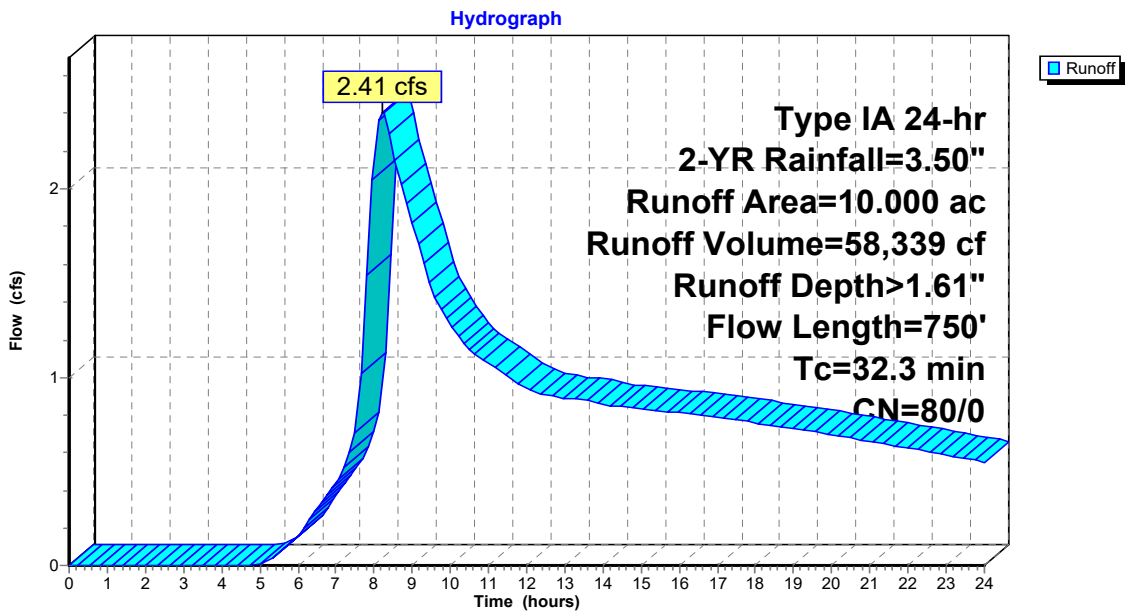
Runoff = 2.41 cfs @ 8.21 hrs, Volume= 58,339 cf, Depth> 1.61"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 2-YR Rainfall=3.50"

Area (ac)	CN	Description
* 10.000	80	Row Crops (C + CR)
10.000		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
28.9	300	0.0200	0.17		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
3.4	450	0.0600	2.20		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
32.3	750	Total			

Subcatchment 2S: Existing Upstream





**Appendix B.3:
Pre-Developed Hydrograph and Flow
Information 5-Year Storm Event**

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Type IA 24-hr 5-YR Rainfall=4.50"

Printed 5/28/2019

Time span=0.00-24.00 hrs, dt=0.15 hrs, 161 points
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Pre-Developed

Runoff Area=1,061,450 sf 0.00% Impervious Runoff Depth>2.43"
Flow Length=900' Tc=23.8 min CN=80/0 Runoff=10.67 cfs 215,128 cf

Subcatchment 2S: Existing Upstream

Runoff Area=10,000 ac 0.00% Impervious Runoff Depth>2.42"
Flow Length=750' Tc=32.3 min CN=80/0 Runoff=3.91 cfs 87,888 cf

Total Runoff Area = 1,497,050 sf Runoff Volume = 303,016 cf Average Runoff Depth = 2.43"
100.00% Pervious = 1,497,050 sf 0.00% Impervious = 0 sf

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Type IA 24-hr 5-YR Rainfall=4.50"

Printed 5/28/2019

Summary for Subcatchment 1S: Pre-Developed

Runoff = 10.67 cfs @ 8.14 hrs, Volume= 215,128 cf, Depth> 2.43"

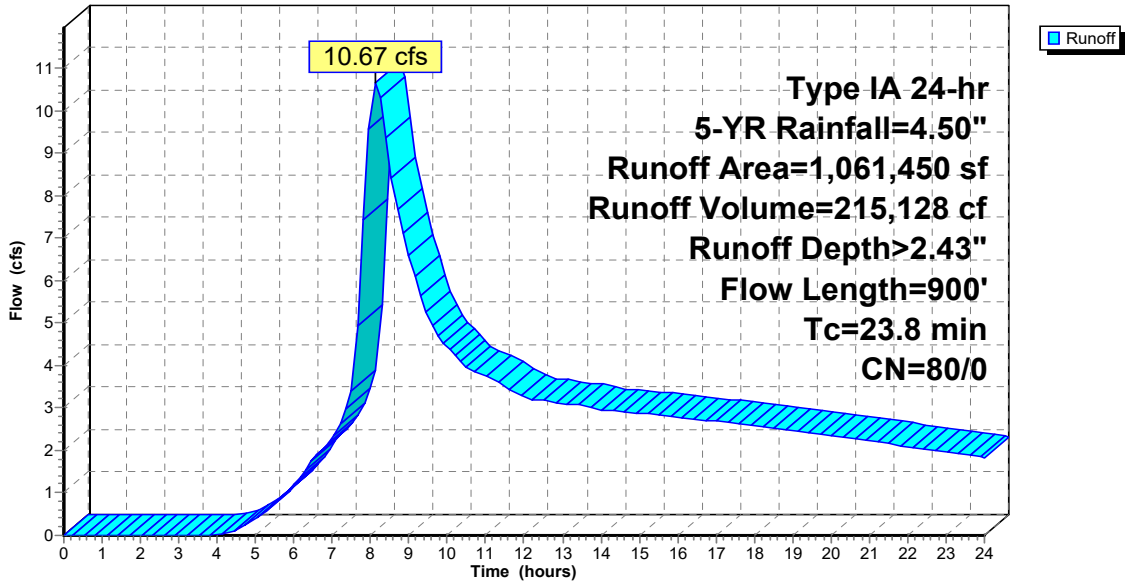
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 5-YR Rainfall=4.50"

Area (sf)	CN	Description
* 1,061,450	80	Row Crops (C + CR)
1,061,450		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
18.6	300	0.0600	0.27		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
5.2	600	0.0450	1.91		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
23.8	900	Total			

Subcatchment 1S: Pre-Developed

Hydrograph



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Type IA 24-hr 5-YR Rainfall=4.50"

Printed 5/28/2019

Summary for Subcatchment 2S: Existing Upstream

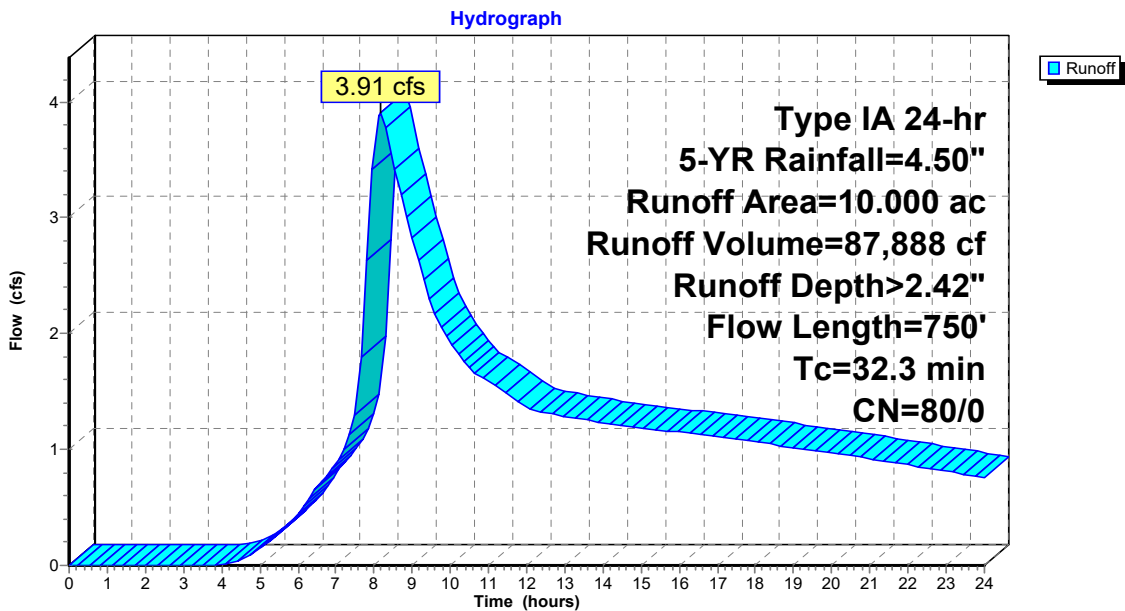
Runoff = 3.91 cfs @ 8.18 hrs, Volume= 87,888 cf, Depth> 2.42"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 5-YR Rainfall=4.50"

Area (ac)	CN	Description
* 10.000	80	Row Crops (C + CR)
10.000		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
28.9	300	0.0200	0.17		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
3.4	450	0.0600	2.20		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
32.3	750	Total			

Subcatchment 2S: Existing Upstream





**Appendix B.4:
Pre-Developed Hydrograph and Flow
Information 10-Year Storm Event**

7107 HydroCAD Pre

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 10-YR Rainfall=4.80"

Printed 5/28/2019

Time span=0.00-24.00 hrs, dt=0.15 hrs, 161 points
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Pre-Developed

Runoff Area=1,061,450 sf 0.00% Impervious Runoff Depth>2.69"
Flow Length=900' Tc=23.8 min CN=80/0 Runoff=11.96 cfs 237,696 cf

Subcatchment 2S: Existing Upstream

Runoff Area=10,000 ac 0.00% Impervious Runoff Depth>2.68"
Flow Length=750' Tc=32.3 min CN=80/0 Runoff=4.38 cfs 97,116 cf

Total Runoff Area = 1,497,050 sf Runoff Volume = 334,813 cf Average Runoff Depth = 2.68"
100.00% Pervious = 1,497,050 sf 0.00% Impervious = 0 sf

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Type IA 24-hr 10-YR Rainfall=4.80"

Printed 5/28/2019

Summary for Subcatchment 1S: Pre-Developed

Runoff = 11.96 cfs @ 8.14 hrs, Volume= 237,696 cf, Depth> 2.69"

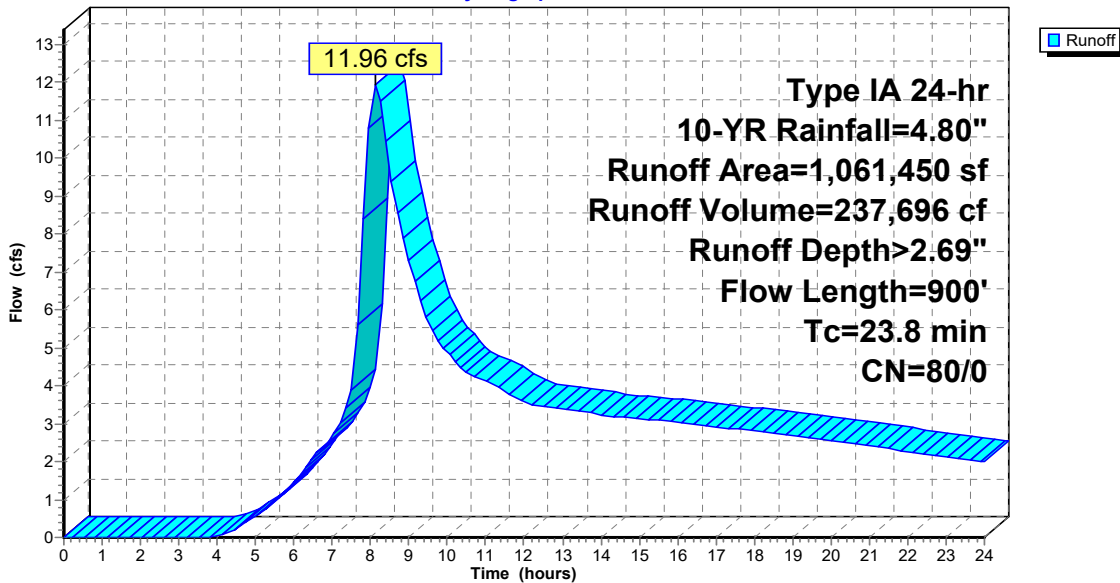
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 10-YR Rainfall=4.80"

Area (sf)	CN	Description
* 1,061,450	80	Row Crops (C + CR)
1,061,450		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
18.6	300	0.0600	0.27		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
5.2	600	0.0450	1.91		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
23.8	900	Total			

Subcatchment 1S: Pre-Developed

Hydrograph



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Type IA 24-hr 10-YR Rainfall=4.80"

Printed 5/28/2019

Summary for Subcatchment 2S: Existing Upstream

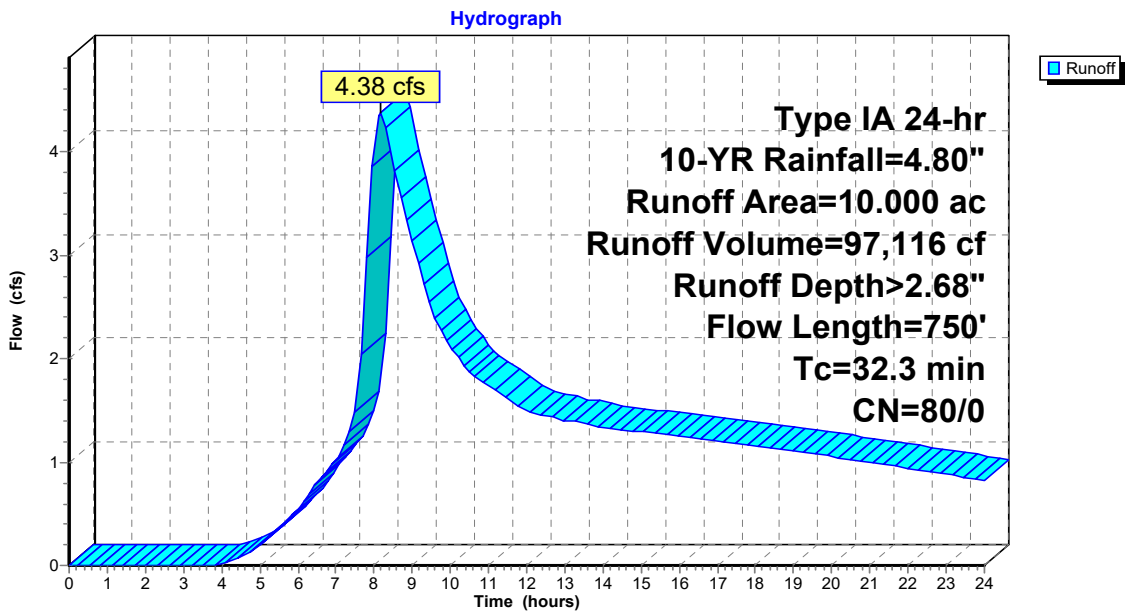
Runoff = 4.38 cfs @ 8.18 hrs, Volume= 97,116 cf, Depth> 2.68"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 10-YR Rainfall=4.80"

Area (ac)	CN	Description
* 10.000	80	Row Crops (C + CR)
10.000		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
28.9	300	0.0200	0.17		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
3.4	450	0.0600	2.20		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
32.3	750				Total

Subcatchment 2S: Existing Upstream





**Appendix B.5:
Pre-Developed Hydrograph and Flow
Information 25-Year Storm Event**

7107 HydroCAD Pre

Prepared by AKS Engineering & Forestry, LLC
HydroCAD® 10.00-20 s/n 05095 © 2017 HydroCAD Software Solutions LLC

Type IA 24-hr 25-YR Rainfall=5.50"

Printed 5/28/2019

Time span=0.00-24.00 hrs, dt=0.15 hrs, 161 points
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Pre-Developed

Runoff Area=1,061,450 sf 0.00% Impervious Runoff Depth>3.30"
Flow Length=900' Tc=23.8 min CN=80/0 Runoff=15.03 cfs 291,524 cf

Subcatchment 2S: Existing Upstream

Runoff Area=10,000 ac 0.00% Impervious Runoff Depth>3.28"
Flow Length=750' Tc=32.3 min CN=80/0 Runoff=5.56 cfs 119,130 cf

Total Runoff Area = 1,497,050 sf Runoff Volume = 410,653 cf Average Runoff Depth = 3.29"
100.00% Pervious = 1,497,050 sf 0.00% Impervious = 0 sf

7107 HydroCAD Pre

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Type IA 24-hr 25-YR Rainfall=5.50"

Printed 5/28/2019

Summary for Subcatchment 1S: Pre-Developed

Runoff = 15.03 cfs @ 8.13 hrs, Volume= 291,524 cf, Depth> 3.30"

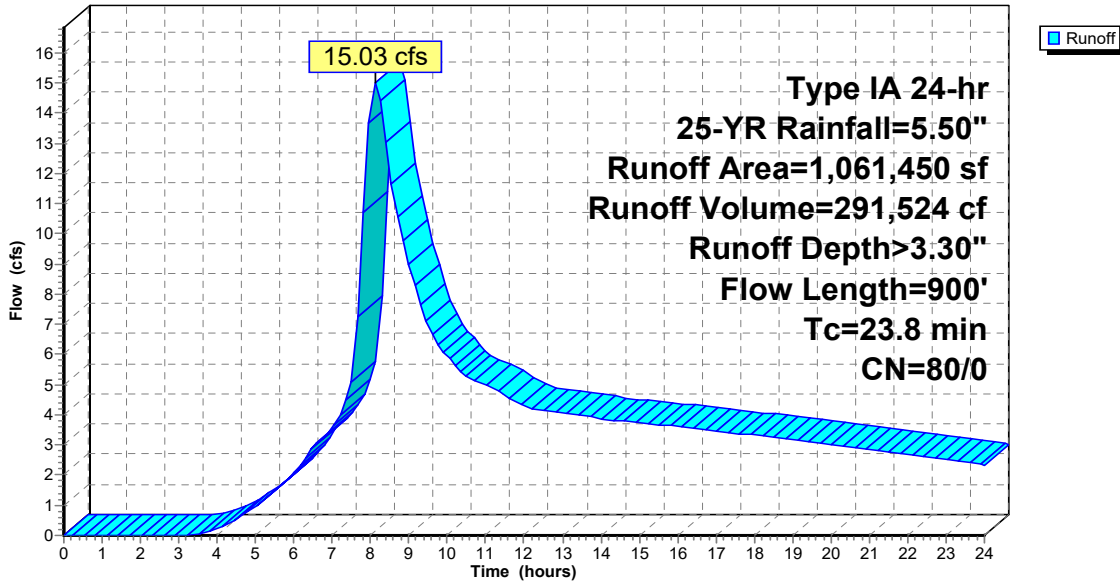
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 25-YR Rainfall=5.50"

Area (sf)	CN	Description
* 1,061,450	80	Row Crops (C + CR)
1,061,450		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
18.6	300	0.0600	0.27		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
5.2	600	0.0450	1.91		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
23.8	900	Total			

Subcatchment 1S: Pre-Developed

Hydrograph



7107 HydroCAD Pre

Prepared by AKS Engineering & Forestry, LLC
 HydroCAD® 10.00-20 s/n 05095 © 2017 HydroCAD Software Solutions LLC

Type IA 24-hr 25-YR Rainfall=5.50"

Printed 5/28/2019

Summary for Subcatchment 2S: Existing Upstream

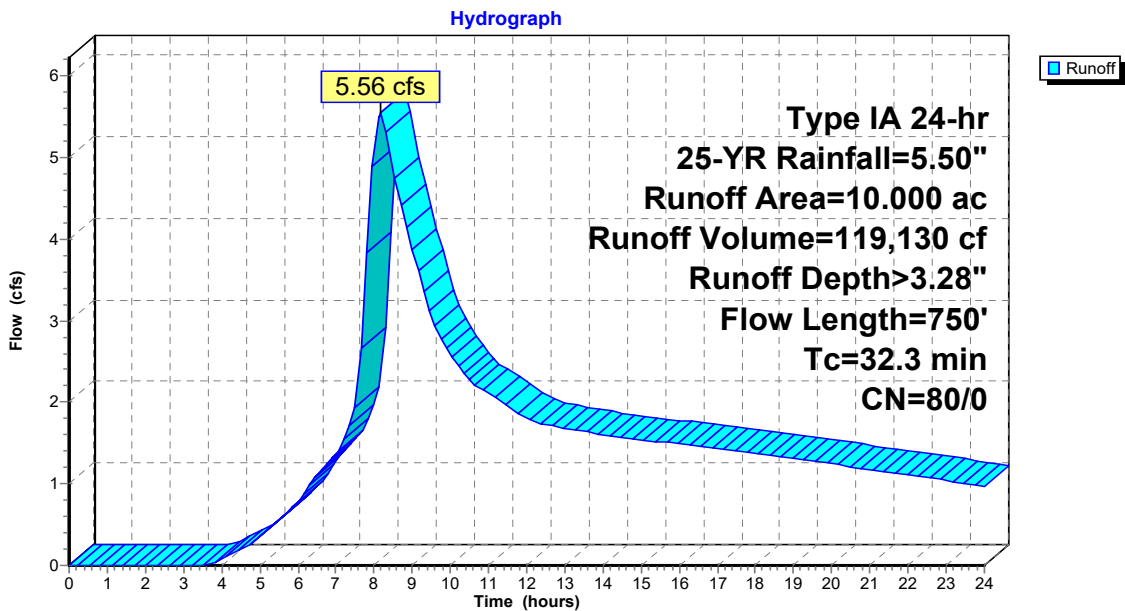
Runoff = 5.56 cfs @ 8.17 hrs, Volume= 119,130 cf, Depth> 3.28"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 25-YR Rainfall=5.50"

Area (ac)	CN	Description
* 10.000	80	Row Crops (C + CR)
10.000		100.00% Pervious Area

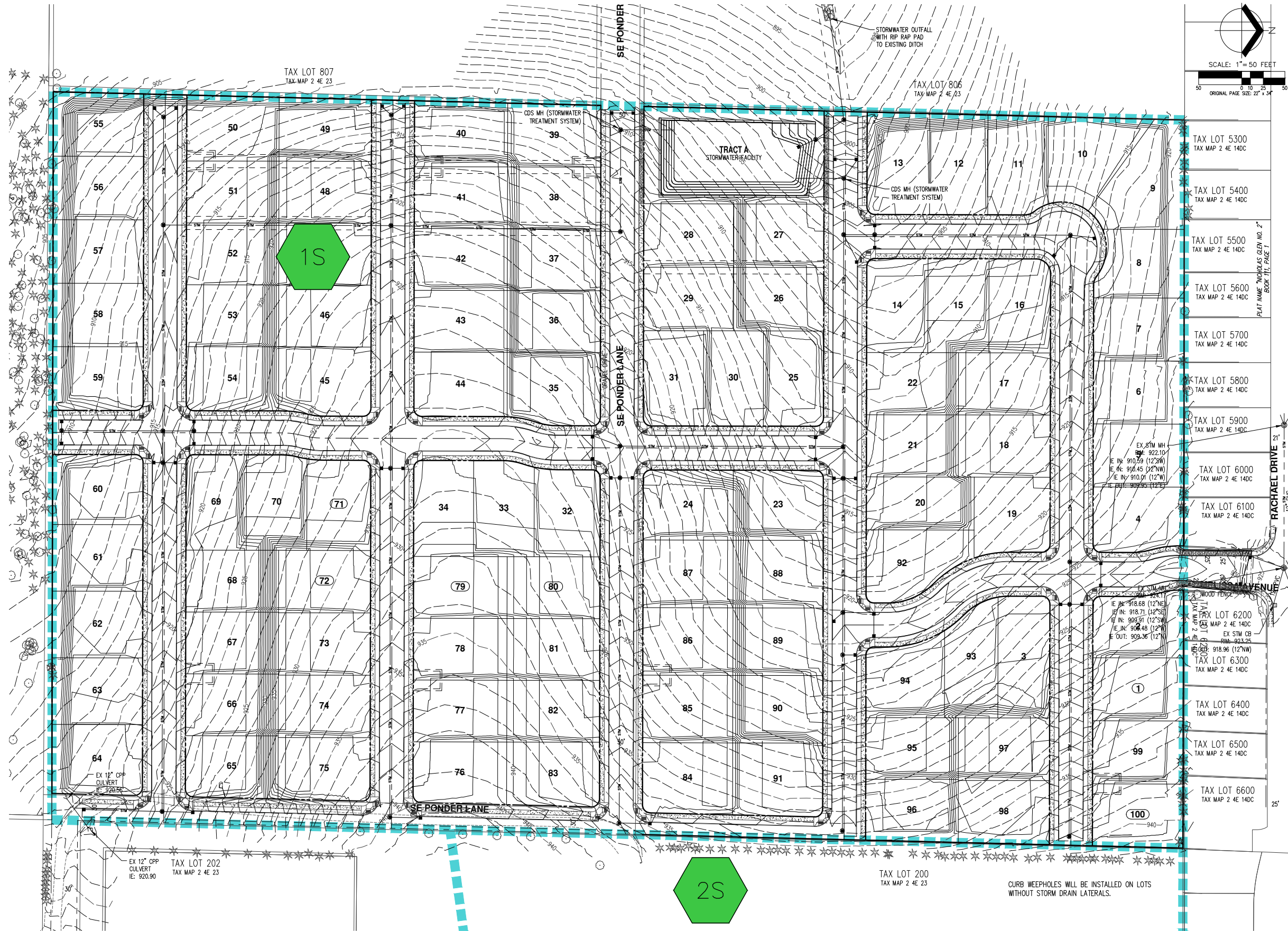
Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
28.9	300	0.0200	0.17		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
3.4	450	0.0600	2.20		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
32.3	750	Total			

Subcatchment 2S: Existing Upstream





Appendix C.1: Post-Developed Catchment Map and Detail

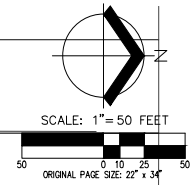


AKS DRAWING FILE: 7107 POST-DEVELOPED MAP.DWG | LAYOUT: 1

EX 12" CPP CULVERT IE: 920.90
 TAX LOT 202
 TAX MAP 2 4E 23

TAX LOT 200
 TAX MAP 2 4E 23

CURB WEEPHOLES WILL BE INSTALLED ON LOTS WITHOUT STORM DRAIN LATERALS.



TAX LOT 5300
 TAX MAP 2 4E 14DC

TAX LOT 5400
 TAX MAP 2 4E 14DC

TAX LOT 5500
 TAX MAP 2 4E 14DC

TAX LOT 5600
 TAX MAP 2 4E 14DC

TAX LOT 5700
 TAX MAP 2 4E 14DC

TAX LOT 5800
 TAX MAP 2 4E 14DC

TAX LOT 5900
 TAX MAP 2 4E 14DC

TAX LOT 6000
 TAX MAP 2 4E 14DC

TAX LOT 6100
 TAX MAP 2 4E 14DC

TAX LOT 6200
 TAX MAP 2 4E 14DC

TAX LOT 6300
 TAX MAP 2 4E 14DC

TAX LOT 6400
 TAX MAP 2 4E 14DC

TAX LOT 6500
 TAX MAP 2 4E 14DC

TAX LOT 6600
 TAX MAP 2 4E 14DC

PLAT NAME: NICHOLAS GLEN NO. 2
 BOOK: 111, PAGE: 1

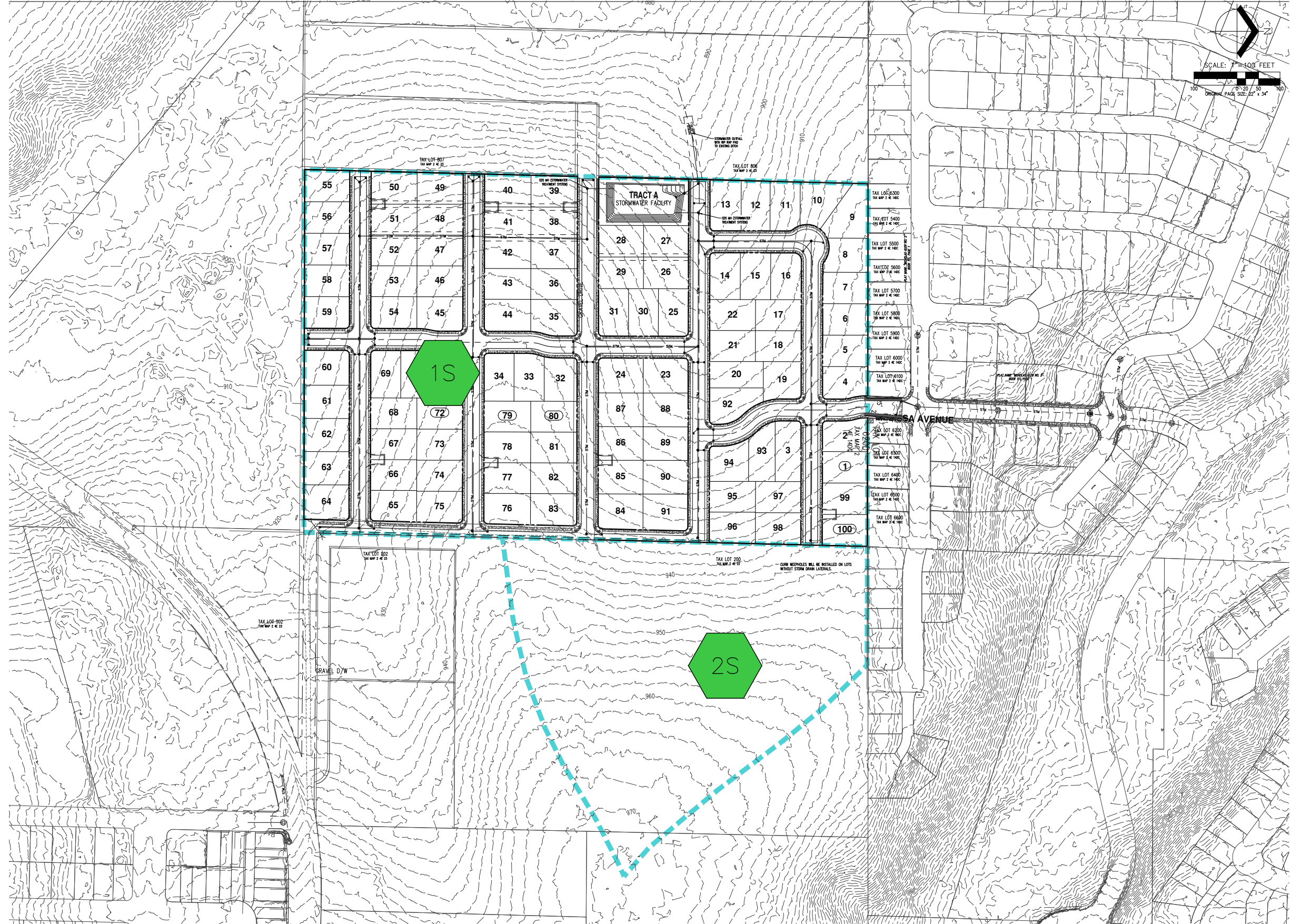
POST-DEVELOPED BASIN MAP

**BAILEY MEADOWS
 SANDY, OREGON**

JOB NUMBER: 7107
 DATE: 06/12/2019
 DESIGNED BY: VN
 DRAWN BY: CL
 CHECKED BY: RSW

AKS
 AKS ENGINEERING & FORESTRY, LLC
 7401 S. HANCOCK RD., STE 100
 TUALATIN, OR 97062
 503.563.6151
 WWW.AKS-ENC.COM
 ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

AKS DRAWING FILE: 7107 POST-DEVELOPED MAP.DWG | LAYOUT: 2



AKS
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 1000 S. WASHINGTON, SUITE 100
 TUALUMIN, OR 97142
 503.563.6151
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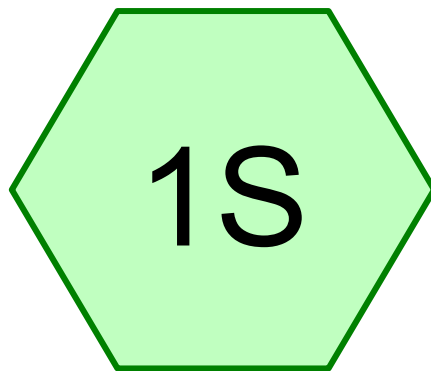
ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

POST-DEVELOPED BASIN MAP
BAILEY MEADOWS
SANDY, OREGON

JOB NUMBER: 7107
 DATE: 06/12/2019
 DESIGNED BY: VN
 DRAWN BY: CL
 CHECKED BY: RSW



**Appendix C.2:
Post-Developed Hydrograph and Flow
Information Water Quality Storm Event**



Post-Developed



Routing Diagram for 7107 HydroCAD WQ
Prepared by AKS Engineering & Forestry, LLC, Printed 5/28/2019
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7107 HydroCAD WQ

Prepared by AKS Engineering & Forestry, LLC

Printed 5/28/2019

HydroCAD® 10.00-20 s/n 05095 © 2017 HydroCAD Software Solutions LLC

Area Listing (all nodes)

Area (sq-ft)	C	Description (subcatchment-numbers)
272,250	0.90	99 Lots - 2750 sf per lot (1S)
218,400	0.90	Pavement and sidewalk (1S)
490,650	0.90	TOTAL AREA

7107 HydroCAD WQ

Prepared by AKS Engineering & Forestry, LLC

HydroCAD® 10.00-20 s/n 05095 © 2017 HydroCAD Software Solutions LLC

Rainfall Duration=5 min, Inten=0.20 in/hr

Printed 5/28/2019

Time span=0.00-3.00 hrs, dt=0.01 hrs, 301 points

Runoff by Rational method, Rise/Fall=1.0/1.0 xTc

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Post-Developed

Runoff Area=490,650 sf 0.00% Impervious Runoff Depth=0.01"

Tc=5.0 min C=0.90 Runoff=1.97 cfs 612 cf

Total Runoff Area = 490,650 sf Runoff Volume = 612 cf Average Runoff Depth = 0.01"

100.00% Pervious = 490,650 sf 0.00% Impervious = 0 sf

7107 HydroCAD WQ

Prepared by AKS Engineering & Forestry, LLC
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Rainfall Duration=5 min, Inten=0.20 in/hr

Printed 5/28/2019

Summary for Subcatchment 1S: Post-Developed

Runoff = 1.97 cfs @ 0.08 hrs, Volume= 612 cf, Depth= 0.01"

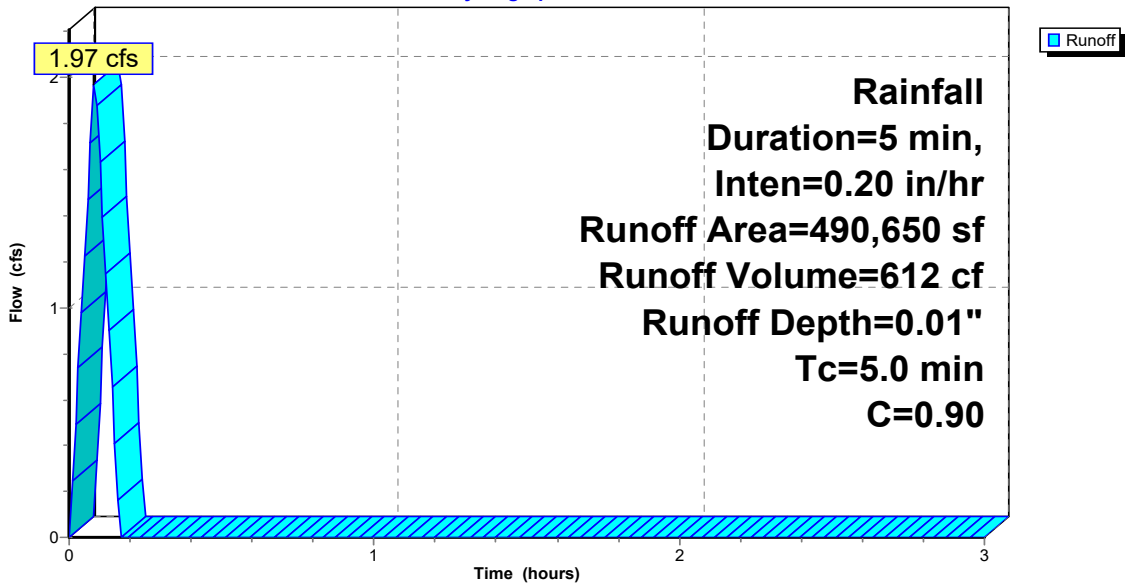
Runoff by Rational method, Rise/Fall=1.0/1.0 xTc, Time Span= 0.00-3.00 hrs, dt= 0.01 hrs
 Rainfall Duration=5 min, Inten=0.20 in/hr

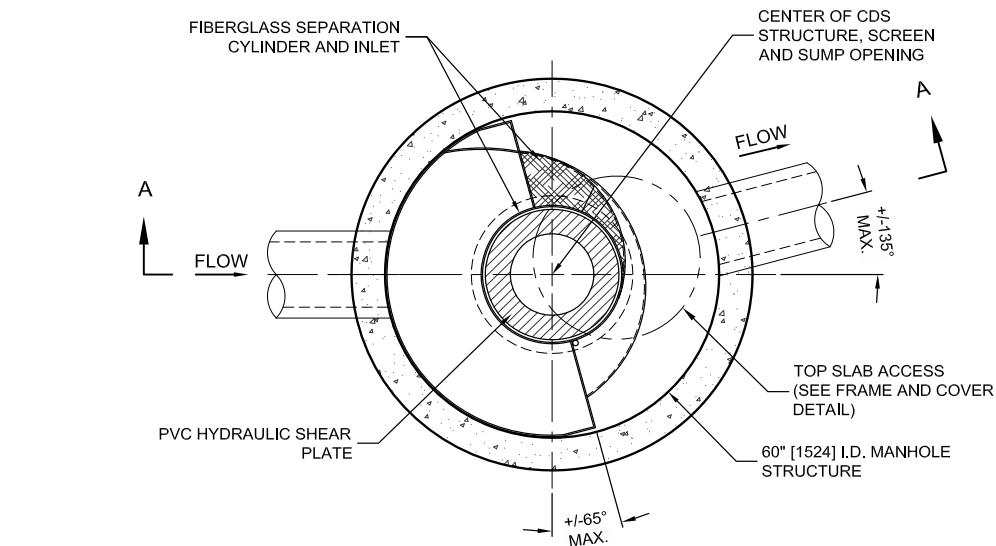
Area (sf)	C	Description
272,250	0.90	99 Lots - 2750 sf per lot
218,400	0.90	Pavement and sidewalk
490,650	0.90	Weighted Average
490,650		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

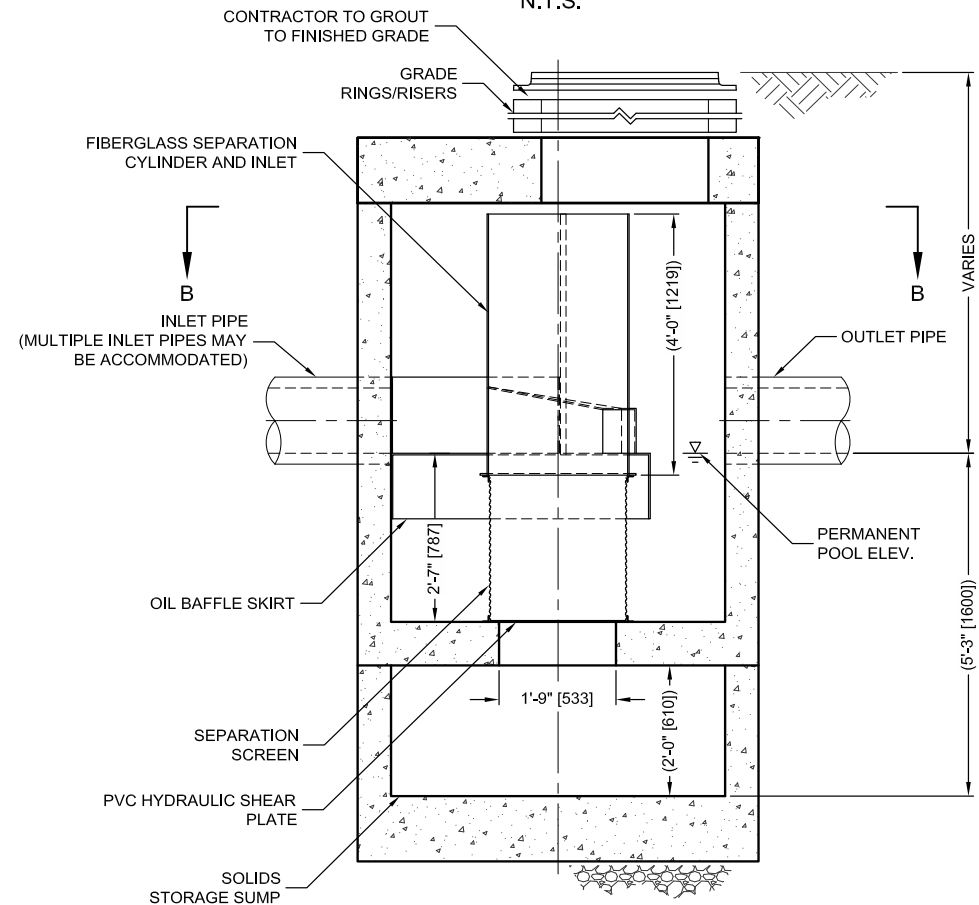
Subcatchment 1S: Post-Developed

Hydrograph





PLAN VIEW B-B
N.T.S.



ELEVATION A-A
N.T.S.



THIS PRODUCT MAY BE PROTECTED BY ONE OR MORE OF THE FOLLOWING U.S. PATENTS: 6,738,848; 6,841,232; 6,511,095; 6,581,782. RELATED FOREIGN PATENTS OR OTHER PATENT NUMBERS.

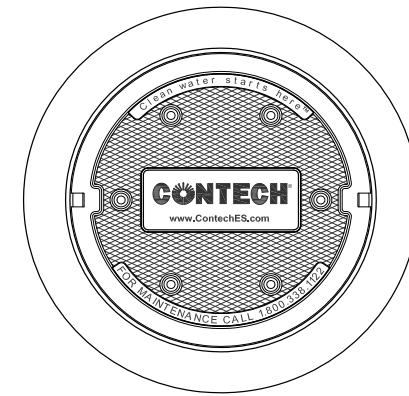
CDS2020-5-C DESIGN NOTES

CDS2020-5-C RATED TREATMENT CAPACITY IS 1.1 CFS [31.2 L/s], OR PER LOCAL REGULATIONS. MAXIMUM HYDRAULIC INTERNAL BYPASS CAPACITY IS 14.0 CFS [396 L/s]. IF THE SITE CONDITIONS EXCEED 14.0 CFS [396 L/s], AN UPSTREAM BYPASS STRUCTURE IS REQUIRED.

THE STANDARD CDS2020-5-C CONFIGURATION IS SHOWN. ALTERNATE CONFIGURATIONS ARE AVAILABLE AND ARE LISTED BELOW. SOME CONFIGURATIONS MAY BE COMBINED TO SUIT SITE REQUIREMENTS.

CONFIGURATION DESCRIPTION

- GRATED INLET ONLY (NO INLET PIPE)
- GRATED INLET WITH INLET PIPE OR PIPES
- CURB INLET ONLY (NO INLET PIPE)
- CURB INLET WITH INLET PIPE OR PIPES
- SEPARATE OIL BAFFLE (SINGLE INLET PIPE REQUIRED FOR THIS CONFIGURATION)
- SEDIMENT WEIR FOR NJDEP / NJCAT CONFORMING UNITS



FRAME AND COVER
(DIAMETER VARIES)
N.T.S.

SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID			
WATER QUALITY FLOW RATE (CFS OR L/s)		*	
PEAK FLOW RATE (CFS OR L/s)		*	
RETURN PERIOD OF PEAK FLOW (YRS)		*	
SCREEN APERTURE (2400 OR 4700)		*	
PIPE DATA:	I.E.	MATERIAL	DIAMETER
INLET PIPE 1	*	*	*
INLET PIPE 2	*	*	*
OUTLET PIPE	*	*	*
RIM ELEVATION			
ANTI-FLOTATION BALLAST		WIDTH	HEIGHT
		*	*
NOTES/SPECIAL REQUIREMENTS:			
* PER ENGINEER OF RECORD			

GENERAL NOTES

- CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
- DIMENSIONS MARKED WITH () ARE REFERENCE DIMENSIONS. ACTUAL DIMENSIONS MAY VARY.
- FOR FABRICATION DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHTS, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. www.ContechES.com
- CDS WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING.
- STRUCTURE SHALL MEET AASHTO HS20 AND CASTINGS SHALL MEET HS20 (AASHTO M 306) LOAD RATING, ASSUMING GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION.
- PVC HYDRAULIC SHEAR PLATE IS PLACED ON SHELF AT BOTTOM OF SCREEN CYLINDER. REMOVE AND REPLACE AS NECESSARY DURING MAINTENANCE CLEANING.

INSTALLATION NOTES

- ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
- CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE CDS MANHOLE STRUCTURE (LIFTING CLUTCHES PROVIDED).
- CONTRACTOR TO ADD JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS, AND ASSEMBLE STRUCTURE.
- CONTRACTOR TO PROVIDE, INSTALL, AND GROUT PIPES. MATCH PIPE INVERTS WITH ELEVATIONS SHOWN.
- CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.



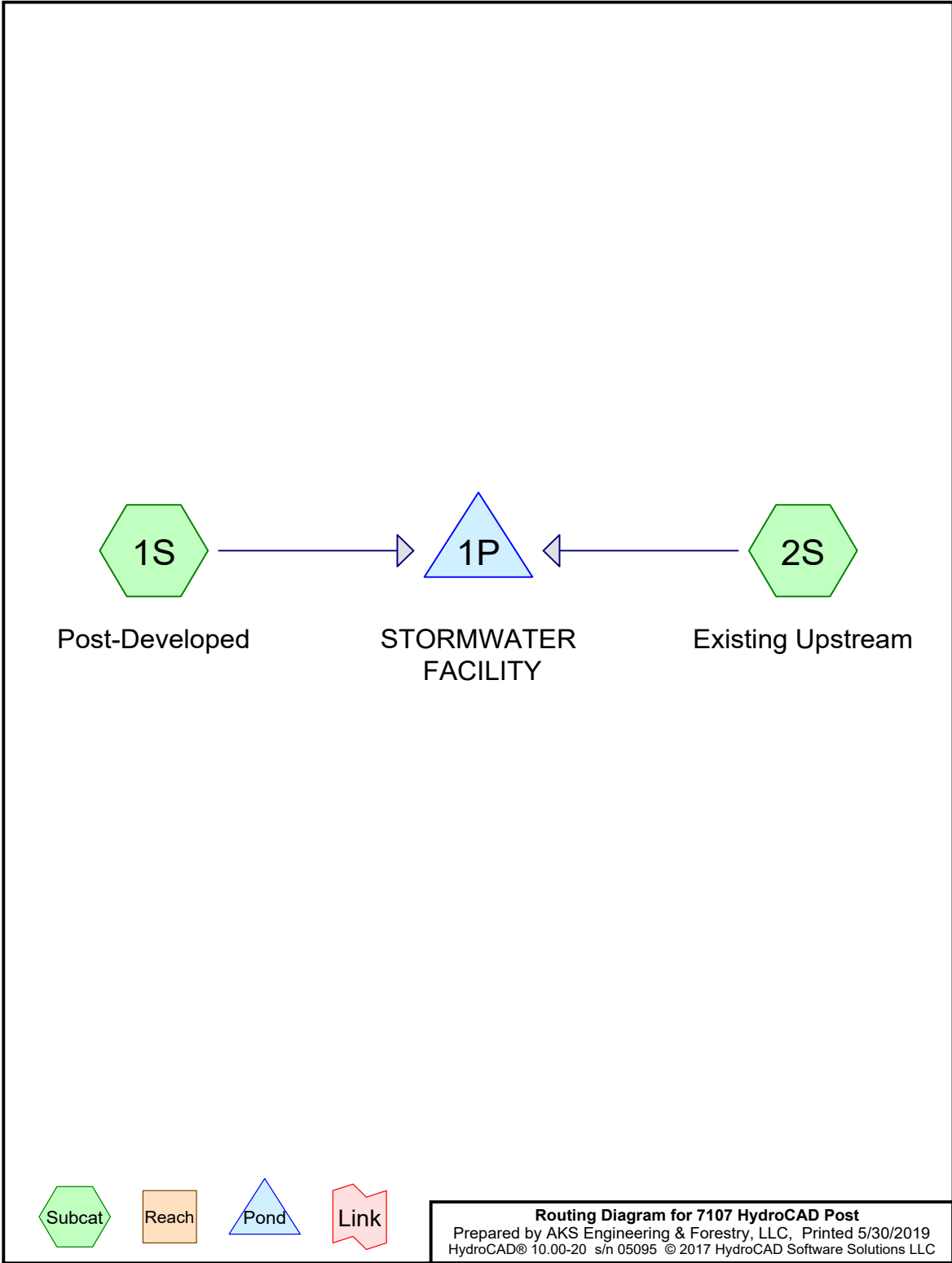
9025 Centre Pointe Dr., Suite 400, West Chester, OH 45069
800-338-1122 513-645-7000 513-645-7993 FAX

**CDS2020-5-C
INLINE CDS
STANDARD DETAIL**

I:\STORMWATER\COMMISSIONS\22_CDS\40_STANDARD_DRAWINGS\INLINE (CDS-C)\DWG\CDS2020-5-C-DTL.DWG 5/13/2014 5:55 PM



Appendix C.3: Post-Developed Hydrograph and Flow Information 2-Year Storm Event



7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC

Printed 5/30/2019

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Area Listing (all nodes)

Area (sq-ft)	CN	Description (subcatchment-numbers)
272,250	98	99 Lots - 2750 sf per lot (1S)
570,800	74	Lawns (1S)
218,400	98	Pavement and sidewalk (1S)
435,600	80	Row Crops (C + CR) (2S)
1,497,050	84	TOTAL AREA

7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC
HydroCAD® 10.00-20 s/n 05095 © 2017 HydroCAD Software Solutions LLC

Type IA 24-hr 2-YR Rainfall=3.50"

Printed 5/30/2019

Time span=0.00-24.00 hrs, dt=0.15 hrs, 161 points

Runoff by SBUH method, Split Pervious/Imperv.

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Post-Developed

Runoff Area=1,061,450 sf 46.22% Impervious Runoff Depth>2.17"
Tc=5.0 min CN=74/98 Runoff=12.23 cfs 192,130 cf

Subcatchment 2S: Existing Upstream

Runoff Area=10.000 ac 0.00% Impervious Runoff Depth>1.61"
Flow Length=750' Tc=32.3 min CN=80/0 Runoff=2.41 cfs 58,339 cf

Pond 1P: STORMWATER FACILITY

Peak Elev=896.67' Storage=16,658 cf Inflow=14.30 cfs 250,470 cf
Outflow=8.68 cfs 249,710 cf

Total Runoff Area = 1,497,050 sf Runoff Volume = 250,470 cf Average Runoff Depth = 2.01"
67.23% Pervious = 1,006,400 sf 32.77% Impervious = 490,650 sf

7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 2-YR Rainfall=3.50"

Printed 5/30/2019

Summary for Subcatchment 1S: Post-Developed

Runoff = 12.23 cfs @ 7.94 hrs, Volume= 192,130 cf, Depth> 2.17"

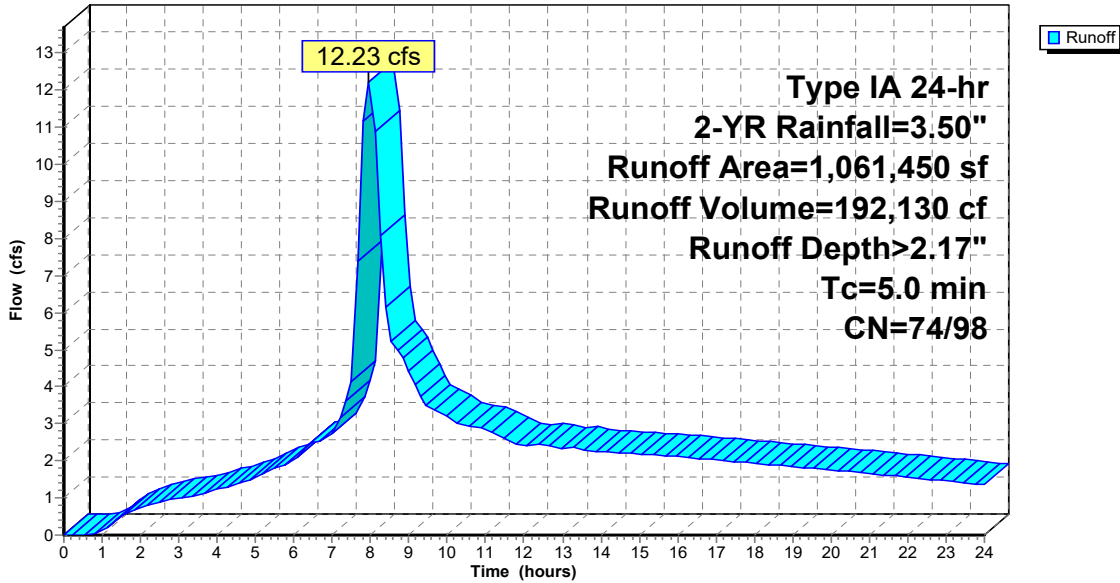
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 2-YR Rainfall=3.50"

Area (sf)	CN	Description
* 272,250	98	99 Lots - 2750 sf per lot
* 218,400	98	Pavement and sidewalk
* 570,800	74	Lawns
1,061,450	85	Weighted Average
570,800		53.78% Pervious Area
490,650		46.22% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

Subcatchment 1S: Post-Developed

Hydrograph



7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC
 HydroCAD® 10.00-20 s/n 05095 © 2017 HydroCAD Software Solutions LLC

Type IA 24-hr 2-YR Rainfall=3.50"

Printed 5/30/2019

Summary for Subcatchment 2S: Existing Upstream

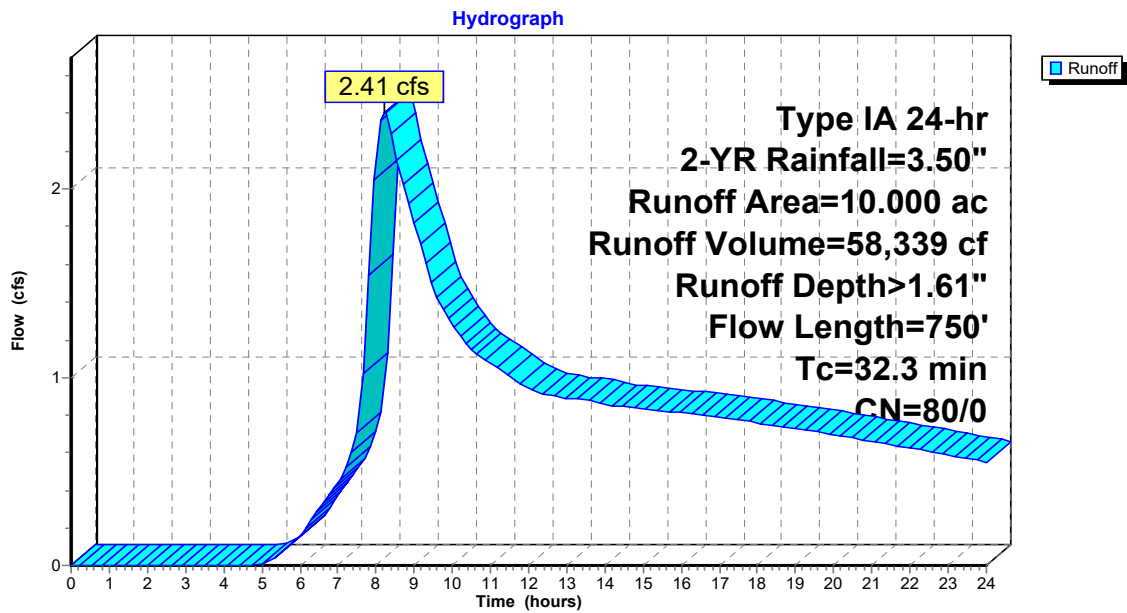
Runoff = 2.41 cfs @ 8.21 hrs, Volume= 58,339 cf, Depth> 1.61"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 2-YR Rainfall=3.50"

Area (ac)	CN	Description
* 10.000	80	Row Crops (C + CR)
10.000		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
28.9	300	0.0200	0.17		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
3.4	450	0.0600	2.20		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
32.3	750	Total			

Subcatchment 2S: Existing Upstream



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Type IA 24-hr 2-YR Rainfall=3.50"

Printed 5/30/2019

Summary for Pond 1P: STORMWATER FACILITY

Inflow Area = 1,497,050 sf, 32.77% Impervious, Inflow Depth > 2.01" for 2-YR event
 Inflow = 14.30 cfs @ 7.97 hrs, Volume= 250,470 cf
 Outflow = 8.68 cfs @ 8.41 hrs, Volume= 249,710 cf, Atten= 39%, Lag= 26.4 min
 Primary = 8.68 cfs @ 8.41 hrs, Volume= 249,710 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Peak Elev= 896.67' @ 8.41 hrs Surf.Area= 10,853 sf Storage= 16,658 cf

Plug-Flow detention time= 14.5 min calculated for 249,710 cf (100% of inflow)
 Center-of-Mass det. time= 12.3 min (760.6 - 748.3)

Volume	Invert	Avail.Storage	Storage Description
#1	895.00'	58,640 cf	Custom Stage Data (Pyramidal) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
895.00	9,160	0	0	9,160
896.00	10,180	9,666	9,666	10,253
897.00	11,200	10,686	20,351	11,354
898.00	12,200	11,696	32,048	12,443
899.00	13,300	12,746	44,794	13,632
900.00	14,400	13,846	58,640	14,829

Device	Routing	Invert	Outlet Devices
#1	Primary	895.00'	16.0" Horiz. Orifice/Grate C= 0.600
#2	Primary	896.70'	13.0" Horiz. Orifice/Grate C= 0.600
#3	Primary	898.50'	24.0" Horiz. Riser Overflow Inside of Control MH C= 0.600

Primary OutFlow Max=8.67 cfs @ 8.41 hrs HW=896.66' (Free Discharge)

1=Orifice/Grate (Orifice Controls 8.67 cfs @ 6.21 fps)

2=Orifice/Grate (Controls 0.00 cfs)

3=Riser Overflow Inside of Control MH (Controls 0.00 cfs)

7107 HydroCAD Post

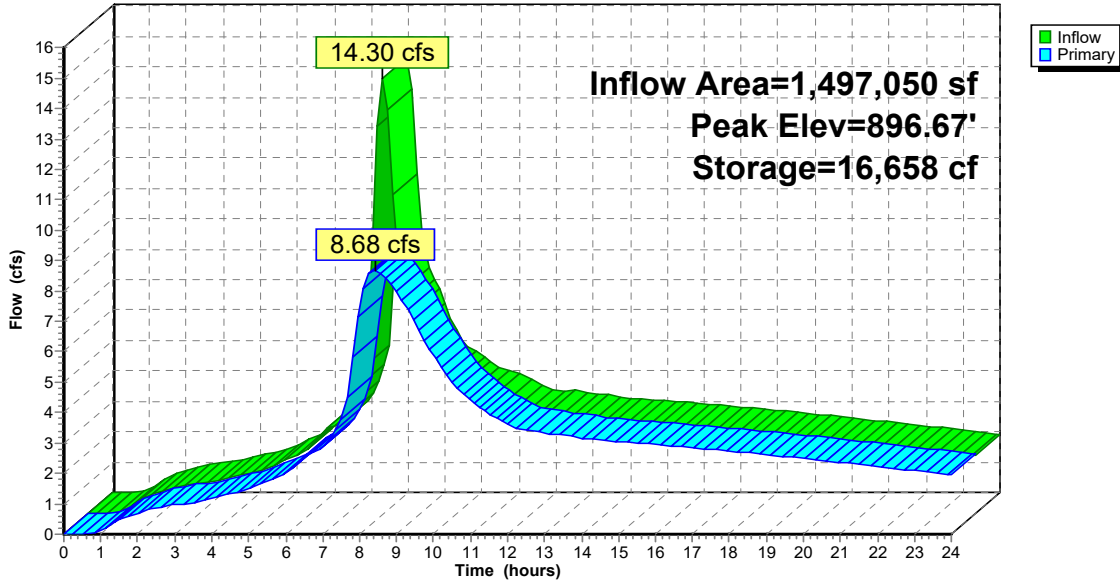
Prepared by AKS Engineering & Forestry, LLC
HydroCAD® 10.00-20 s/n 05095 © 2017 HydroCAD Software Solutions LLC

Type IA 24-hr 2-YR Rainfall=3.50"

Printed 5/30/2019

Pond 1P: STORMWATER FACILITY

Hydrograph





**Appendix C.4:
Post-Developed Hydrograph and Flow
Information 5-Year Storm Event**

7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 5-YR Rainfall=4.50"

Printed 5/30/2019

Time span=0.00-24.00 hrs, dt=0.15 hrs, 161 points
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Post-Developed

Runoff Area=1,061,450 sf 46.22% Impervious Runoff Depth>3.03"
Tc=5.0 min CN=74/98 Runoff=17.45 cfs 267,615 cf

Subcatchment 2S: Existing Upstream

Runoff Area=10.000 ac 0.00% Impervious Runoff Depth>2.42"
Flow Length=750' Tc=32.3 min CN=80/0 Runoff=3.91 cfs 87,888 cf

Pond 1P: STORMWATER FACILITY

Peak Elev=897.41' Storage=25,071 cf Inflow=20.88 cfs 355,502 cf
Outflow=14.20 cfs 354,070 cf

Total Runoff Area = 1,497,050 sf Runoff Volume = 355,502 cf Average Runoff Depth = 2.85"
67.23% Pervious = 1,006,400 sf 32.77% Impervious = 490,650 sf

7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC
 HydroCAD® 10.00-20 s/n 05095 © 2017 HydroCAD Software Solutions LLC

Type IA 24-hr 5-YR Rainfall=4.50"

Printed 5/30/2019

Summary for Subcatchment 1S: Post-Developed

Runoff = 17.45 cfs @ 7.94 hrs, Volume= 267,615 cf, Depth> 3.03"

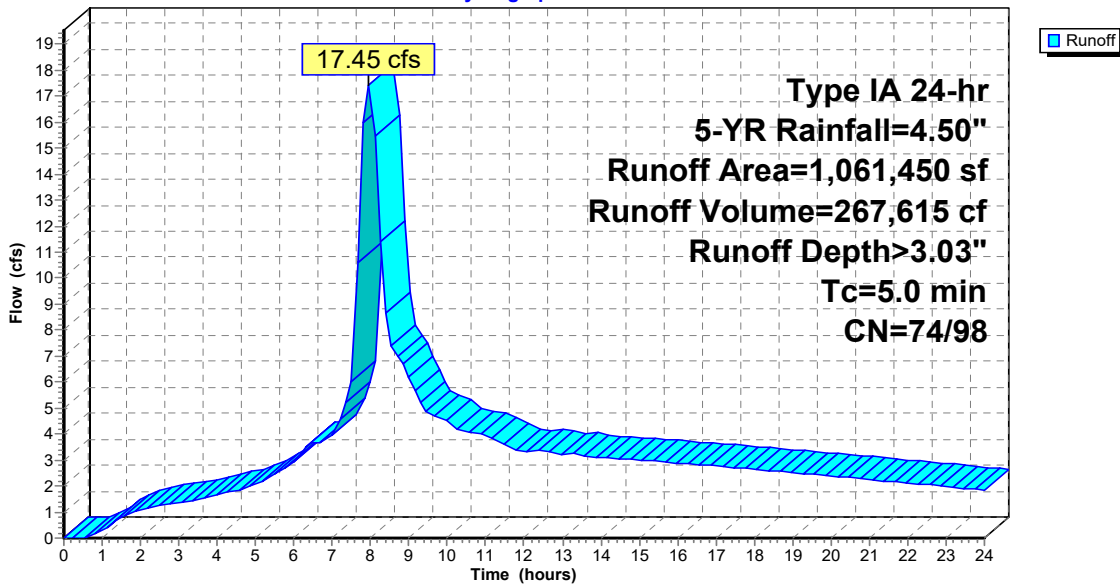
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 5-YR Rainfall=4.50"

Area (sf)	CN	Description
* 272,250	98	99 Lots - 2750 sf per lot
* 218,400	98	Pavement and sidewalk
* 570,800	74	Lawns
1,061,450	85	Weighted Average
570,800		53.78% Pervious Area
490,650		46.22% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

Subcatchment 1S: Post-Developed

Hydrograph



7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC
 HydroCAD® 10.00-20 s/n 05095 © 2017 HydroCAD Software Solutions LLC

Type IA 24-hr 5-YR Rainfall=4.50"

Printed 5/30/2019

Summary for Subcatchment 2S: Existing Upstream

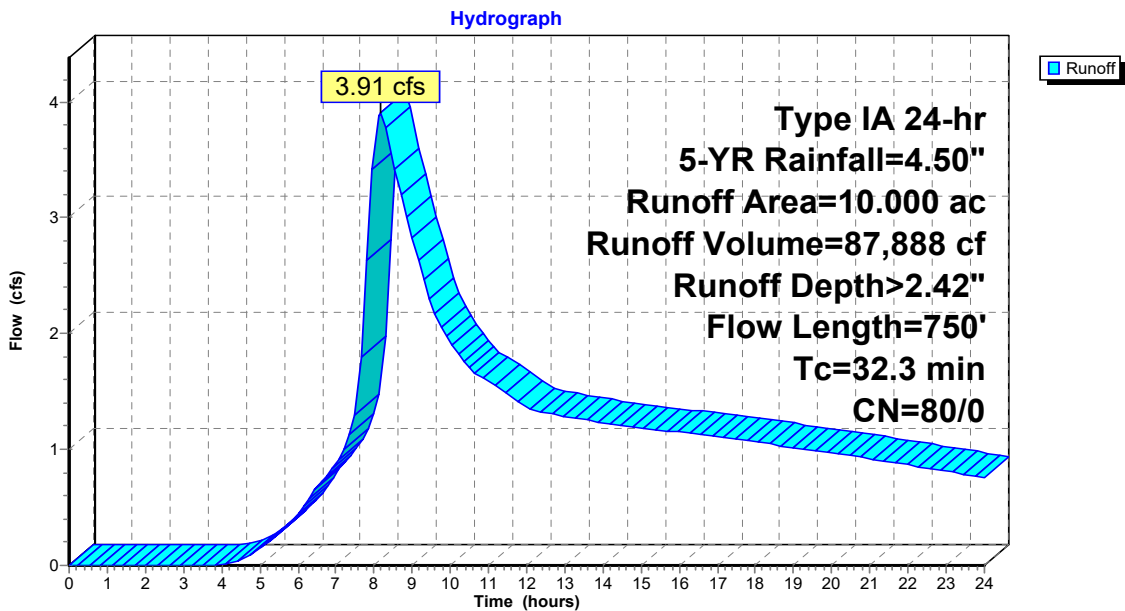
Runoff = 3.91 cfs @ 8.18 hrs, Volume= 87,888 cf, Depth> 2.42"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 5-YR Rainfall=4.50"

Area (ac)	CN	Description
* 10.000	80	Row Crops (C + CR)
10.000		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
28.9	300	0.0200	0.17		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
3.4	450	0.0600	2.20		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
32.3	750	Total			

Subcatchment 2S: Existing Upstream



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Type IA 24-hr 5-YR Rainfall=4.50"

Printed 5/30/2019

Summary for Pond 1P: STORMWATER FACILITY

Inflow Area = 1,497,050 sf, 32.77% Impervious, Inflow Depth > 2.85" for 5-YR event
 Inflow = 20.88 cfs @ 7.96 hrs, Volume= 355,502 cf
 Outflow = 14.20 cfs @ 8.32 hrs, Volume= 354,070 cf, Atten= 32%, Lag= 21.1 min
 Primary = 14.20 cfs @ 8.32 hrs, Volume= 354,070 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Peak Elev= 897.41' @ 8.32 hrs Surf.Area= 11,609 sf Storage= 25,071 cf

Plug-Flow detention time= 18.3 min calculated for 354,070 cf (100% of inflow)
 Center-of-Mass det. time= 15.4 min (754.5 - 739.1)

Volume	Invert	Avail.Storage	Storage Description
#1	895.00'	58,640 cf	Custom Stage Data (Pyramidal) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
895.00	9,160	0	0	9,160
896.00	10,180	9,666	9,666	10,253
897.00	11,200	10,686	20,351	11,354
898.00	12,200	11,696	32,048	12,443
899.00	13,300	12,746	44,794	13,632
900.00	14,400	13,846	58,640	14,829

Device	Routing	Invert	Outlet Devices
#1	Primary	895.00'	16.0" Horiz. Orifice/Grate C= 0.600
#2	Primary	896.70'	13.0" Horiz. Orifice/Grate C= 0.600
#3	Primary	898.50'	24.0" Horiz. Riser Overflow Inside of Control MH C= 0.600

Primary OutFlow Max=14.09 cfs @ 8.32 hrs HW=897.39' (Free Discharge)
 1=Orifice/Grate (Orifice Controls 10.40 cfs @ 7.45 fps)
 2=Orifice/Grate (Orifice Controls 3.69 cfs @ 4.00 fps)
 3=Riser Overflow Inside of Control MH (Controls 0.00 cfs)

7107 HydroCAD Post

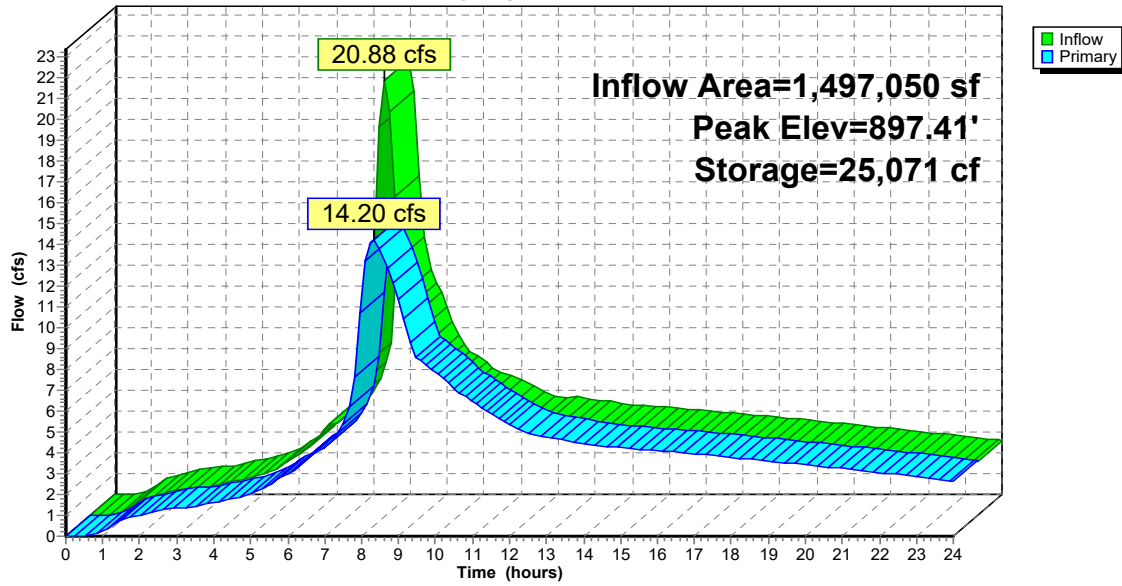
Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 5-YR Rainfall=4.50"

Printed 5/30/2019

Pond 1P: STORMWATER FACILITY

Hydrograph





**Appendix C.5:
Post-Developed Hydrograph and Flow
Information 10-Year Storm Event**

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Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 10-YR Rainfall=4.80"

Printed 5/30/2019

Time span=0.00-24.00 hrs, dt=0.15 hrs, 161 points
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Post-Developed

Runoff Area=1,061,450 sf 46.22% Impervious Runoff Depth>3.29"
Tc=5.0 min CN=74/98 Runoff=19.07 cfs 290,920 cf

Subcatchment 2S: Existing Upstream

Runoff Area=10.000 ac 0.00% Impervious Runoff Depth>2.68"
Flow Length=750' Tc=32.3 min CN=80/0 Runoff=4.38 cfs 97,116 cf

Pond 1P: STORMWATER FACILITY

Peak Elev=897.68' Storage=28,208 cf Inflow=22.93 cfs 388,036 cf
Outflow=15.41 cfs 386,357 cf

Total Runoff Area = 1,497,050 sf Runoff Volume = 388,036 cf Average Runoff Depth = 3.11"
67.23% Pervious = 1,006,400 sf 32.77% Impervious = 490,650 sf

7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 10-YR Rainfall=4.80"

Printed 5/30/2019

Summary for Subcatchment 1S: Post-Developed

Runoff = 19.07 cfs @ 7.94 hrs, Volume= 290,920 cf, Depth> 3.29"

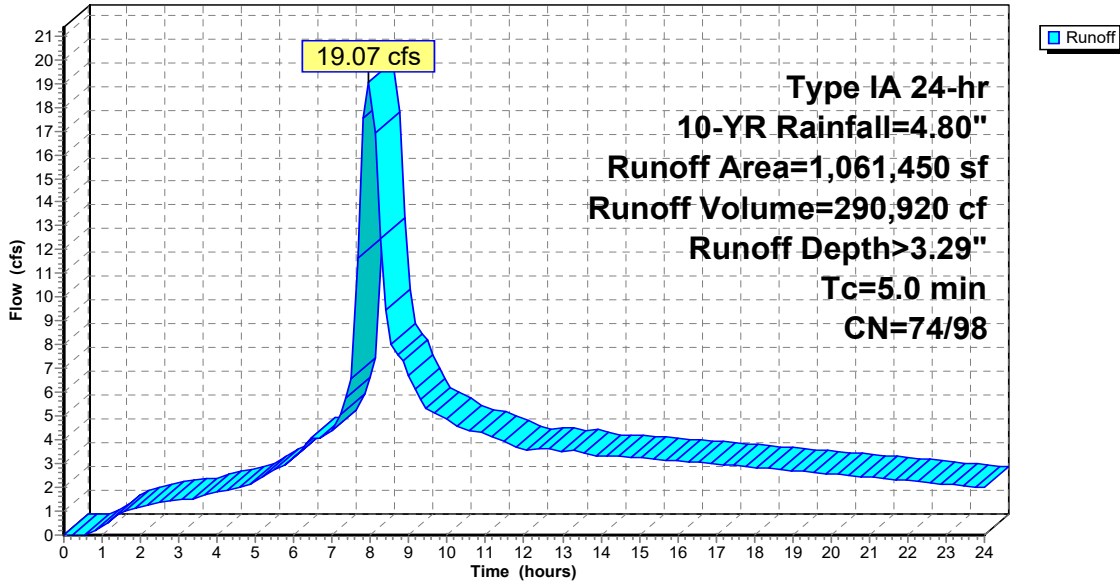
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 10-YR Rainfall=4.80"

Area (sf)	CN	Description
* 272,250	98	99 Lots - 2750 sf per lot
* 218,400	98	Pavement and sidewalk
* 570,800	74	Lawns
1,061,450	85	Weighted Average
570,800		53.78% Pervious Area
490,650		46.22% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

Subcatchment 1S: Post-Developed

Hydrograph



7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 10-YR Rainfall=4.80"

Printed 5/30/2019

Summary for Subcatchment 2S: Existing Upstream

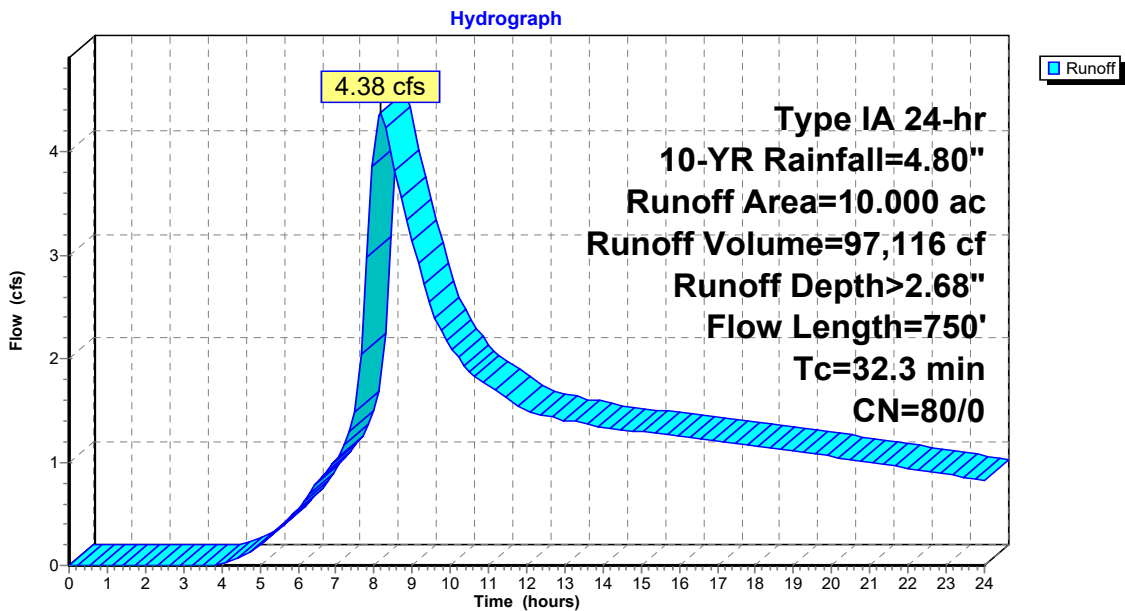
Runoff = 4.38 cfs @ 8.18 hrs, Volume= 97,116 cf, Depth> 2.68"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 10-YR Rainfall=4.80"

Area (ac)	CN	Description
* 10.000	80	Row Crops (C + CR)
10.000		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
28.9	300	0.0200	0.17		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
3.4	450	0.0600	2.20		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
32.3	750	Total			

Subcatchment 2S: Existing Upstream



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Type IA 24-hr 10-YR Rainfall=4.80"

Printed 5/30/2019

Summary for Pond 1P: STORMWATER FACILITY

Inflow Area = 1,497,050 sf, 32.77% Impervious, Inflow Depth > 3.11" for 10-YR event
 Inflow = 22.93 cfs @ 7.96 hrs, Volume= 388,036 cf
 Outflow = 15.41 cfs @ 8.32 hrs, Volume= 386,357 cf, Atten= 33%, Lag= 21.5 min
 Primary = 15.41 cfs @ 8.32 hrs, Volume= 386,357 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Peak Elev= 897.68' @ 8.32 hrs Surf.Area= 11,876 sf Storage= 28,208 cf

Plug-Flow detention time= 19.5 min calculated for 383,957 cf (99% of inflow)
 Center-of-Mass det. time= 16.3 min (752.9 - 736.6)

Volume	Invert	Avail.Storage	Storage Description
#1	895.00'	58,640 cf	Custom Stage Data (Pyramidal) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
895.00	9,160	0	0	9,160
896.00	10,180	9,666	9,666	10,253
897.00	11,200	10,686	20,351	11,354
898.00	12,200	11,696	32,048	12,443
899.00	13,300	12,746	44,794	13,632
900.00	14,400	13,846	58,640	14,829

Device	Routing	Invert	Outlet Devices
#1	Primary	895.00'	16.0" Horiz. Orifice/Grate C= 0.600
#2	Primary	896.70'	13.0" Horiz. Orifice/Grate C= 0.600
#3	Primary	898.50'	24.0" Horiz. Riser Overflow Inside of Control MH C= 0.600

Primary OutFlow Max=15.30 cfs @ 8.32 hrs HW=897.66' (Free Discharge)

- 1=Orifice/Grate (Orifice Controls 10.96 cfs @ 7.85 fps)
- 2=Orifice/Grate (Orifice Controls 4.34 cfs @ 4.71 fps)
- 3=Riser Overflow Inside of Control MH (Controls 0.00 cfs)

7107 HydroCAD Post

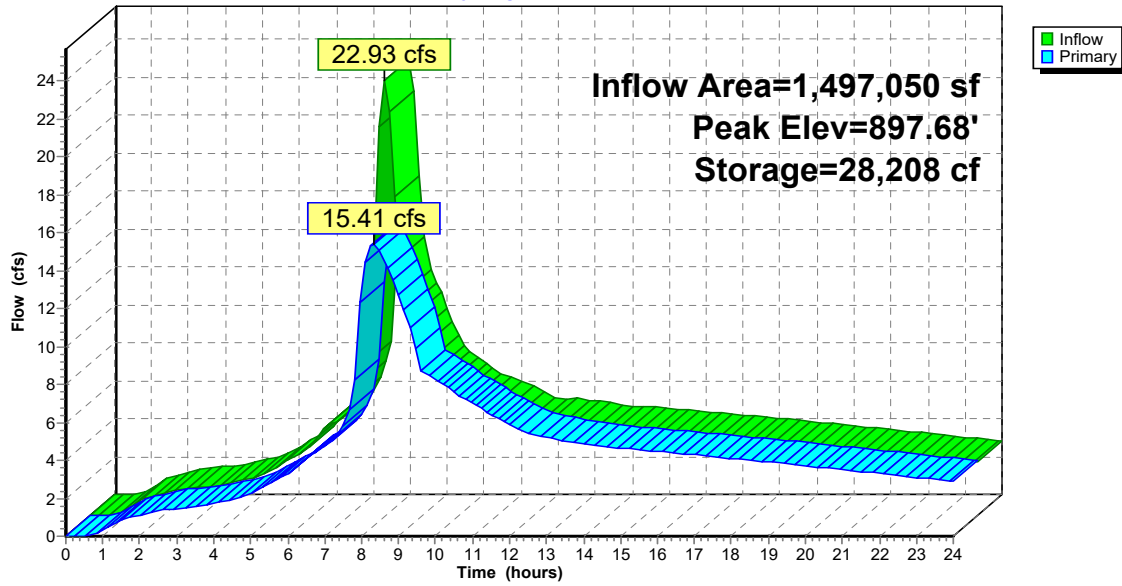
Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 10-YR Rainfall=4.80"

Printed 5/30/2019

Pond 1P: STORMWATER FACILITY

Hydrograph





**Appendix C.6:
Post-Developed Hydrograph and Flow
Information 25-Year Storm Event**

7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 25-YR Rainfall=5.50"

Printed 5/30/2019

Time span=0.00-24.00 hrs, dt=0.15 hrs, 161 points
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Post-Developed

Runoff Area=1,061,450 sf 46.22% Impervious Runoff Depth>3.91"
Tc=5.0 min CN=74/98 Runoff=22.94 cfs 346,196 cf

Subcatchment 2S: Existing Upstream

Runoff Area=10.000 ac 0.00% Impervious Runoff Depth>3.28"
Flow Length=750' Tc=32.3 min CN=80/0 Runoff=5.56 cfs 119,130 cf

Pond 1P: STORMWATER FACILITY

Peak Elev=898.32' Storage=36,051 cf Inflow=27.83 cfs 465,326 cf
Outflow=17.91 cfs 462,985 cf

Total Runoff Area = 1,497,050 sf Runoff Volume = 465,326 cf Average Runoff Depth = 3.73"
67.23% Pervious = 1,006,400 sf 32.77% Impervious = 490,650 sf

7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 25-YR Rainfall=5.50"

Printed 5/30/2019

Summary for Subcatchment 1S: Post-Developed

Runoff = 22.94 cfs @ 7.94 hrs, Volume= 346,196 cf, Depth> 3.91"

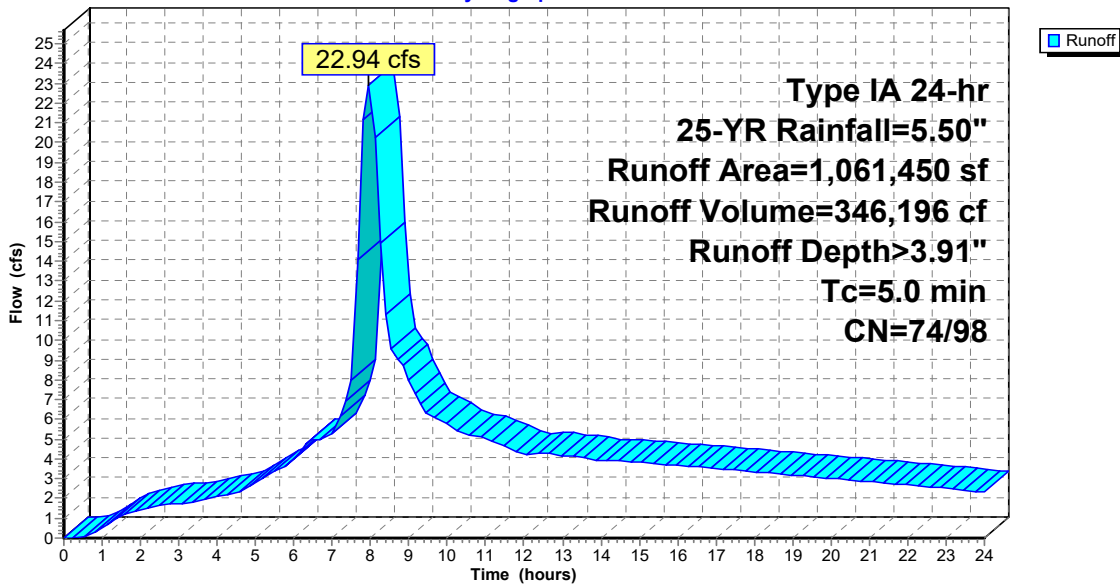
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 25-YR Rainfall=5.50"

Area (sf)	CN	Description
* 272,250	98	99 Lots - 2750 sf per lot
* 218,400	98	Pavement and sidewalk
* 570,800	74	Lawns
1,061,450	85	Weighted Average
570,800		53.78% Pervious Area
490,650		46.22% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

Subcatchment 1S: Post-Developed

Hydrograph



7107 HydroCAD Post

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 25-YR Rainfall=5.50"

Printed 5/30/2019

Summary for Subcatchment 2S: Existing Upstream

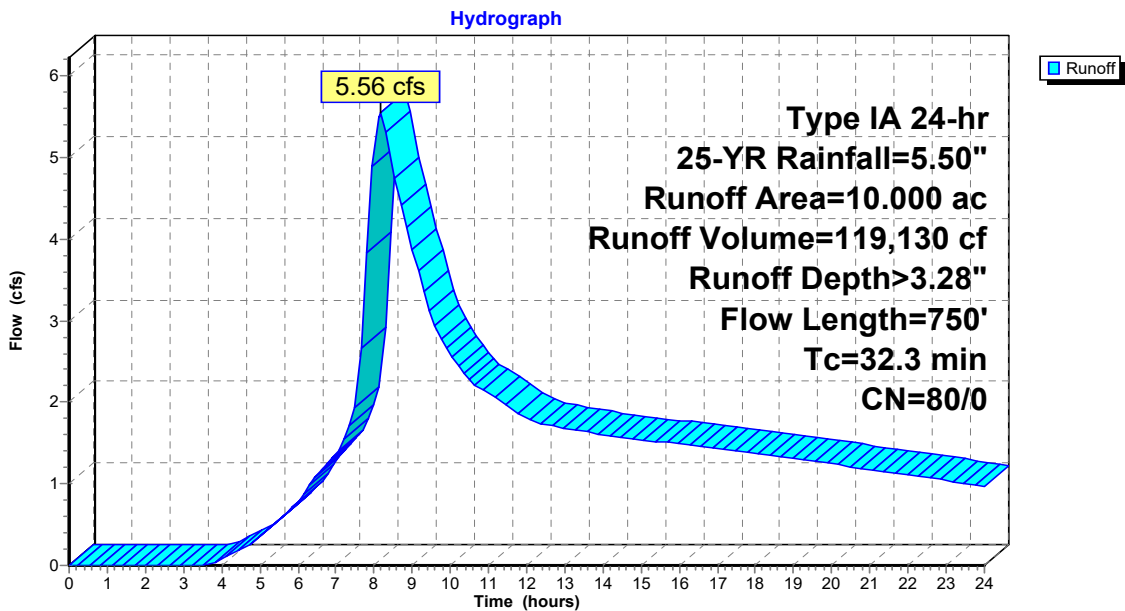
Runoff = 5.56 cfs @ 8.17 hrs, Volume= 119,130 cf, Depth> 3.28"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 25-YR Rainfall=5.50"

Area (ac)	CN	Description
* 10.000	80	Row Crops (C + CR)
10.000		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
28.9	300	0.0200	0.17		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
3.4	450	0.0600	2.20		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
32.3	750	Total			

Subcatchment 2S: Existing Upstream



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Type IA 24-hr 25-YR Rainfall=5.50"

Printed 5/30/2019

Summary for Pond 1P: STORMWATER FACILITY

Inflow Area = 1,497,050 sf, 32.77% Impervious, Inflow Depth > 3.73" for 25-YR event
 Inflow = 27.83 cfs @ 7.96 hrs, Volume= 465,326 cf
 Outflow = 17.91 cfs @ 8.35 hrs, Volume= 462,985 cf, Atten= 36%, Lag= 23.5 min
 Primary = 17.91 cfs @ 8.35 hrs, Volume= 462,985 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Peak Elev= 898.32' @ 8.35 hrs Surf.Area= 12,551 sf Storage= 36,051 cf

Plug-Flow detention time=22.0 min calculated for 460,109 cf (99% of inflow)
 Center-of-Mass det. time=18.4 min (749.7 - 731.2)

Volume	Invert	Avail.Storage	Storage Description
#1	895.00'	58,640 cf	Custom Stage Data (Pyramidal) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
895.00	9,160	0	0	9,160
896.00	10,180	9,666	9,666	10,253
897.00	11,200	10,686	20,351	11,354
898.00	12,200	11,696	32,048	12,443
899.00	13,300	12,746	44,794	13,632
900.00	14,400	13,846	58,640	14,829

Device	Routing	Invert	Outlet Devices
#1	Primary	895.00'	16.0" Horiz. Orifice/Grate C= 0.600
#2	Primary	896.70'	13.0" Horiz. Orifice/Grate C= 0.600
#3	Primary	898.50'	24.0" Horiz. Riser Overflow Inside of Control MH C= 0.600

Primary OutFlow Max=17.86 cfs @ 8.35 hrs HW=898.31' (Free Discharge)

- 1=Orifice/Grate (Orifice Controls 12.23 cfs @ 8.76 fps)
- 2=Orifice/Grate (Orifice Controls 5.63 cfs @ 6.11 fps)
- 3=Riser Overflow Inside of Control MH (Controls 0.00 cfs)

7107 HydroCAD Post

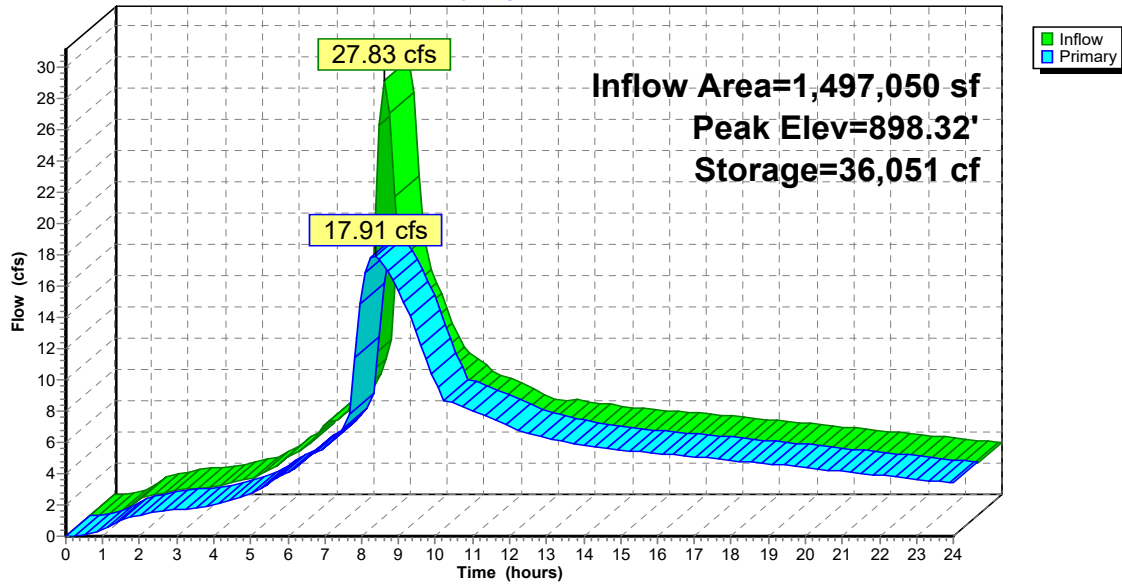
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HydroCAD® 10.00-20 s/n 05095 © 2017 HydroCAD Software Solutions LLC

Type IA 24-hr 25-YR Rainfall=5.50"

Printed 5/30/2019

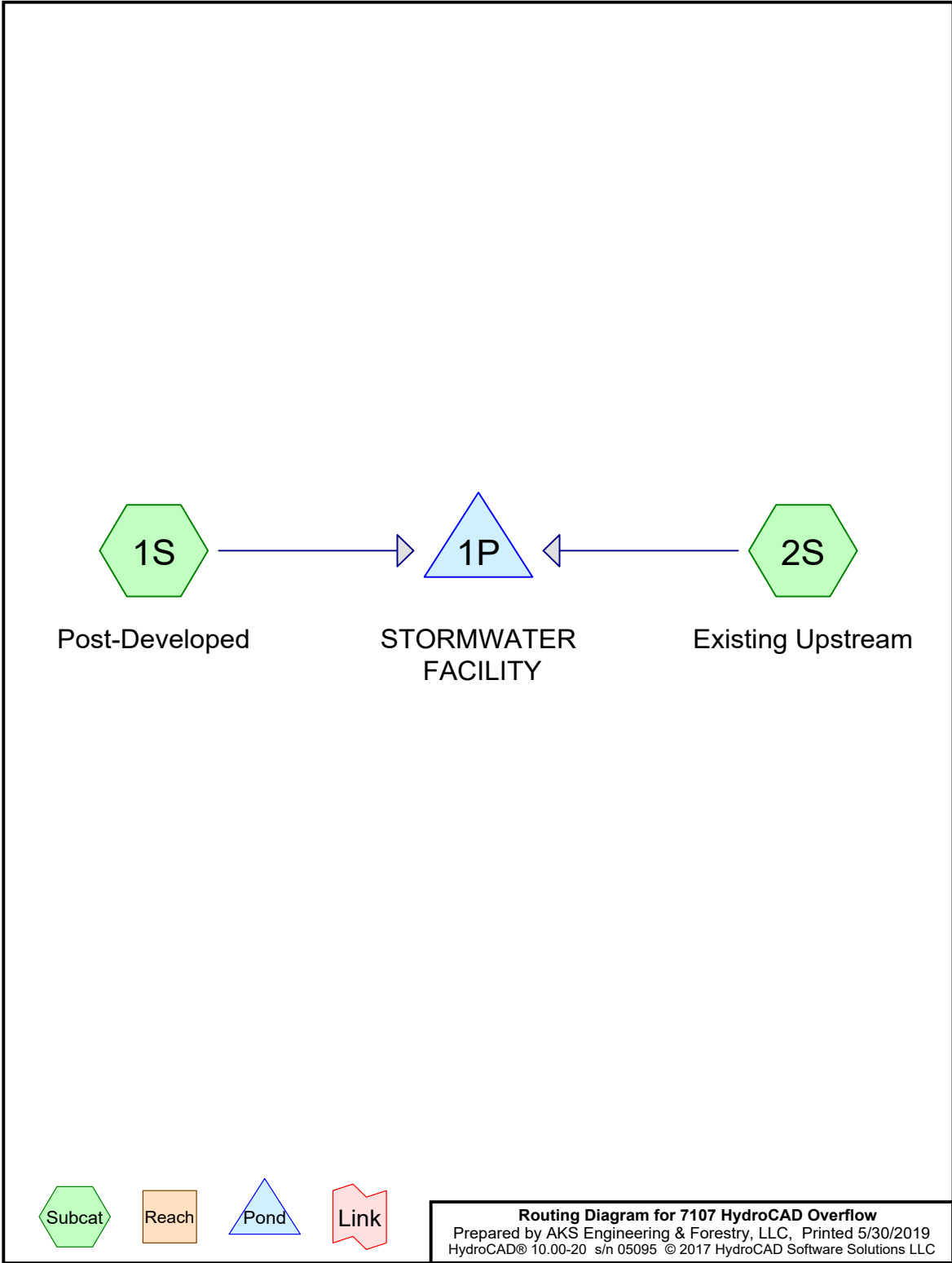
Pond 1P: STORMWATER FACILITY

Hydrograph





Appendix D: Emergency Overflow Calculations



7107 HydroCAD Overflow

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Area Listing (all nodes)

Area (sq-ft)	CN	Description (subcatchment-numbers)
272,250	98	99 Lots - 2750 sf per lot (1S)
570,800	74	Lawns (1S)
218,400	98	Pavement and sidewalk (1S)
435,600	80	Row Crops (C + CR) (2S)
1,497,050	84	TOTAL AREA

7107 HydroCAD Overflow

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Type IA 24-hr 100-YR Rainfall=6.50"

Printed 5/30/2019

Time span=0.00-24.00 hrs, dt=0.15 hrs, 161 points
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Post-Developed

Runoff Area=1,061,450 sf 46.22% Impervious Runoff Depth>4.83"
Tc=5.0 min CN=74/98 Runoff=28.61 cfs 426,873 cf

Subcatchment 2S: Existing Upstream

Runoff Area=10.000 ac 0.00% Impervious Runoff Depth>4.17"
Flow Length=750' Tc=32.3 min CN=80/0 Runoff=7.24 cfs 151,469 cf

Pond 1P: STORMWATER FACILITY

Peak Elev=899.58' Storage=52,646 cf Inflow=35.03 cfs 578,341 cf
Outflow=35.15 cfs 531,569 cf

Total Runoff Area = 1,497,050 sf Runoff Volume = 578,341 cf Average Runoff Depth = 4.64"
67.23% Pervious = 1,006,400 sf 32.77% Impervious = 490,650 sf

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Type IA 24-hr 100-YR Rainfall=6.50"

Printed 5/30/2019

Summary for Subcatchment 1S: Post-Developed

Runoff = 28.61 cfs @ 7.93 hrs, Volume= 426,873 cf, Depth> 4.83"

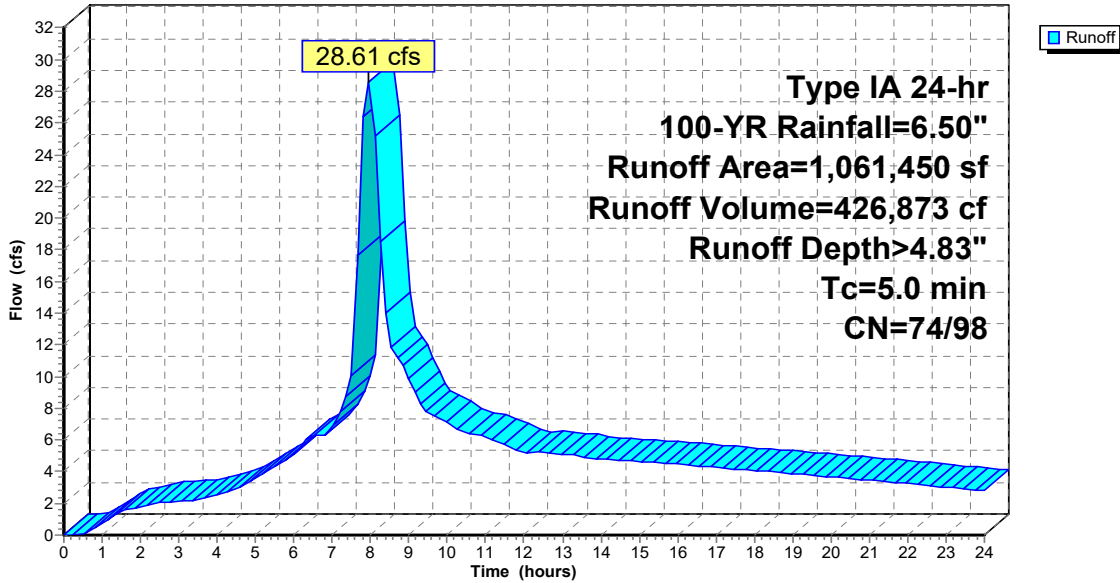
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 100-YR Rainfall=6.50"

Area (sf)	CN	Description
* 272,250	98	99 Lots - 2750 sf per lot
* 218,400	98	Pavement and sidewalk
* 570,800	74	Lawns
1,061,450	85	Weighted Average
570,800		53.78% Pervious Area
490,650		46.22% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

Subcatchment 1S: Post-Developed

Hydrograph



7107 HydroCAD Overflow

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 100-YR Rainfall=6.50"

Printed 5/30/2019

Summary for Subcatchment 2S: Existing Upstream

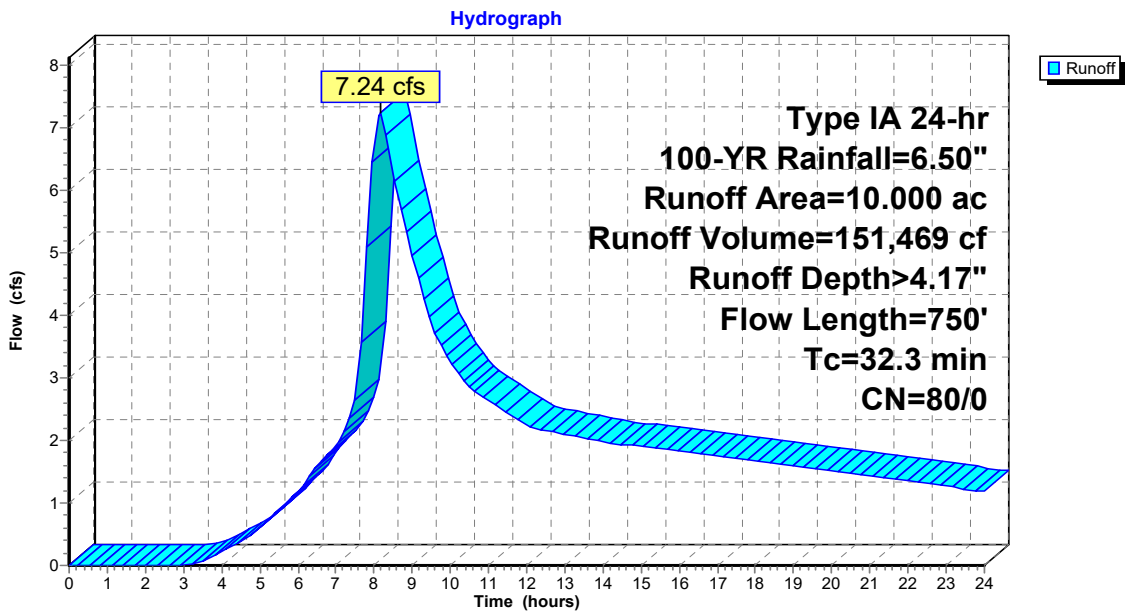
Runoff = 7.24 cfs @ 8.16 hrs, Volume= 151,469 cf, Depth> 4.17"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Type IA 24-hr 100-YR Rainfall=6.50"

Area (ac)	CN	Description
* 10.000	80	Row Crops (C + CR)
10.000		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
28.9	300	0.0200	0.17		Sheet Flow, Cultivated: Residue>20% n= 0.170 P2= 2.60"
3.4	450	0.0600	2.20		Shallow Concentrated Flow, Cultivated Straight Rows Kv= 9.0 fps
32.3	750	Total			

Subcatchment 2S: Existing Upstream



7107 HydroCAD Overflow

Prepared by AKS Engineering & Forestry, LLC
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Type IA 24-hr 100-YR Rainfall=6.50"

Printed 5/30/2019

Summary for Pond 1P: STORMWATER FACILITY

Inflow Area = 1,497,050 sf, 32.77% Impervious, Inflow Depth > 4.64" for 100-YR event
 Inflow = 35.03 cfs @ 7.96 hrs, Volume= 578,341 cf
 Outflow = 35.15 cfs @ 8.00 hrs, Volume= 531,569 cf, Atten= 0%, Lag= 2.2 min
 Primary = 35.15 cfs @ 8.00 hrs, Volume= 531,569 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.15 hrs
 Peak Elev= 899.58' @ 8.00 hrs Surf.Area= 13,929 sf Storage= 52,646 cf

Plug-Flow detention time=99.8 min calculated for 531,569 cf (92% of inflow)
 Center-of-Mass det. time=45.4 min (769.9 - 724.6)

Volume	Invert	Avail.Storage	Storage Description
#1	895.00'	58,640 cf	Custom Stage Data (Pyramidal) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
895.00	9,160	0	0	9,160
896.00	10,180	9,666	9,666	10,253
897.00	11,200	10,686	20,351	11,354
898.00	12,200	11,696	32,048	12,443
899.00	13,300	12,746	44,794	13,632
900.00	14,400	13,846	58,640	14,829

Device	Routing	Invert	Outlet Devices
#1	Primary	899.00'	30.0' long x 5.0' breadth Broad-Crested Rectangular Weir - Driveway Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.34 2.50 2.70 2.68 2.68 2.66 2.65 2.65 2.65 2.65 2.67 2.66 2.68 2.70 2.74 2.79 2.88

Primary OutFlow Max=34.32 cfs @ 8.00 hrs HW=899.57' (Free Discharge)
 ↳1=Broad-Crested Rectangular Weir - Driveway (Weir Controls 34.32 cfs @ 2.01 fps)

7107 HydroCAD Overflow

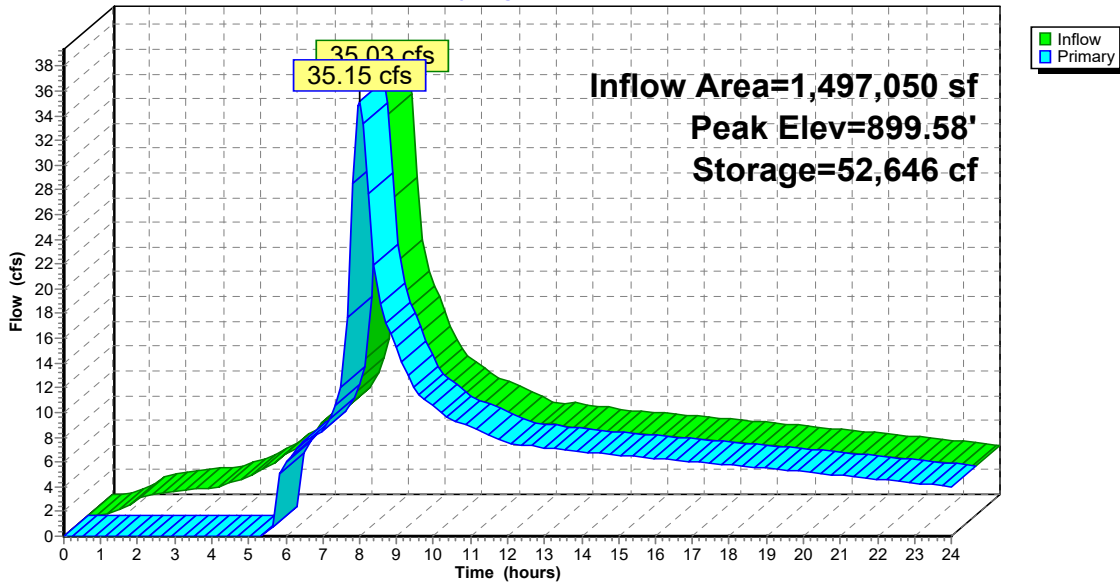
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Type IA 24-hr 100-YR Rainfall=6.50"

Printed 5/30/2019

Pond 1P: STORMWATER FACILITY

Hydrograph





**Appendix E:
Soils Information from the USDA Soil Survey
of Clackamas County, Oregon**



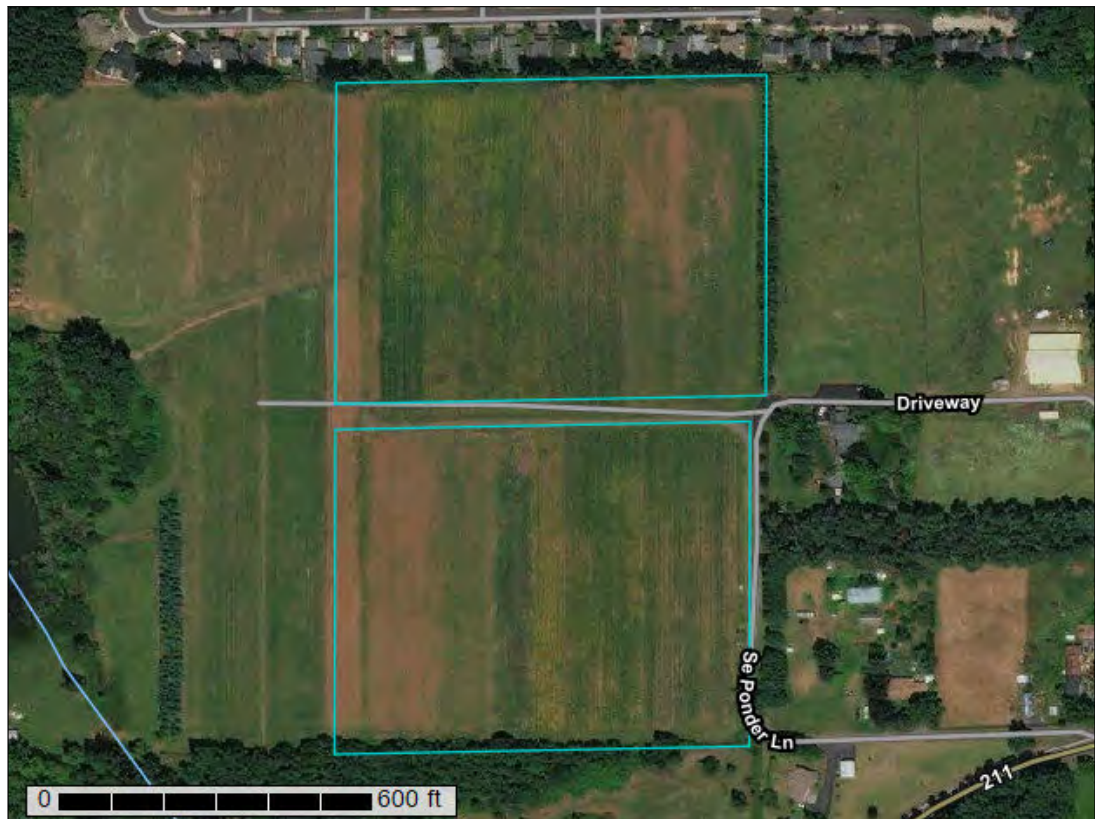
United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for **Clackamas County Area, Oregon**



May 22, 2019

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

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scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

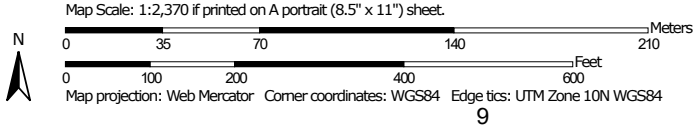
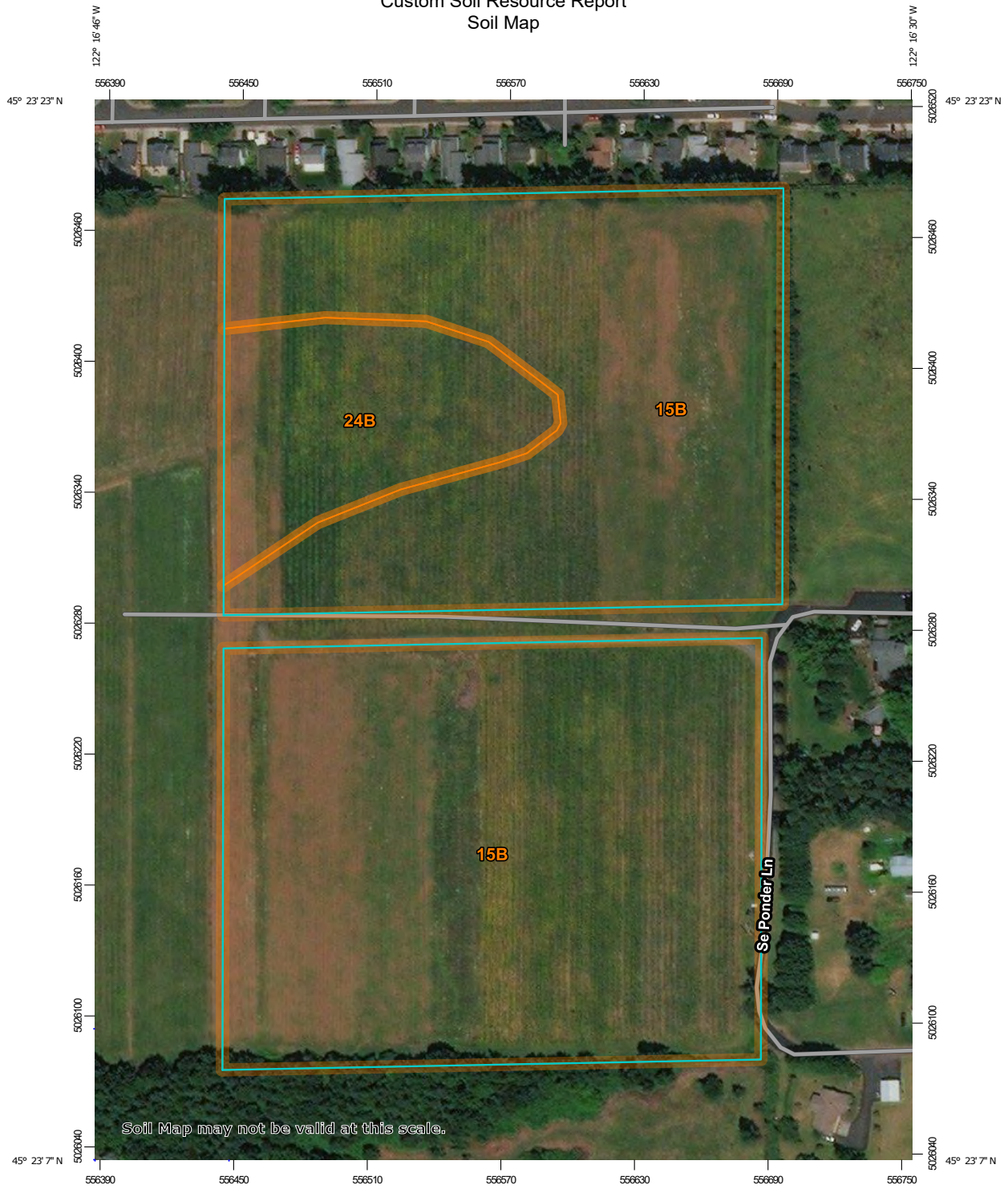
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identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map





































The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

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Soil Map



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MAP LEGEND

Area of Interest (AOI)		 Spoil Area	
 Area of Interest (AOI)		 Stony Spot	
Soils		 Very Stony Spot	
 Soil Map Unit Polygons		 Wet Spot	
 Soil Map Unit Lines		 Other	
 Soil Map Unit Points		 Special Line Features	
Special Point Features		Water Features	
 Blowout		 Streams and Canals	
 Borrow Pit		Transportation	
 Clay Spot		 Rails	
 Closed Depression		 Interstate Highways	
 Gravel Pit		 US Routes	
 Gravelly Spot		 Major Roads	
 Landfill		 Local Roads	
 Lava Flow		Background	
 Marsh or swamp		 Aerial Photography	
 Mine or Quarry			
 Miscellaneous Water			
 Perennial Water			
 Rock Outcrop			
 Saline Spot			
 Sandy Spot			
 Severely Eroded Spot			
 Sinkhole			
 Slide or Slip			
 Sodic Spot			

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Clackamas County Area, Oregon
 Survey Area Data: Version 14, Sep 18, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 2, 2015—Sep 21, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
15B	Cazadero silty clay loam, 0 to 7 percent slopes	20.6	87.8%
24B	Cottrell silty clay loam, 2 to 8 percent slopes	2.9	12.2%
Totals for Area of Interest		23.5	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however,

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onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Clackamas County Area, Oregon

15B—Cazadero silty clay loam, 0 to 7 percent slopes

Map Unit Setting

National map unit symbol: 223c
Elevation: 300 to 900 feet
Mean annual precipitation: 48 to 85 inches
Mean annual air temperature: 50 to 52 degrees F
Frost-free period: 140 to 200 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Cazadero and similar soils: 85 percent
Minor components: 2 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Cazadero

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Old mixed alluvium

Typical profile

H1 - 0 to 21 inches: silty clay loam
H2 - 21 to 75 inches: clay

Properties and qualities

Slope: 0 to 7 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Moderate (about 8.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: C
Forage suitability group: Well drained < 15% Slopes (G002XY002OR)
Hydric soil rating: No

Minor Components

Borges

Percent of map unit: 2 percent
Landform: Depressions on terraces, hillslopes
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Base slope, tread
Down-slope shape: Linear

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Across-slope shape: Linear
Hydric soil rating: Yes

24B—Cottrell silty clay loam, 2 to 8 percent slopes

Map Unit Setting

National map unit symbol: 223v
Elevation: 300 to 900 feet
Mean annual precipitation: 45 to 80 inches
Mean annual air temperature: 50 to 54 degrees F
Frost-free period: 140 to 200 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Cottrell and similar soils: 90 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Cottrell

Setting

Landform: Terraces, hillslopes
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Base slope, interfluve, tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Old alluvium

Typical profile

H1 - 0 to 24 inches: silty clay loam
H2 - 24 to 55 inches: silty clay
H3 - 55 to 86 inches: silty clay loam

Properties and qualities

Slope: 2 to 8 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: About 24 to 35 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: High (about 10.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: C
Forage suitability group: Moderately Well Drained < 15% Slopes (G002XY004OR)
Hydric soil rating: No

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Minor Components

Borges

Percent of map unit: 4 percent

Landform: Depressions on terraces, hillslopes

Landform position (two-dimensional): Footslope

Landform position (three-dimensional): Base slope, tread

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: Yes

Aquults

Percent of map unit: 1 percent

Landform: Depressions

Hydric soil rating: Yes

Soil Information for All Uses

Soil Properties and Qualities

The Soil Properties and Qualities section includes various soil properties and qualities displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each property or quality.

Soil Qualities and Features

Soil qualities are behavior and performance attributes that are not directly measured, but are inferred from observations of dynamic conditions and from soil properties. Example soil qualities include natural drainage, and frost action. Soil features are attributes that are not directly part of the soil. Example soil features include slope and depth to restrictive layer. These features can greatly impact the use and management of the soil.

Hydrologic Soil Group

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

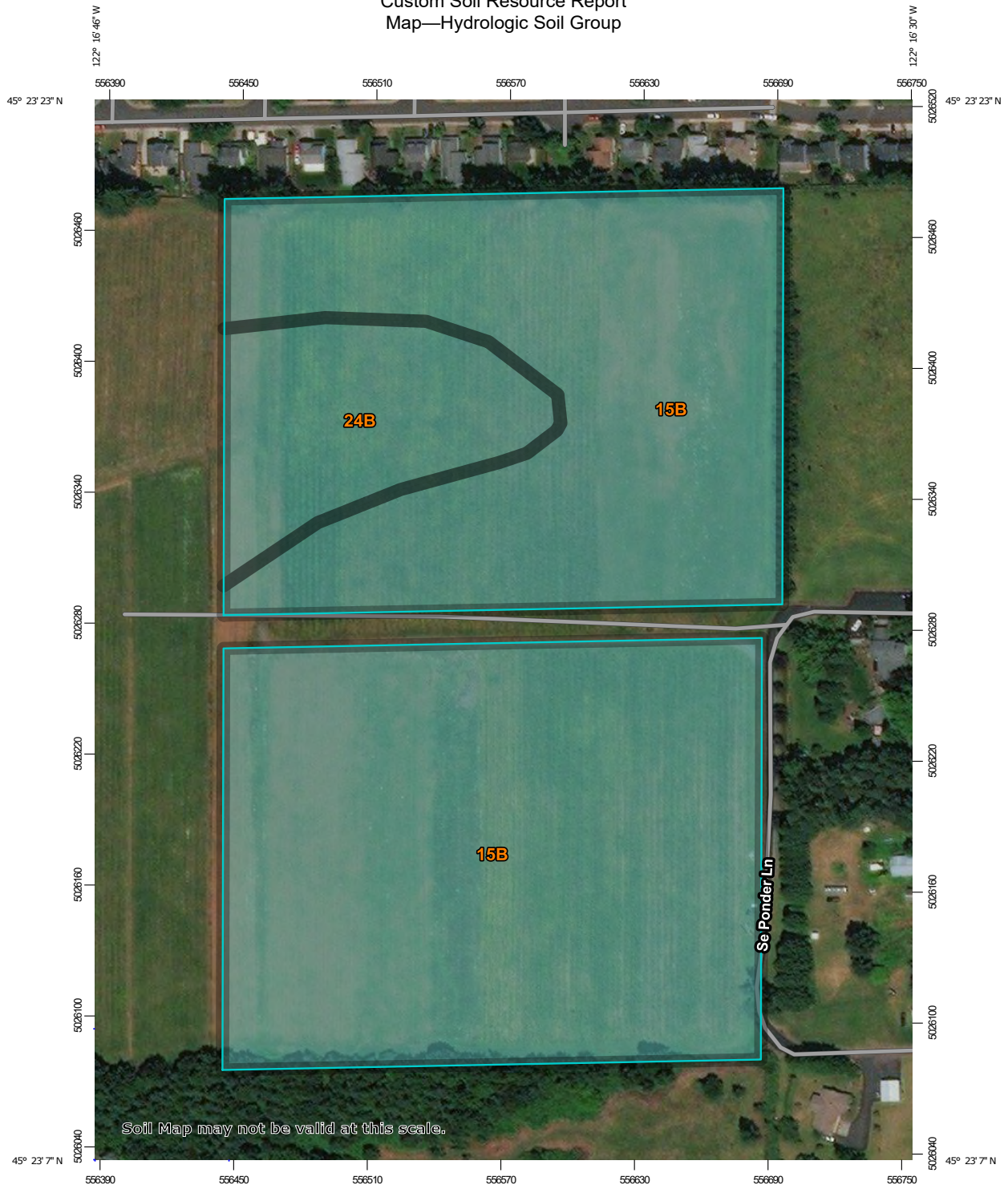
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Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

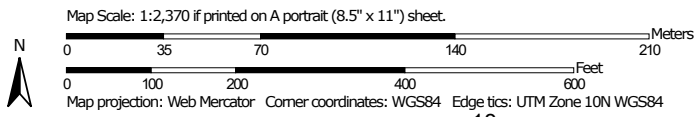
Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

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Map—Hydrologic Soil Group



































Soil Map may not be valid at this scale.



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MAP LEGEND

- Area of Interest (AOI)**
 -  Area of Interest (AOI)
- Soils**
 - Soil Rating Polygons**
 -  A
 -  A/D
 -  B
 -  B/D
 -  C
 -  C/D
 -  D
 -  Not rated or not available
 - Soil Rating Lines**
 -  A
 -  A/D
 -  B
 -  B/D
 -  C
 -  C/D
 -  D
 -  Not rated or not available
 - Soil Rating Points**
 -  A
 -  A/D
 -  B
 -  B/D
- Soils**
 -  C
 -  C/D
 -  D
 -  Not rated or not available
- Water Features**
 -  Streams and Canals
- Transportation**
 -  Rails
 -  Interstate Highways
 -  US Routes
 -  Major Roads
 -  Local Roads
- Background**
 -  Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

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Soil Survey Area: Clackamas County Area, Oregon
 Survey Area Data: Version 14, Sep 18, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 2, 2015—Sep 21, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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Table—Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
15B	Cazadero silty clay loam, 0 to 7 percent slopes	C	20.6	87.8%
24B	Cottrell silty clay loam, 2 to 8 percent slopes	C	2.9	12.2%
Totals for Area of Interest			23.5	100.0%

Rating Options—Hydrologic Soil Group

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

References

- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
- Federal Register. July 13, 1994. Changes in hydric soils of the United States.
- Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
- National Research Council. 1995. Wetlands: Characteristics and boundaries.
- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262
- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577
- Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580
- Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.
- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelpdb1043084>

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United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf



**Appendix F:
Relevant Information from Technical Release
55 Urban Hydrology for Small Watersheds by
Natural Resource Conservation Service**

Table 2-2a Runoff curve numbers for urban areas ^{1/}

Cover description	Average percent impervious area ^{2/}	Curve numbers for hydrologic soil group			
		A	B	C	D
Fully developed urban areas (vegetation established)					
Open space (lawns, parks, golf courses, cemeteries, etc.) ^{3/} :					
Poor condition (grass cover < 50%)		68	79	86	89
Fair condition (grass cover 50% to 75%)		49	69	79	84
Good condition (grass cover > 75%)		39	61	74	80
Impervious areas:					
Paved parking lots, roofs, driveways, etc. (excluding right-of-way)		98	98	98	98
Streets and roads:					
Paved; curbs and storm sewers (excluding right-of-way)		98	98	98	98
Paved; open ditches (including right-of-way)		83	89	92	93
Gravel (including right-of-way)		76	85	89	91
Dirt (including right-of-way)		72	82	87	89
Western desert urban areas:					
Natural desert landscaping (pervious areas only) ^{4/}		63	77	85	88
Artificial desert landscaping (impervious weed barrier, desert shrub with 1- to 2-inch sand or gravel mulch and basin borders)		96	96	96	96
Urban districts:					
Commercial and business	85	89	92	94	95
Industrial	72	81	88	91	93
Residential districts by average lot size:					
1/8 acre or less (town houses)	65	77	85	90	92
1/4 acre	38	61	75	83	87
1/3 acre	30	57	72	81	86
1/2 acre	25	54	70	80	85
1 acre	20	51	68	79	84
2 acres	12	46	65	77	82

Developing urban areas

Newly graded areas
(pervious areas only, no vegetation) ^{5/}

77 86 91 94

Idle lands (CN's are determined using cover types
similar to those in table 2-2c).

¹ Average runoff condition, and $I_a = 0.2S$.

² The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2-3 or 2-4.

³ CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space cover type.

⁴ Composite CN's for natural desert landscaping should be computed using figures 2-3 or 2-4 based on the impervious area percentage (CN = 98) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic condition.

⁵ Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2-3 or 2-4 based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.

Table 2-2b Runoff curve numbers for cultivated agricultural lands ^{1/}

Cover description			Curve numbers for hydrologic soil group			
Cover type	Treatment ^{2/}	Hydrologic condition ^{3/}	A	B	C	D
Fallow	Bare soil	—	77	86	91	94
	Crop residue cover (CR)	Poor	76	85	90	93
		Good	74	83	88	90
Row crops	Straight row (SR)	Poor	72	81	88	91
		Good	67	78	85	89
	SR + CR	Poor	71	80	87	90
		Good	64	75	82	85
	Contoured (C)	Poor	70	79	84	88
		Good	65	75	82	86
	C + CR	Poor	69	78	83	87
		Good	64	74	81	85
	Contoured & terraced (C&T)	Poor	66	74	80	82
		Good	62	71	78	81
C&T+ CR	Poor	65	73	79	81	
	Good	61	70	77	80	
Small grain	SR	Poor	65	76	84	88
		Good	63	75	83	87
	SR + CR	Poor	64	75	83	86
		Good	60	72	80	84
	C	Poor	63	74	82	85
		Good	61	73	81	84
	C + CR	Poor	62	73	81	84
		Good	60	72	80	83
	C&T	Poor	61	72	79	82
		Good	59	70	78	81
	C&T+ CR	Poor	60	71	78	81
		Good	58	69	77	80
Close-seeded or broadcast legumes or rotation meadow	SR	Poor	66	77	85	89
		Good	58	72	81	85
	C	Poor	64	75	83	85
		Good	55	69	78	83
	C&T	Poor	63	73	80	83
		Good	51	67	76	80

¹ Average runoff condition, and $I_a=0.2S$

² Crop residue cover applies only if residue is on at least 5% of the surface throughout the year.

³ Hydraulic condition is based on combination factors that affect infiltration and runoff, including (a) density and canopy of vegetative areas, (b) amount of year-round cover, (c) amount of grass or close-seeded legumes, (d) percent of residue cover on the land surface (good $\geq 20\%$), and (e) degree of surface roughness.

Poor: Factors impair infiltration and tend to increase runoff.

Good: Factors encourage average and better than average infiltration and tend to decrease runoff.

Table 2-2c Runoff curve numbers for other agricultural lands ^{1/}

Cover description Cover type	Hydrologic condition	Curve numbers for hydrologic soil group			
		A	B	C	D
Pasture, grassland, or range—continuous forage for grazing. ^{2/}	Poor	68	79	86	89
	Fair	49	69	79	84
	Good	39	61	74	80
Meadow—continuous grass, protected from grazing and generally mowed for hay.	—	30	58	71	78
Brush—brush-weed-grass mixture with brush the major element. ^{3/}	Poor	48	67	77	83
	Fair	35	56	70	77
	Good	30 ^{4/}	48	65	73
Woods—grass combination (orchard or tree farm). ^{5/}	Poor	57	73	82	86
	Fair	43	65	76	82
	Good	32	58	72	79
Woods. ^{6/}	Poor	45	66	77	83
	Fair	36	60	73	79
	Good	30 ^{4/}	55	70	77
Farmsteads—buildings, lanes, driveways, and surrounding lots.	—	59	74	82	86

¹ Average runoff condition, and $I_a = 0.2S$.

² **Poor:** <50% ground cover or heavily grazed with no mulch.

Fair: 50 to 75% ground cover and not heavily grazed.

Good: > 75% ground cover and lightly or only occasionally grazed.

³ **Poor:** <50% ground cover.

Fair: 50 to 75% ground cover.

Good: >75% ground cover.

⁴ Actual curve number is less than 30; use CN = 30 for runoff computations.

⁵ CN's shown were computed for areas with 50% woods and 50% grass (pasture) cover. Other combinations of conditions may be computed from the CN's for woods and pasture.

⁶ **Poor:** Forest litter, small trees, and brush are destroyed by heavy grazing or regular burning.

Fair: Woods are grazed but not burned, and some forest litter covers the soil.

Good: Woods are protected from grazing, and litter and brush adequately cover the soil.

Table 2-2d Runoff curve numbers for arid and semiarid rangelands ^{1/}

Cover description Cover type	Hydrologic condition ^{2/}	Curve numbers for hydrologic soil group			
		A ^{3/}	B	C	D
Herbaceous—mixture of grass, weeds, and low-growing brush, with brush the minor element.	Poor		80	87	93
	Fair		71	81	89
	Good		62	74	85
Oak-aspen—mountain brush mixture of oak brush, aspen, mountain mahogany, bitter brush, maple, and other brush.	Poor		66	74	79
	Fair		48	57	63
	Good		30	41	48
Pinyon-juniper—pinyon, juniper, or both; grass understory.	Poor		75	85	89
	Fair		58	73	80
	Good		41	61	71
Sagebrush with grass understory.	Poor		67	80	85
	Fair		51	63	70
	Good		35	47	55
Desert shrub—major plants include saltbush, greasewood, creosotebush, blackbrush, bursage, palo verde, mesquite, and cactus.	Poor	63	77	85	88
	Fair	55	72	81	86
	Good	49	68	79	84

¹ Average runoff condition, and $I_{ar} = 0.2S$. For range in humid regions, use table 2-2c.

² Poor: <30% ground cover (litter, grass, and brush overstory).

Fair: 30 to 70% ground cover.

Good: > 70% ground cover.

³ Curve numbers for group A have been developed only for desert shrub.

EXHIBIT H

**Bailey Meadows Subdivision
Sandy, Oregon
Flood & Slope Hazard (FSH)
Analysis**

Date: June 6, 2019

Prepared for: Allied Homes & Development
12042 SE Sunnyside Road, Suite 706
Sandy, OR 97015

Prepared By: AKS Engineering & Forestry, LLC
Stacey Reed, PWS, Senior Wetland Scientist
Haley Smith, MS, Natural Resource Specialist

Site Information: Tax Map 2 4E 23, Tax Lots 800, 801, 802, 803,
and 804
Clackamas County
Sandy, Oregon



12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

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Landscape Setting, Land Use, and Background Mapping	2
Results of Site Visit	3
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Precipitation Data Analysis	3
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Appendices

A. Maps

- i. Figure 1. USGS Vicinity Map
- ii. Figure 2. Clackamas County Assessor's Map
- iii. Figure 3. NRCS Soil Survey Map
- iv. Figure 4. National Wetland Inventory Map
- v. Figure 5. FEMA Floodplain Map
- vi. Figure 6. Wetland Determination Map

B. Precipitation Data

C. Wetland Determination Data Form

D. Representative Site Photographs

Introduction

AKS Engineering & Forestry, LLC (AKS) has prepared this report in accordance with Chapter 17.60 Flood & Slope Hazard (FSH) Overlay District from the City of Sandy Development Code.

The project is a residential subdivision consisting of Tax Lots 800, 801, 802, 803, and 804 of Assessor's Tax Map 2 4E 23, located off SE Ponder Lane in Sandy, Clackamas County, Oregon (Figures 1-2 in Appendix A).

The site is located within the Urban Growth Boundary (UGB), outside of City of Sandy (City) limits. The project site was not included on the City's Goal 5 Inventory to determine whether wetlands, streams, or the FSH Overlay applies to the site, because that inventory was created prior to the site's inclusion within the UGB and annexation into the City.

This report documents that wetlands and/or waters are not present within the project site. The site is not located within a Federal Emergency Management Agency (FEMA) mapped Special Flood Hazard Area, nor is it located on a steep (greater than 25%) slope. It is our conclusion the project will not have an impact on flooding, erosion, or degradation of water quality resources; therefore, the FSH Overlay District does not apply to the project site.

Landscape Setting, Land Use, and Background Mapping

The project site consists of an undeveloped Christmas tree and blueberry farm. Ponder Lane, a gravel farm road, extends through the central portion of the site. According to a review of Google Earth imagery, the site appears to have been used for agricultural purposes since as early as 1995.

Residential development abuts the study area to the north with rural residential development to the east, south, and west. Topography within the study area has a gentle westerly slope (less than 5% overall slope; see Figure 6, Appendix A). Bull Frog Reservoir is located approximately 500 feet off-site to the west of the project site.

According to the Natural Resources Conservation Service (NRCS) Clackamas County, Oregon Area Soil Survey Map, the following non-hydric soil units are mapped within the project site (Figure 3, Appendix A):

- (Unit 15B) Cazadero silty clay loam, 0% to 7% slopes– Non-hydric, with 2% hydric Borges inclusions in depressions
- (Unit 24B) Cottrell silty clay loam, 2% to 8% slopes– Non-hydric, with 4% hydric Borges and 1% hydric Aquults inclusions in depressions

The project site is located outside of the City of Sandy's Oregon Department of State Lands (DSL) approved Local Wetland Inventory (LWI). According to the U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) map, wetland and/or water features are not mapped within the study area (Figure 4, Appendix A).

According to FEMA mapping, Special Flood Hazard areas are not mapped within the project site (Figure 5, Appendix A).



Results of Site Visit

Methodology

A site visit was conducted by AKS Senior Wetland Scientist Stacey Reed, PWS, and AKS Natural Resource Specialist Sonya Templeton on December 4, 2018 to determine whether any potentially jurisdictional wetlands or waters were present on the project site or immediately off-site. Soils, vegetation, and indicators of hydrology were recorded at one sample plot (Plot 1, data sheet included in Appendix C) to document site conditions. The plot location was recorded during the site visit using a hand-held Trimble Geo7x by AKS, with submeter accuracy (as shown on attached Figure 6).

The methodology used to determine the presence of wetlands followed the *Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)* (Wakeley et al. 2010). *The National Wetland Plant List 2016* (Lichvar 2016) was used to assign wetland indicator status for the appropriate region.

Representative ground level site photographs are included in Appendix D. References cited and literature used are listed at the end of this report.

Precipitation Data Analysis

Observed precipitation data from the day of the December 4, 2018 site visit was obtained from the Estacada 2 SE, Oregon weather station via the National Oceanic and Atmospheric Administration (NOAA) Applied Climate Information System (AgACIS). This was the closest official weather station to the project site. The closest NRCS Wetlands Climate Tables (WETS) Station is the Estacada 2 SE Station.

According to the Estacada 2 SE station, no rainfall was received on the day of the December 4, 2018 site visit and ± 2.02 inches of rainfall were received in the two weeks prior to the site visit. According to the WETS table, monthly observed precipitation was below normal for the three months preceding the December 4, 2018 site visit.

Because the site visit was conducted during a drier-than-normal period, a lack of hydrology indicators was not relied upon to determine upland conditions. Instead, the presence of hydric soil indicators were more strongly relied upon to determine if wetland conditions were present. Raw precipitation data and the antecedent rainfall according to the WETS Estacada 2 SE station for the three months prior to the December 4, 2018 site visit is included in Appendix B.

Results

No wetland or waters were documented in the project site. Plot 1 documents conditions in the lowest elevation portion of the site. This area was dominated by colonial bent (*Agrostis capillaris*, FAC) and lacked hydric soil and wetland hydrology indicators. Therefore, Plot 1 was determined to be upland.

There were no defined channels (i.e. no defined bed and bank) observed within the project site. A narrow (less than 2-foot-wide) ditch was observed off-site to the west, parallel to an unimproved farm road. The ditch was located at least 50 feet from the western project site boundary. Plot 1 was located in-line with the off-site ditch.

No evidence of previous ponding, flow, or hydrophytic (wetland) vegetation was observed on the project site. The study area is not located within a FEMA Floodplain. According to LIDAR data, the slopes on the site are less than 10%. Therefore, FHS overlay does not apply to this site.



List of Preparers



Haley Smith, MS
Natural Resource Specialist
Report Preparation



Stacey Reed, PWS
Senior Wetland Scientist
Fieldwork and Report QA/QC



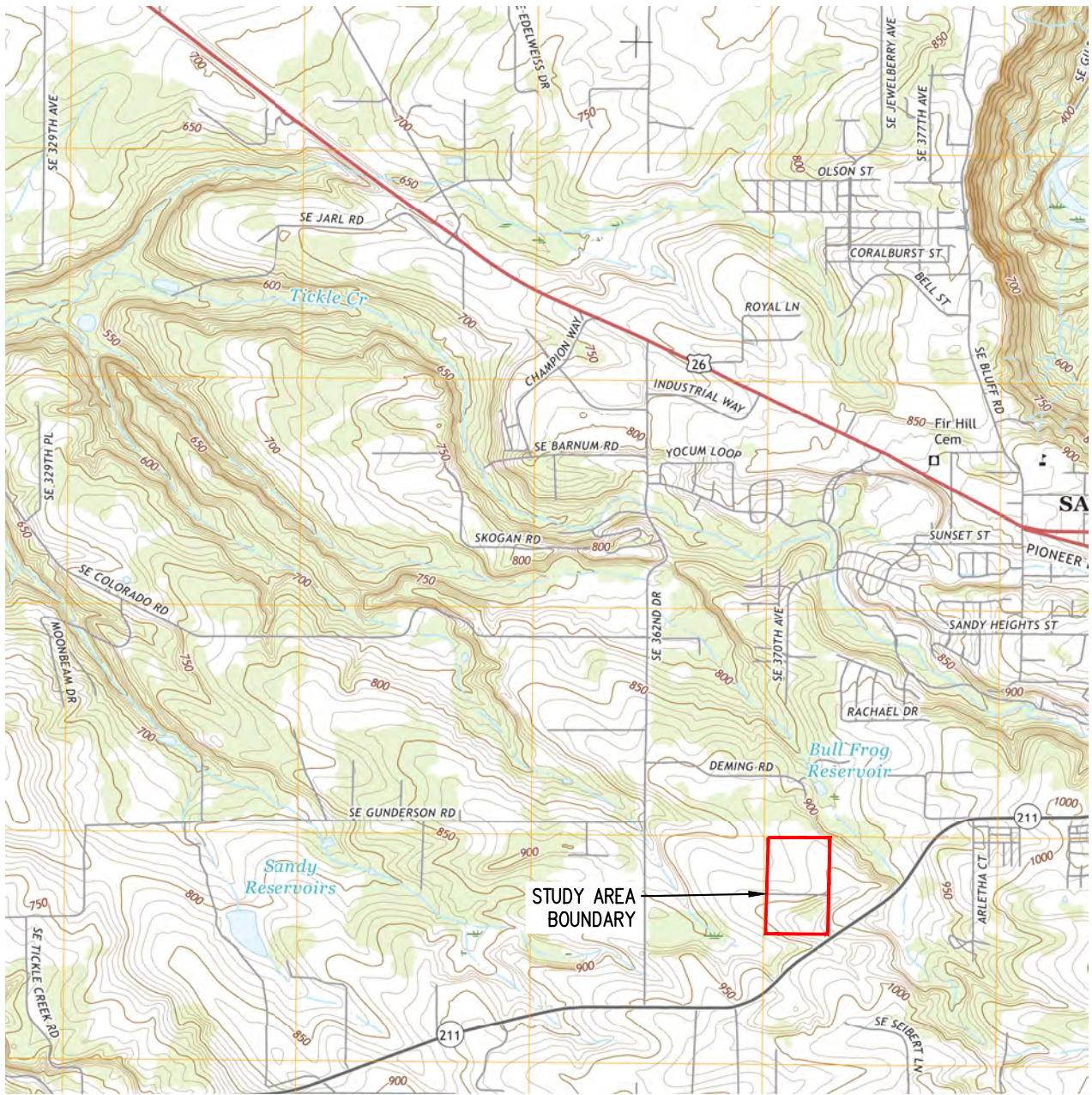
Literature Cited and Referenced

- Environmental Laboratory. 1987. Technical Report Y-87-1. In: *Corps of Engineers Wetlands Delineation Manual*. Vicksburg (MS): U.S. Army Engineer Waterways Experiment Station. Available at: <http://el.erdc.usace.army.mil/wetlands/pdfs/wlman87.pdf>.
- Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. 2016. *The National Wetland Plant List: 2016 wetland ratings*. Phytoneuron 2016-30: 1-17. Published 28 April 2016. Available at: http://wetland-plants.usace.army.mil/nwpl_static/index.html.
- Natural Resources Conservation Service (NRCS). 2006. *Hydric Soils List: Clackamas County, Oregon*. Washington (DC): U.S. Department of Agriculture.
- Natural Resources Conservation Service (NRCS). 2014a. *Official Soil Series Descriptions*. Washington (DC): U.S. Department of Agriculture. Available at: http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/soils/home/?cid=nrcs142p2_053587.
- Natural Resources Conservation Service (NRCS). 2014b. *Web Soil Survey*. Washington (DC): U.S. Department of Agriculture. Available at: <http://websoilsurvey.nrcs.usda.gov/app/>.
- Oregon Map. 2019. *Clackamas County Assessor's Map 2S 4E 23*. Oregon: State of Oregon. Available at: <http://www.ormap.net/>.
- Schoeneberger, P.J., D.A. Wysocki, E.C. Benham, and W.D. Broderson, eds. 2002. *Field Book for Describing and Sampling Soils, Version 3.0*. Lincoln (NE): U.S. Department of Agriculture Natural Resources Conservation Service, National Soil Survey Center.
- Vasilas, L.M., G.W. Hurt, and C.V. Noble, eds. 2010. *Field Indicators of Hydric Soils in the United States: A Guide for Identifying and Delineating Hydric Soils, Version 8.2, 2018*. Washington (DC): U.S. Department of Agriculture Natural Resources Conservation Service. Available at: http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1046970.pdf.
- Wakeley, J.S., R.W. Lichvar, and C.V. Noble, eds. 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)*. ERDC/EL TR-10-3. Vicksburg (MS): U.S. Army Engineer Research and Development Center, U.S. Army Corps of Engineers.
- X-Rite. 2000. *Year 2000 revised washable edition, Munsell soil color charts*. Grand Rapids (MI): X-Rite.

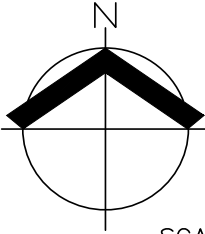




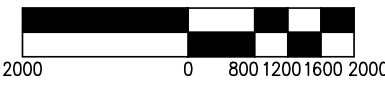
Appendix A: Maps



USGS 7.5' TOPOGRAPHIC SERIES
 QUADRANGLE: SANDY, OR (2017)



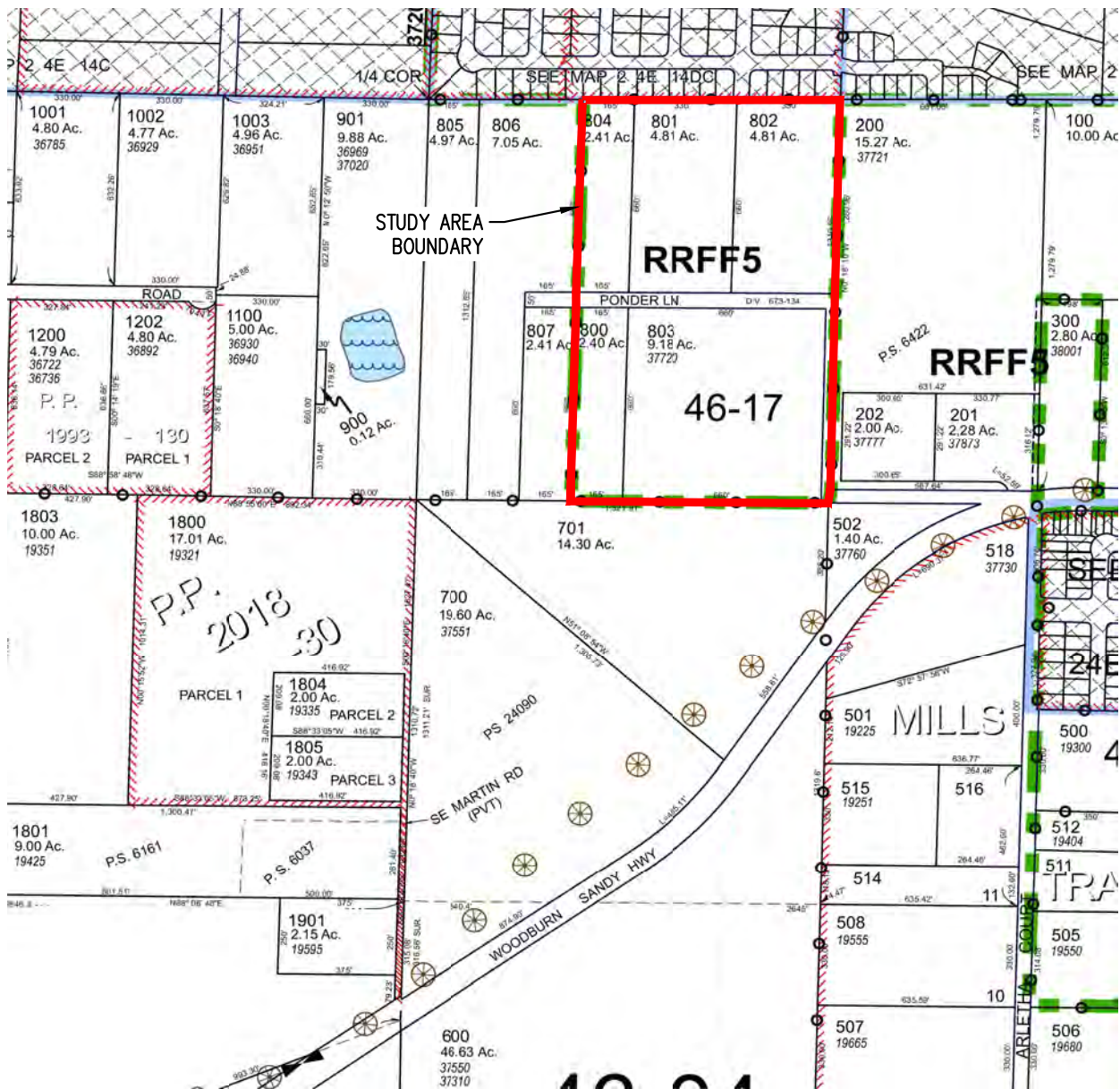
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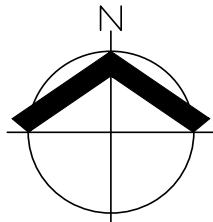
DATE: 06/06/2019

USGS VICINITY MAP		FIGURE
BAILEY MEADOWS SUBDIVISION - SANDY FLOOD & SLOPE HAZARD ANALYSIS		1
AKS ENGINEERING & FORESTRY, LLC		DRWN: SAS
12965 SW HERMAN RD	SUITE 100	CHKD: SAR
TUALATIN, OR 97062	www.aks-eng.com	AKS JOB:
PHONE: 503.563.6151	FAX: 503.563.6152	7107





CLACKAMAS COUNTY
 TAX LOTS 800, 801, 802,
 803, AND 804
 TAX MAP 2 4E 23



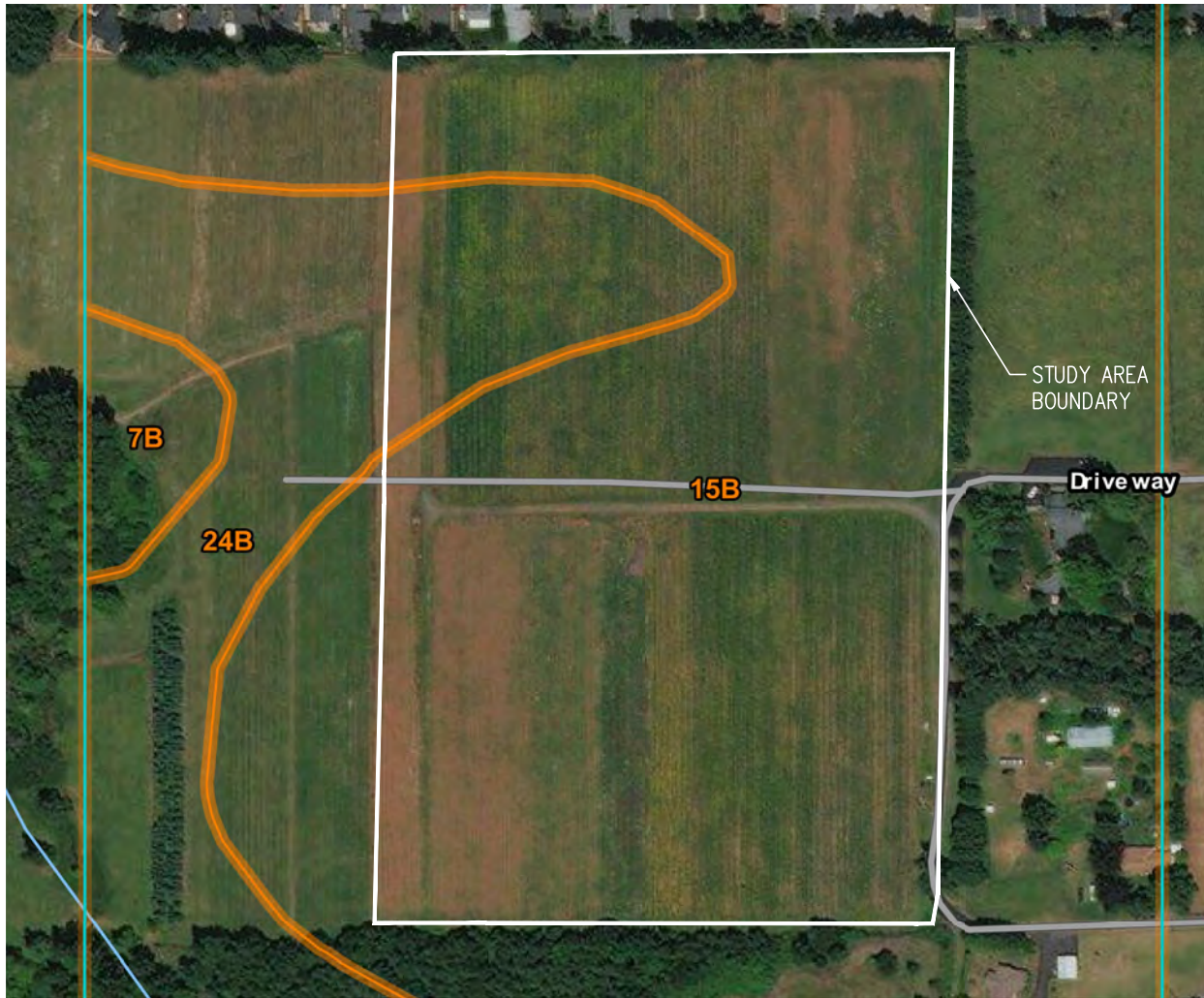
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DATE: 06/06/2019

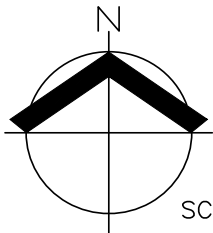
CLACKAMAS COUNTY ASSESSOR'S MAP (MAP 2 4E 23) BAILEY MEADOWS SUBDIVISION- SANDY FLOOD & SLOPE HAZARD ANALYSIS		FIGURE 2
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD SUITE 100 TUALATIN, OR 97062 www.aks-eng.com PHONE: 503.563.6151 FAX: 503.563.6152		DRWN: SAS CHKD: SAR AKS JOB: 7107



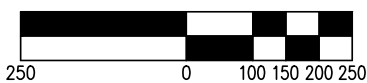


MAP UNIT SYMBOL	MAP UNIT NAME
15B	CAZADERO SILTY CLAY LOAM, 0% TO 7% SLOPES; NON-HYDRIC
24B	COTTRELL SILTY CLAY LOAM, 2% TO 8% SLOPES; NON-HYDRIC

NRCS WEB SOIL SURVEY FOR
CLACKAMAS COUNTY



SCALE: 1" = 250 FEET



DATE: 06/06/2019

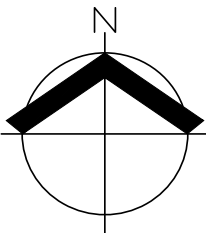
NRCS SOIL SURVEY MAP BAILEY MEADOWS SUBDIVISION - SANDY FLOOD & SLOPE HAZARD ANALYSIS		FIGURE 3
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD SUITE 100 TUALATIN, OR 97062 www.aks-eng.com PHONE: 503.563.6151 FAX: 503.563.6152		DRWN: SAS CHKD: SAR AKS JOB: 7107



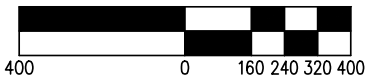


U.S. Fish and Wildlife Service, N
wetlands_team@fws.gov

US FISH & WILDLIFE SERVICE
NATIONAL WETLAND INVENTORY (2018)



SCALE: 1" = 400 FEET



DATE: 06/06/2019

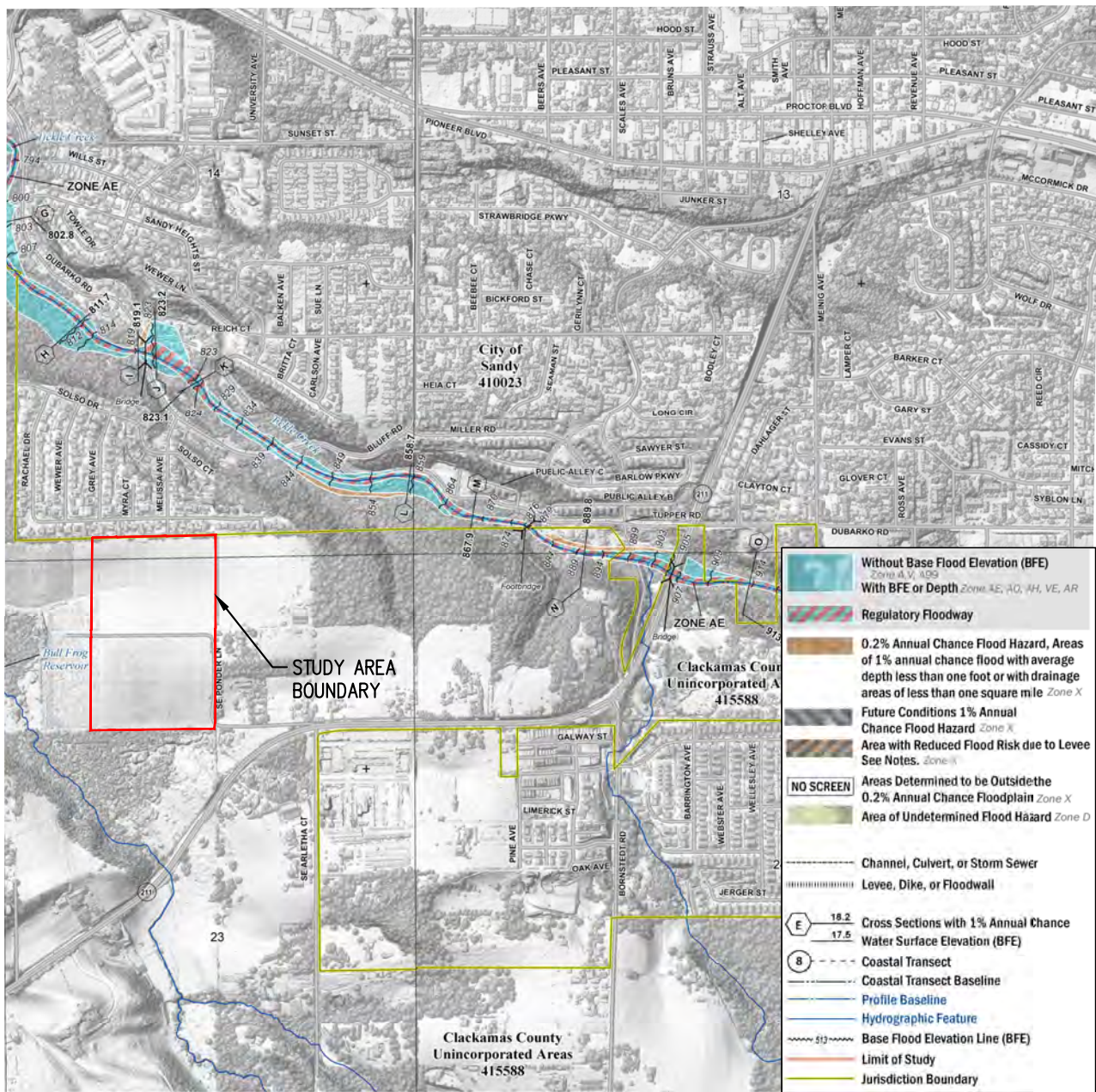
NATIONAL WETLAND INVENTORY MAP
BAILEY MEADOWS SUBDIVISION - SANDY FLOOD & SLOPE HAZARD ANALYSIS

FIGURE
4

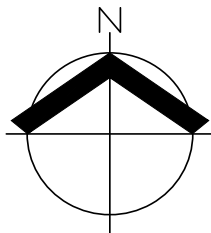
AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD SUITE 100
TUALATIN, OR 97062 www.aks-eng.com
PHONE: 503.563.6151 FAX: 503.563.6152



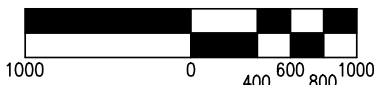
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FEMA FIRM PANEL MAP (2018)



SCALE: 1" = 1000 FEET



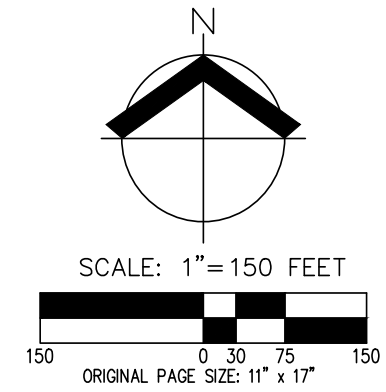
DATE: 06/06/2019

FEMA FLOODPLAIN MAP		FIGURE 5
BAILEY MEADOWS SUBDIVISION - SANDY FLOOD & SLOPE HAZARD ANALYSIS		
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD SUITE 100 TUALATIN, OR 97062 www.aks-eng.com PHONE: 503.563.6151 FAX: 503.563.6152		DRWN: SAS CHKD: SAR AKS JOB: 7107





USGS HIGH RESOLUTION ORTHOIMAGERY
APRIL 2012



SAMPLE PLOT SHOWN WAS RECORDED BY AKS ENGINEERING & FORESTRY, LLC ON DECEMBER 4, 2018 AND WAS LOCATED USING A TRIMBLE GEO 7X HANDHELD GPS RECEIVER WITH SUB-METER ACCURACY.

1-FOOT INTERVAL GROUND CONTOURS DERIVED FROM NOAA LIDAR DATA.

DATE: 06/06/2019

WETLAND DETERMINATION MAP		FIGURE
BAILEY MEADOWS SUBDIVISION - SANDY FLOOD & SLOPE HAZARD ANALYSIS		6
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: JRI CHKD: SAR AKS JOB: 7107



DWG: 7107 WDR EXCOND | FIGURE 6



Appendix B: Precipitation Data

Climatological Data for ESTACADA 2 SE, OR - December 2018

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2018-12-01	M	M	M	M	M	M	M	M
2018-12-02	57	36	46.5	7	0	M	M	M
2018-12-03	49	31	40.0	0	0	0.03	M	M
2018-12-04	M	M	M	M	M	M	M	M
2018-12-05	M	M	M	M	M	M	M	M
2018-12-06	M	M	M	M	M	M	M	M
2018-12-07	M	M	M	M	M	M	M	M
2018-12-08	M	M	M	M	M	M	M	M
2018-12-09	M	M	M	M	M	M	M	M
2018-12-10	M	M	M	M	M	M	M	M
2018-12-11	M	M	M	M	M	M	M	M
2018-12-12	M	M	M	M	M	M	M	M
2018-12-13	M	M	M	M	M	M	M	M
2018-12-14	M	M	M	M	M	M	M	M
2018-12-15	M	M	M	M	M	M	M	M
2018-12-16	M	M	M	M	M	M	M	M
2018-12-17	M	M	M	M	M	M	M	M
2018-12-18	M	M	M	M	M	M	M	M
2018-12-19	M	M	M	M	M	M	M	M
2018-12-20	M	M	M	M	M	M	M	M
2018-12-21	M	M	M	M	M	M	M	M
2018-12-22	M	M	M	M	M	M	M	M
2018-12-23	M	M	M	M	M	M	M	M
2018-12-24	M	M	M	M	M	M	M	M
2018-12-25	M	M	M	M	M	M	M	M
2018-12-26	M	M	M	M	M	M	M	M
2018-12-27	M	M	M	M	M	M	M	M
2018-12-28	M	M	M	M	M	M	M	M
2018-12-29	M	M	M	M	M	M	M	M
2018-12-30	M	M	M	M	M	M	M	M
2018-12-31	M	M	M	M	M	M	M	M
Average Sum	53.0	33.5	43.3	7	0	0.03	M	M

Climatological Data for ESTACADA 2 SE, OR - November 2018

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2018-11-01	M	M	M	M	M	M	M	M
2018-11-02	63	44	53.5	14	4	M	M	M
2018-11-03	65	44	54.5	15	5	0.01	M	M
2018-11-04	57	46	51.5	12	2	0.24	M	M
2018-11-05	64	48	56.0	16	6	0.07	M	M
2018-11-06	57	46	51.5	12	2	0.34	M	M
2018-11-07	M	M	M	M	M	M	M	M
2018-11-08	M	M	M	M	M	M	M	M
2018-11-09	M	M	M	M	M	M	M	M
2018-11-10	57	29	43.0	3	0	0.00	M	M
2018-11-11	53	29	41.0	1	0	0.00	M	M
2018-11-12	63	29	46.0	6	0	0.00	M	M
2018-11-13	66	33	49.5	10	0	0.00	M	M
2018-11-14	49	33	41.0	1	0	0.00	M	M
2018-11-15	53	40	46.5	7	0	0.09	M	M
2018-11-16	61	40	50.5	11	1	0.01	M	M
2018-11-17	60	42	51.0	11	1	0.00	M	M
2018-11-18	62	45	53.5	14	4	0.00	M	M
2018-11-19	63	35	49.0	9	0	0.00	M	M
2018-11-20	66	33	49.5	10	0	0.00	M	M
2018-11-21	59	33	46.0	6	0	0.00	M	M
2018-11-22	51	44	47.5	8	0	0.10	M	M
2018-11-23	M	M	M	M	M	M	M	M
2018-11-24	51	38	44.5	5	0	0.66	M	M
2018-11-25	54	31	42.5	3	0	0.01	M	M
2018-11-26	49	37	43.0	3	0	0.02	M	M
2018-11-27	56	44	50.0	10	0	0.71	M	M
2018-11-28	57	43	50.0	10	0	0.18	M	M
2018-11-29	M	M	M	M	M	0.31	M	M
2018-11-30	M	M	M	M	M	M	M	M
Average Sum	58.1	38.5	48.3	197	25	2.75	M	M

Climatological Data for ESTACADA 2 SE, OR - October 2018

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2018-10-01	69	55	62.0	22	12	0.00	0.0	0
2018-10-02	76	56	66.0	26	16	0.00	0.0	0
2018-10-03	74	40	57.0	17	7	0.00	0.0	0
2018-10-04	71	46	58.5	19	9	0.00	0.0	0
2018-10-05	66	42	54.0	14	4	0.00	0.0	0
2018-10-06	53	46	49.5	10	0	1.05	0.0	0
2018-10-07	54	43	48.5	9	0	0.02	0.0	0
2018-10-08	57	46	51.5	12	2	0.21	0.0	0
2018-10-09	60	52	56.0	16	6	0.60	0.0	0
2018-10-10	60	48	54.0	14	4	0.03	0.0	0
2018-10-11	65	39	52.0	12	2	0.00	0.0	0
2018-10-12	70	39	54.5	15	5	0.00	0.0	0
2018-10-13	70	40	55.0	15	5	0.00	0.0	0
2018-10-14	72	37	54.5	15	5	0.00	0.0	0
2018-10-15	72	40	56.0	16	6	0.00	0.0	0
2018-10-16	83	51	67.0	27	17	0.00	0.0	0
2018-10-17	M	M	M	M	M	0.00	0.0	0
2018-10-18	81	47	64.0	24	14	0.00	0.0	0
2018-10-19	74	39	56.5	17	7	0.00	0.0	0
2018-10-20	73	39	56.0	16	6	0.00	0.0	0
2018-10-21	68	39	53.5	14	4	0.00	0.0	0
2018-10-22	M	M	M	M	M	0.00	0.0	0
2018-10-23	71	39	55.0	15	5	0.00	0.0	0
2018-10-24	M	M	M	M	M	M	0.0	0
2018-10-25	M	M	M	M	M	M	0.0	0
2018-10-26	M	M	M	M	M	M	0.0	0
2018-10-27	M	M	M	M	M	M	0.0	0
2018-10-28	67	46	56.5	17	7	M	M	0
2018-10-29	63	46	54.5	15	5	0.89	0.0	0
2018-10-30	56	43	49.5	10	0	0.33	0.0	0
2018-10-31	M	M	M	M	M	M	0.0	0
Average Sum	67.7	44.1	55.9	387	148	3.13	0.0	0.0

Climatological Data for ESTACADA 2 SE, OR - September 2018

Date	Max Temperature	Min Temperature	Avg Temperature	GDD Base 40	GDD Base 50	Precipitation	Snowfall	Snow Depth
2018-09-01	76	51	63.5	24	14	0.00	0.0	0
2018-09-02	74	46	60.0	20	10	0.00	0.0	0
2018-09-03	81	47	64.0	24	14	0.00	0.0	0
2018-09-04	79	44	61.5	22	12	0.00	0.0	0
2018-09-05	83	45	64.0	24	14	0.00	0.0	0
2018-09-06	91	54	72.5	33	23	0.00	0.0	0
2018-09-07	87	50	68.5	29	19	0.00	0.0	0
2018-09-08	86	55	70.5	31	21	0.00	0.0	0
2018-09-09	77	51	64.0	24	14	0.00	0.0	0
2018-09-10	81	51	66.0	26	16	0.08	0.0	0
2018-09-11	72	52	62.0	22	12	0.02	0.0	0
2018-09-12	64	52	58.0	18	8	0.20	0.0	0
2018-09-13	66	48	57.0	17	7	0.22	0.0	0
2018-09-14	69	48	58.5	19	9	0.00	0.0	0
2018-09-15	73	47	60.0	20	10	0.00	0.0	0
2018-09-16	70	47	58.5	19	9	0.11	0.0	0
2018-09-17	65	47	56.0	16	6	0.29	0.0	0
2018-09-18	69	44	56.5	17	7	0.00	0.0	0
2018-09-19	M	M	M	M	M	0.00	0.0	0
2018-09-20	72	44	58.0	18	8	0.00	0.0	0
2018-09-21	73	44	58.5	19	9	0.00	0.0	0
2018-09-22	77	54	65.5	26	16	0.24	0.0	0
2018-09-23	69	48	58.5	19	9	0.09	0.0	0
2018-09-24	67	45	56.0	16	6	0.01	0.0	0
2018-09-25	73	41	57.0	17	7	0.00	0.0	0
2018-09-26	82	43	62.5	23	13	0.00	0.0	0
2018-09-27	83	46	64.5	25	15	0.00	0.0	0
2018-09-28	85	46	65.5	26	16	0.00	0.0	0
2018-09-29	91	49	70.0	30	20	0.00	0.0	0
2018-09-30	65	50	57.5	18	8	0.01	0.0	0
Average Sum	75.9	47.9	61.9	642	352	1.27	0.0	0.0

WETS Table

WETS Station: ESTACADA 2 SE, OR								
Requested years: 1971 - 2000								
Month	Avg Max Temp	Avg Min Temp	Avg Mean Temp	Avg Precip	30% chance precip less than	30% chance precip more than	Avg number days precip 0.10 or more	Avg Snowfall
Jan	45.9	34.4	40.2	8.04	5.26	9.66	14	0.8
Feb	49.9	36.0	43.0	6.95	4.93	8.24	13	0.9
Mar	55.2	37.9	46.5	6.22	4.79	7.22	14	0.1
Apr	60.4	40.5	50.4	5.11	4.08	5.86	12	0.0
May	66.5	45.1	55.8	4.03	2.88	4.77	10	0.0
Jun	71.9	49.4	60.7	2.68	1.64	3.24	6	0.0
Jul	78.4	53.0	65.7	1.07	0.57	1.29	3	0.0
Aug	78.6	52.9	65.7	1.28	0.41	1.52	3	0.0
Sep	73.2	49.2	61.2	2.46	1.18	2.96	5	0.0
Oct	61.3	43.5	52.4	4.77	2.66	5.81	9	0.0
Nov	51.0	38.8	44.9	8.45	6.07	9.98	15	0.3
Dec	45.6	34.5	40.0	8.47	6.11	10.00	15	0.6
Annual:					53.70	64.03		
Average	61.5	42.9	52.2	-	-	-	-	-
Total	-	-	-	59.55			120	2.6

GROWING SEASON DATES

Years with missing data:	24 deg = 4	28 deg = 2	32 deg = 1
Years with no occurrence:	24 deg = 6	28 deg = 0	32 deg = 0
Data years used:	24 deg = 26	28 deg = 28	32 deg = 29
Probability	24 F or higher	28 F or higher	32 F or higher
50 percent *	1/25 to 1/6: 346 days	2/18 to 12/4: 289 days	4/4 to 11/13: 223 days
70 percent *	1/9 to 1/23: 379 days	2/9 to 12/14: 308 days	3/26 to 11/22: 241 days

* Percent chance of the growing season occurring between the Beginning and Ending dates.

STATS TABLE - total precipitation (inches)

Yr	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annl
1909	12.86	8.54	3.40	2.44	3.38	0.22	2.53	1.03	2.24	4.16	19.72	5.09	65.61
1910	9.12	10.75	4.37	3.77	2.76	1.61	T	0.26	1.18	4.56	10.15	5.88	54.41
1911	11.03	4.55	2.03	3.00	5.27	2.40	0.34	0.24	6.50	1.57	5.15	7.01	49.09
1912	9.86	6.95	2.38	4.18	4.60	4.89	0.64	3.25	2.11	4.76	6.97	8.44	59.03
1913	7.52	1.92	9.21	4.11	3.10	4.90	0.74	0.83	3.63	6.35	6.81	3.21	52.33
1914	10.71	6.14	4.77	4.79	2.46	2.75	0.10	0.02	4.89	6.18	5.02	2.32	50.15
1915	6.40	4.02	3.23	3.82	6.70	3.02	1.86	0.01	0.78	4.33	12.24	11.07	57.48
1916	3.58	9.66	13.20	4.88	4.51	2.87	3.56	0.73	1.61	2.51	8.89	5.04	61.04



Appendix C: Wetland Determination Data Form

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys and Coast Region

Project/Site: Bailey Meadows City/County: Sandy/Clackamas Sampling Date: 12/4/2018
 Applicant/Owner: Allied Homes & Development State: OR Sampling Point: 1
 Investigator(s): Stacey Reed and Sonya Templeton Section, Township, Range: Sec. 23, T.2S. R.4E. W.M.
 Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): <3%
 Subregion (LRR): A, Northwest Forests and Coast Lat: _____ Long: _____ Datum: _____
 Soil Map Unit Name: Cottrell silty clay loam (Unit 24B), 2% to 8% slopes; Non-hydric NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X (If no, explain in Remarks)
 Are Vegetation X, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u>	No _____	Is the Sampled Area within a Wetland?	Yes _____	No <u>X</u>
Hydric Soil Present?	Yes _____	No <u>X</u>			
Wetland Hydrology Present?	Yes _____	No <u>X</u>			

Precipitation:
 According to the AgACIS Estacada 2 SE station, 0.00 inches of rainfall was received on the day of the site visit and 2.02 inches within the two weeks prior.

Remarks:
 Planted Christmas tree farm. Plot is located in lowest elevation area on-site.

VEGETATION

Tree Stratum (Plot Size: 30' r or _____)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:	
1. _____	_____	_____	_____	Number of Dominant Species	
2. _____	_____	_____	_____	That Are OBL, FACW, or FAC: <u>1</u> (A)	
3. _____	_____	_____	_____	Total Number of Dominant	
4. _____	_____	_____	_____	Species Across All Strata: <u>1</u> (B)	
	0% = Total Cover			Percent of Dominant Species	
Sapling/Shrub Stratum (Plot Size: 10' r or _____)				That Are OBL, FACW, or FAC: <u>100%</u> (A/B)	
1. _____	_____	_____	_____	Prevalence Index worksheet:	
2. _____	_____	_____	_____	Total % Cover of: <u>_____</u> Multiply by: _____	
3. _____	_____	_____	_____	OBL species <u>0</u> x 1 = <u>0</u>	
4. _____	_____	_____	_____	FACW species <u>0</u> x 2 = <u>0</u>	
5. _____	_____	_____	_____	FAC species <u>20</u> x 3 = <u>60</u>	
	0% = Total Cover			FACU species <u>0</u> x 4 = <u>0</u>	
Herb Stratum (Plot Size: 5' r or _____)				UPL species <u>0</u> x 5 = <u>0</u>	
1. <u>Agrostis capillaris</u>	<u>20%</u>	<u>Yes</u>	<u>FAC</u>	Column Totals: <u>20</u> (A) <u>60</u> (B)	
2. _____	_____	_____	_____	Prevalence Index = B/A = <u>3.00</u>	
3. _____	_____	_____	_____	Hydrophytic Vegetation Indicators:	
4. _____	_____	_____	_____	<u>1</u> - Rapid Test for Hydrophytic Vegetation	
5. _____	_____	_____	_____	<u>X</u> <u>2</u> - Dominance Test is >50%	
6. _____	_____	_____	_____	<u>X</u> <u>3</u> - Prevalence Index is ≤3.0 ¹	
7. _____	_____	_____	_____	<u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)	
8. _____	_____	_____	_____	<u>5</u> - Wetland Non-Vascular Plants ¹	
9. _____	_____	_____	_____	Problematic Hydrophytic Vegetation (Explain) ¹	
10. _____	_____	_____	_____	¹ Indicators of hydric soil and wetland hydrology must be present.	
11. _____	_____	_____	_____		
	20% = Total Cover			Hydrophytic Vegetation Present? Yes <u>X</u> No _____	
Woody Vine Stratum (Plot Size: 10' r or _____)					
1. _____	_____	_____	_____		
2. _____	_____	_____	_____		
	0% = Total Cover				
% Bare Ground in Herb Stratum <u>80%</u>					

Remarks:
 Vegetation in between tree plantings is maintained.



Appendix D: Representative Site Photographs



Photo A. View facing east from Plot 1.



Photo B. View facing west towards Bull Frog Reservoir.



Photo C. View facing east of project site upslope of Plot 1.



Photo D. View facing west of Plot 1 (location of shovel).

Photos taken by Sonya Templeton December 4, 2019



Geotechnical Engineering Report

Bailey Meadows
SE Ponder Lane
Sandy, Oregon

GeoPacific Engineering, Inc. Project No. 19-5205
June 18, 2019

14835 SW 72nd Avenue
Portland, Oregon 97224

Tel (503) 598-8445
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Real-World Geotechnical Solutions
Investigation • Design • Construction Support

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Real-World Geotechnical Solutions
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Updated June 18, 2019
Project No. 19-5205

Cody Bjugan
Allied Homes and Development
12042 SE Sunnyside Road, Suite #706
Clackamas, Oregon 97015
Via email: cody@investpdx.com

SUBJECT: GEOTECHNICAL ENGINEERING REPORT
BAILEY MEADOWS
SE PONDER LANE
T2S R4E SECTION 23 TAX LOTS 800, 801, 802, 803, & 804
SANDY, OREGON

1.0 PROJECT INFORMATION

This report presents the results of a geotechnical engineering study conducted by GeoPacific Engineering, Inc. (GeoPacific) for the above-referenced project. The purpose of our investigation was to evaluate subsurface conditions at the site, and to provide geotechnical recommendations for site development. This geotechnical study was performed in accordance with GeoPacific Proposal No. P-6946, dated April 8, 2019, and your subsequent authorization of our proposal and *General Conditions for Geotechnical Services*.

Site Location: SE Ponder Lane
T2S R4E Section 23 Tax Lots 800, 801, 802, 803, & 804
Sandy, Oregon
(Figures 1 and 2)

Developer: **Cody Bjugan**
Allied Homes and Development
12042 SE Sunnyside Road, Suite #706
Clackamas, Oregon 97015

Jurisdictional Agency: City of Sandy, Oregon

Civil Engineer: AKS Engineering & Forestry, LLC.
12965 SW Herman Road, Suite 100
Tualatin, Oregon 97062
Tel (503) 563-6151



2.0 SITE AND PROJECT DESCRIPTION

The subject site is composed of five tax lots located on the southwest and north side of SE Ponder Lane, in Sandy, Clackamas County, Oregon (Figures 1 & 2). The property totals approximately 23.6 acres in size and is rectangular in shape. Topography is gently sloping to the west with grades of approximately 5 to 10 percent at elevations of 900 to 945 feet above mean sea level. The site is currently occupied by a gravel driveway and vegetation consists primarily of short grasses, tree stock, and rows of berries.

Based upon communication with the client and review of preliminary project plans (Figure 2), GeoPacific understands that site development will consist of a 100 lot subdivision for single-family homes, new public streets, stormwater facility, and associated underground utility installations. It is our understanding that the homes will be constructed with typical spread foundations and crawl spaces. We anticipate that maximum structural loading on column footings and continuous strip footings of the homes will be on the order of 10 to 35 kips, and 4 kips/ft respectively. The grading plan provided for our review indicates maximum cuts and fills will be on the order of 15 feet or less. Retaining walls up to 12 feet are planned for the stormwater facility.

3.0 REGIONAL GEOLOGIC SETTING

Regionally, the subject site lies within the Willamette Valley/Puget Sound lowland, a broad structural depression situated between the Coast Range on the west and the Cascade Range on the east. A series of discontinuous faults subdivide the Willamette Valley into a mosaic of fault-bounded, structural blocks (Yeats et al., 1996). Uplifted structural blocks form bedrock highlands, while down-warped structural blocks form sedimentary basins.

The subject site is underlain by the Pliocene to Pleistocene aged (about 2 million years ago) Gravel Deposits, which consist of highly weathered cobbles, mudflow deposits, and sand deposits analogous to the Springwater Formation (Schlicker and Finlayson, 1979). The Pliocene to Pleistocene Gravels Formation is typically composed of rounded volcanic rock that is poorly sorted in a matrix consisting of silt and clay. The consistency of the Pliocene to Pleistocene Gravels Formation is generally hard where decomposed to clayey silt and medium-dense to very dense where highly weathered.

Underlying the Pliocene to Pleistocene Gravels Formation is the Pliocene aged (3 to 4 million years old) Troutdale Formation (Schlicker and Finlayson, 1979). In the site vicinity, the Troutdale Formation consists primarily of massive mudstone, claystone, and siltstone with minor sandstone and water-laid tuff that has been highly weathered to silt, clay, and sand. Ripples, channels and cross bedding structures are common, indicating a fluvial origin of deposition. Locally, the Troutdale Formation may contain organic material including wood and logs.

4.0 REGIONAL SEISMIC SETTING

At least three major fault zones capable of generating damaging earthquakes are thought to exist in the vicinity of the subject site. These include the Portland Hills Fault Zone, the Grant Butte and Damascus-Trickle Creek Fault Zones, and the Cascadia Subduction Zone.

4.1 Portland Hills Fault Zone

The Portland Hills Fault Zone is a series of NW-trending faults that include the central Portland Hills Fault, the western Oatfield Fault, and the eastern East Bank Fault. These faults occur in a northwest-trending zone that varies in width between 3.5 and 5.0 miles. The combined three faults reportedly vertically displace the Columbia River Basalt by 1,130 feet and appear to control thickness changes in late Pleistocene (approx. 780,000 years) sediment (Madin, 1990). The Portland Hills Fault occurs along the Willamette River at the base of the Portland Hills, and is located approximately 12.8 miles west of the site. The Oatfield Fault occurs along the western side of the Portland Hills, and is located approximately 14.9 miles west of the site. The East Bank Fault occurs along the eastern margin of the Willamette River, and is located approximately 13 miles northwest of the site. The accuracy of the fault mapping is stated to be within 500 meters (Wong, et al., 2000).

According to the USGS Earthquake Hazards Program, the fault was originally mapped as a down-to-the-northeast normal fault, but has also been mapped as part of a regional-scale zone of right-lateral, oblique slip faults, and as a steep escarpment caused by asymmetrical folding above a south-west dipping, blind thrust fault. The Portland Hills fault offsets Miocene Columbia River Basalts, and Miocene to Pliocene sedimentary rocks of the Troutdale Formation. No fault scarps on surficial Quaternary deposits have been described along the fault trace, and the fault is mapped as buried by the Pleistocene aged Missoula flood deposits. No historical seismicity is correlated with the mapped portion of the Portland Hills Fault Zone, but in 1991 a M3.5 earthquake occurred on a NW-trending shear plane located 1.3 miles east of the fault (Yelin, 1992). Although there is no definitive evidence of recent activity, the Portland Hills Fault Zone is assumed to be potentially active (Geomatrix Consultants, 1995).

4.2 Grant Butte and Damascus-Tickle Creek Fault Zones

The Grant Butte fault zone was mapped along the north side of Mt. Scott and Powell Butte by Madin (1990). It was also extended eastward to Grant Butte on the basis of mapping by CH2M Hill and others (1991) and informally named the Grant Butte fault (Cornforth and Geomatrix, 1992). The Damascus-Tickle Creek fault zone displaces Pliocene and possibly Pleistocene sediments in the vicinity of Boring, Oregon (Madin, 1992; Lite, 1992). Relatively short faults define a 17-km-long fault zone that is apparently linked to the Grant Butte fault on the basis of stratigraphic relationships showing middle and late Pleistocene activity. Geomatrix (1995) assigns a probability of 0.5 for activity on structures within these fault zones. The nearest portion of the Grant Butte and Damascus-Tickle Creek fault zone is mapped approximately 5.3 miles northwest of the subject site.

4.3 Cascadia Subduction Zone

The Cascadia Subduction Zone is a 680-mile-long zone of active tectonic convergence where oceanic crust of the Juan de Fuca Plate is subducting beneath the North American continent at a rate of 4 cm per year (Goldfinger et al., 1996). A growing body of geologic evidence suggests that prehistoric subduction zone earthquakes have occurred (Atwater, 1992; Carver, 1992; Peterson et al., 1993; Geomatrix Consultants, 1995). This evidence includes: (1) buried tidal marshes

recording episodic, sudden subsidence along the coast of northern California, Oregon, and Washington, (2) burial of subsided tidal marshes by tsunami wave deposits, (3) paleoliquefaction features, and (4) geodetic uplift patterns on the Oregon coast. Radiocarbon dates on buried tidal marshes indicate a recurrence interval for major subduction zone earthquakes of 250 to 650 years with the last event occurring 300 years ago (Atwater, 1992; Carver, 1992; Peterson et al., 1993; Geomatrix Consultants, 1995). The inferred seismogenic portion of the plate interface lies approximately along the Oregon Coast at depths of between 20 and 40 kilometers below the surface.

5.0 FIELD EXPLORATION AND SUBSURFACE CONDITIONS

Our site-specific exploration for this report was conducted on May 7, 2019. Sixteen exploratory test pits were excavated with a medium sized backhoe to depths ranging between 9 and 12.5 feet at the approximate locations shown on Figure 2. It should be noted that exploration locations were located in the field by pacing or taping distances from apparent property corners and other site features shown on the plans provided. As such, the locations of the explorations should be considered approximate.

A GeoPacific Engineering Geologist continuously monitored the field exploration program and logged the borings. Soils observed in the explorations were classified in general accordance with the Unified Soil Classification System (USCS). During exploration, our geologist also noted geotechnical conditions such as soil consistency, moisture and groundwater conditions. Logs of test pits are attached to this report. The following report sections are based on the exploration program and summarize subsurface conditions encountered at the site.

5.1 Subsurface Conditions

Undocumented Fill: An approximately 2 feet thick stockpile of undocumented fill was encountered at the ground surface in test pit TP-10. The fill generally consisted of moderately to highly organic, gravelly silt (ML) that contained abundant woody debris/wood chips. We anticipate that other areas of undocumented fill may be present outside our test pit locations – especially in the vicinity of the existing driveway.

Topsoil Horizon: The ground surface in test pits TP-1 through TP-9 and TP-11 through TP-16 was directly underlain by a topsoil horizon generally consisting of dark brown, low to moderately organic silt (ML-OL). Generally, the topsoil horizon was loose, contained fine roots throughout, and extended to a depth of approximately 6 to 15 inches below the ground surface. A moderately organic, 6 inch thick buried topsoil horizon was encountered beneath the fill in test pit TP-10.

Residual Soil: Underlying the topsoil horizon in test pits TP-1 through TP-9 and TP-11 through TP-16 and the buried topsoil horizon in test pit TP-10 was residual soil derived from in place weathering of the underlying Pliocene-Pleistocene Gravels. These soils generally consisted of light reddish brown clayey silt (ML) to silty clay (CL) with varying quantities of weathered gravel. The residual soil typically had a stiff to very stiff consistency and extended to depths of 4 to 10 feet in test pits TP-2, TP-5, TP-9, and TP-11 through TP-16 and beyond the maximum depth of exploration in test pits TP-1, TP-3, TP-4, TP-6 through TP-8, and TP-10 (10 to 11 feet).

Pliocene-Pleistocene Gravels: In test pits TP-2, TP-5, TP-9, and TP-11 through TP-16, the residual soil was underlain by weathered Pliocene to Pleistocene aged Gravel Deposits. These deposits generally consisted of stiff to very stiff, clayey silt (ML) to silty clay (CL) with gravel or dense, gravel (GM) with a silty clay to clayey silt matrix. The weathered gravel deposits were light

reddish brown to gray in color and contained abundant black staining. The gravel deposits encountered in test pits TP-2, TP-5, TP-9, and TP-11 through TP-16 extended beyond the maximum depth of exploration in test pits (9 to 12.5 feet).

5.2 Groundwater and Soil Moisture

On May 7, 2019, observed soil moisture conditions were generally damp to moist. Minor perched groundwater seepage was encountered in test pit TP-4 at a depth of approximately 5 feet. Discharge was visually estimated at ½ gallon per minute. Regional geologic mapping indicates static groundwater is present and a depth of 60 and 80 feet below ground surface (Snyder, 2008). It is anticipated that groundwater conditions will vary depending on the season, local subsurface conditions, changes in site utilization, and other factors. Perched groundwater may be encountered in localized areas. Seeps and springs may exist in areas not explored, and may become evident during site grading. If the seasonal fluctuation of the static groundwater table underlying the subject site require detailed understanding, piezometers may be installed and periodically monitored.

6.0 CONCLUSIONS AND RECOMMENDATIONS

Our site investigation indicates that the proposed construction appears to be geotechnically feasible, provided that the recommendations of this report are incorporated into the design and construction phases of the project. Our explorations indicate the native soils on site are stiff to very stiff and are suitable for development utilizing conventional spread footing foundations.

6.1 Site Preparation Recommendations

Areas of proposed construction and areas to receive fill should be cleared of any organic and inorganic debris. Inorganic debris and organic materials from clearing should be removed from the site. Organic-rich soils and root zones should then be stripped from construction areas of the site or where engineered fill is to be placed. Depth of stripping of existing topsoil is estimated to be approximately 6 to 9 inches across the majority of the site, however depth of organic soil layers may increase in areas where trees and dense vegetation is present. The final depth of soil removal will be determined because of a site inspection after the stripping/excavation has been performed. Stripped topsoil should be removed from areas proposed for placement of engineered fill. Any remaining topsoil should be stockpiled only in designated areas and stripping operations should be observed and documented by the geotechnical engineer or his representative.

If encountered, undocumented fills and any subsurface structures (dry wells, basements, driveway and landscaping fill, old utility lines, septic leach fields, etc.) should be completely removed and the excavations backfilled with engineered fill.

We recommend that areas proposed for placement of engineered fill are scarified to a minimum depth of 12 inches and recompacted prior to placement of structural fill. Prior to placement of engineered fill, the underlying soils be over-excavated, ripped, aerated to optimum moisture content, and recompacted to project specifications for engineered fill as determined by the Standard Proctor (ASTM D698).

Areas proposed to be left at grade may require additional over-excavation of foundation areas in order to reach soils which will provide adequate bearing support for the proposed foundations. Site earthwork may be impacted by shallow groundwater. Stabilization of subgrade soils will require aeration and recompaction. If subgrade soils are found to be difficult to stabilize, over-excavation,

placement of granular soils, or cement treatment of subgrade soils may be feasible options. GeoPacific should be onsite to observe preparation of subgrade soil conditions prior to placement of engineered fill.

6.2 Engineered Fill

All grading for the proposed construction should be performed as engineered grading in accordance with the applicable building code at the time of construction with the exceptions and additions noted herein. Site grading should be conducted in accordance with the requirements outlined in the 2015 International Building Code (IBC), Chapter 18 and Appendix J. Areas proposed for fill placement should be prepared as described in the *Site Preparation Recommendations* section. Surface soils should then be scarified and recompacted prior to placement of structural fill. Site preparation, soil stripping, and grading activities should be observed and documented by a geotechnical engineer or his representative. Proper test frequency and earthwork documentation usually requires daily observation and testing during stripping, rough grading, and placement of engineered fill.

Onsite native soils consisting of silt and clay appear to be suitable for use as engineered fill. Soils containing greater than 5 percent organic content should not be used as structural fill. Imported fill material must be approved by the geotechnical engineer prior to being imported to the site. Oversize material greater than 6 inches in size should not be used within 3 feet of foundation footings, and material greater than 12 inches in diameter should not be used in engineered fill.

Engineered fill should be compacted in horizontal lifts not exceeding 12 inches using standard compaction equipment. We recommend that engineered fill be compacted to at least 95 percent of the maximum dry density determined by ASTM D698 (Standard Proctor) or equivalent. Field density testing should conform to ASTM D2922 and D3017, or D1556. All engineered fill should be observed and tested by the project geotechnical engineer or his representative. Typically, one density test is performed for at least every 2 vertical feet of fill placed or every 500 yd³, whichever requires more testing. Because testing is performed on an on-call basis, we recommend that the earthwork contractor be held contractually responsible for test scheduling and frequency.

Site earthwork may be impacted by shallow groundwater, soil moisture and wet weather conditions. Earthwork in wet weather would likely require extensive use of additional crushed aggregate, cement or lime treatment, or other special measures, at considerable additional cost compared to earthwork performed under dry-weather conditions.

6.3 Excavating Conditions and Utility Trench Backfill

We anticipate that onsite soils can generally be excavated using conventional heavy equipment. Maintenance of safe working conditions, including temporary excavation stability, is the responsibility of the contractor. Actual slope inclinations at the time of construction should be determined based on safety requirements and actual soil and groundwater conditions. All temporary cuts in excess of 4 feet in height should be sloped in accordance with U.S. Occupational Safety and Health Administration (OSHA) regulations (29 CFR Part 1926), or be shored. The existing native soils classify as Type B Soil and temporary excavation side slope inclinations as steep as 1H:1V may be assumed for planning purposes. These cut slope inclinations are applicable to excavations above the water table only.

Shallow, perched groundwater may be encountered during the wet weather season and should be anticipated in excavations and utility trenches. Vibrations created by traffic and construction equipment may cause some caving and raveling of excavation walls. In such an event, lateral

support for the excavation walls should be provided by the contractor to prevent loss of ground support and possible distress to existing or previously constructed structural improvements.

Underground utility pipes should be installed in accordance with the procedures specified in ASTM D2321 and City of Sandy standards. We recommend that structural trench backfill be compacted to at least 95 percent of the maximum dry density obtained by the Standard Proctor (ASTM D698) or equivalent. Initial backfill lift thicknesses for a $\frac{3}{4}$ "-0 crushed aggregate base may need to be as great as 4 feet to reduce the risk of flattening underlying flexible pipe. Subsequent lift thickness should not exceed 1 foot. If imported granular fill material is used, then the lifts for large vibrating plate-compaction equipment (e.g. hoe compactor attachments) may be up to 2 feet, provided that proper compaction is being achieved and each lift is tested. Use of large vibrating compaction equipment should be carefully monitored near existing structures and improvements due to the potential for vibration-induced damage.

Adequate density testing should be performed during construction to verify that the recommended relative compaction is achieved. Typically, at least one density test is taken for every 4 vertical feet of backfill on each 100-lineal-foot section of trench.

6.4 Erosion Control Considerations

During our field exploration program, we observed soil conditions that may be considered moderately susceptible to erosion, primarily located in the moderately sloping portions of the site. In our opinion, the primary concern regarding erosion potential will occur during construction in areas that have been stripped of vegetation. Erosion at the site during construction can be minimized by implementing the project erosion control plan, which should include judicious use of straw wattles, fiber rolls, and silt fences. If used, these erosion control devices should remain in place throughout site preparation and construction.

Erosion and sedimentation of exposed soils can also be minimized by quickly re-vegetating exposed areas of soil, and by staging construction such that large areas of the project site are not denuded and exposed at the same time. Areas of exposed soil requiring immediate and/or temporary protection against exposure should be covered with either mulch or erosion control netting/blankets. Areas of exposed soil requiring permanent stabilization should be seeded with an approved grass seed mixture, or hydroseeded with an approved seed-mulch-fertilizer mixture.

6.5 Wet Weather Earthwork

Soils underlying the site are likely to be moisture sensitive and will be difficult to handle or traverse with construction equipment during periods of wet weather. Earthwork is typically most economical when performed under dry weather conditions. Earthwork performed during the wet-weather season will require expensive measures such as cement treatment or imported granular material to compact areas where fill may be proposed to the recommended engineering specifications. If earthwork is to be performed or fill is to be placed in wet weather or under wet conditions when soil moisture content is difficult to control, the following recommendations should be incorporated into the contract specifications.

- Earthwork should be performed in small areas to minimize exposure to wet weather. Excavation or the removal of unsuitable soils should be followed promptly by the placement and compaction of clean engineered fill. The size and type of construction equipment used may have to be limited to prevent soil disturbance. Under some circumstances, it may be necessary to excavate soils with a backhoe to minimize subgrade disturbance caused by equipment traffic;

- The ground surface within the construction area should be graded to promote run-off of surface water and to prevent the ponding of water;
- Material used as engineered fill should consist of clean, granular soil containing less than 5 percent passing the No. 200 sieve. The fines should be non-plastic. Alternatively, cement treatment of on-site soils may be performed to facilitate wet weather placement;
- The ground surface within the construction area should be sealed by a smooth drum vibratory roller, or equivalent, and under no circumstances should be left uncompacted and exposed to moisture. Soils which become too wet for compaction should be removed and replaced with clean granular materials;
- Excavation and placement of fill should be observed by the geotechnical engineer to verify that all unsuitable materials are removed and suitable compaction and site drainage is achieved; and
- Geotextile silt fences, straw waddles, and fiber rolls should be strategically located to control erosion.

If cement or lime treatment is used to facilitate wet weather construction, GeoPacific should be contacted to provide additional recommendations and field monitoring.

6.6 Spread Foundations

Based upon communication with the client and review of preliminary project plans (Figure 2), GeoPacific understands that site development will consist of a 98 lot subdivision for single-family homes, new public streets, stormwater facilities, and associated underground utility installations. It is our understanding that the homes will be constructed with typical spread foundations and crawl spaces. We anticipate that maximum structural loading on column footings and continuous strip footings of the homes will be on the order of 10 to 35 kips, and 4 kips/ft respectively.

The proposed structures may be supported on shallow foundations bearing on stiff, native soils and/or engineered fill, appropriately designed and constructed as recommended in this report. We understand that much of the site proposed for construction of residential homes will be left at existing grades. Engineered fill may be placed on some lots. Areas where homes are to be constructed where no engineered fill will be placed should either be prepared as recommended for roadway areas; or the foundation envelopes of the proposed homes should be over-excavated to expose native soils on a lot by lot basis. (See *Site Preparation Recommendations* section).

Foundation design, construction, and setback requirements should conform to the applicable building code at the time of construction. For maximization of bearing strength and protection against frost heave, spread footings should be embedded at a minimum depth of 18 inches below exterior grade. If soft soil conditions are encountered at footing subgrade elevation, they should be removed and replaced with compacted crushed aggregate.

The anticipated allowable soil bearing pressure is 1,500 lbs/ft² for footings bearing on competent, native soil and/or engineered fill. The recommended maximum allowable bearing pressure may be increased by 1/3 for short-term transient conditions such as wind and seismic loading. For loads heavier than 35 kips, the geotechnical engineer should be consulted. If heavier loads than described above are proposed, it may be necessary to over-excavate point load areas and replace with additional compacted crushed aggregate. The coefficient of friction between on-site soil and poured-in-place concrete may be taken as 0.42, which includes no factor of safety. The maximum anticipated total and differential footing movements (generally from soil expansion and/or settlement) are 1 inch and ¾ inch over a span of 20 feet, respectively. We anticipate that the

majority of the estimated settlement will occur during construction, as loads are applied. Excavations near structural footings should not extend within a 1H:1V plane projected downward from the bottom edge of footings.

Footing excavations should penetrate through topsoil and any disturbed soil to competent subgrade that is suitable for bearing support. All footing excavations should be trimmed neat, and all loose or softened soil should be removed from the excavation bottom prior to placing reinforcing steel bars. Due to the moisture sensitivity of on-site native soils, foundations constructed during the wet weather season may require over-excavation of footings and backfill with compacted, crushed aggregate.

Our recommendations are for residential construction incorporating raised wood floors and conventional spread footing foundations. After site development, a Final Soil Engineer's Report should either confirm or modify the above recommendations.

6.7 Concrete Slabs-on-Grade

Preparation of areas beneath concrete slab-on-grade floors should be performed as recommended in the *Site Preparation Recommendations* section. Care should be taken during excavation for foundations and floor slabs, to avoid disturbing subgrade soils. If subgrade soils have been adversely impacted by wet weather or otherwise disturbed, the surficial soils should be scarified to a minimum depth of 8 inches, moisture conditioned to within about 3 percent of optimum moisture content, and compacted to engineered fill specifications. Alternatively, disturbed soils may be removed and the removal zone backfilled with additional crushed rock.

For evaluation of the concrete slab-on-grade floors using the beam on elastic foundation method, a modulus of subgrade reaction of 150 kcf (87 pci) should be assumed for the medium stiff, fine-grained soils anticipated to be present at foundation subgrade elevation following adequate site preparation as described above. This value assumes the concrete slab system is designed and constructed as recommended herein, with a minimum thickness of 8 inches of 1½"-0 crushed aggregate beneath the slab. The total thickness of crushed aggregate will be dependent on the subgrade conditions at the time of construction, and should be verified visually by proof-rolling. Under-slab aggregate should be compacted to at least 95 percent of its maximum dry density as determined by ASTM D1557 (Modified Proctor) or equivalent.

In areas where moisture will be detrimental to floor coverings or equipment inside the proposed structure, appropriate vapor barrier and damp-proofing measures should be implemented. A commonly applied vapor barrier system consists of a 10-mil polyethylene vapor barrier placed directly over the capillary break material. Other damp/vapor barrier systems may also be feasible. Appropriate design professionals should be consulted regarding vapor barrier and damp proofing systems, ventilation, building material selection and mold prevention issues, which are outside GeoPacific's area of expertise.

6.8 Footing and Roof Drains

Construction should include typical measures for controlling subsurface water beneath the structure, including positive crawlspace drainage to an adequate low-point drain exiting the foundation, visqueen covering the expose ground in the crawlspace, and crawlspace ventilation (foundation vents). The client should be informed and educated that some slow flowing water in the crawlspaces is considered normal and not necessarily detrimental to the home given these other design elements incorporated into its construction. Appropriate design professionals should

be consulting regarding crawlspace ventilation, building material selection and mold prevention issues, which are outside GeoPacific's area of expertise.

Down spouts and roof drains should collect roof water in a system separate from the footing drains to reduce the potential for clogging. Roof drain water should be directed to an appropriate discharge point and storm system well away from structural foundations. Grades should be sloped downward and away from buildings to reduce the potential for ponded water near structures.

If the proposed structure will have a raised floor, and no concrete slab-on-grade floors are used, perimeter footing drains may be eliminated at the discretion of the geotechnical engineer based on soil conditions encountered at the site and experience with standard local construction practices. Where it is desired to reduce the potential for moist crawl spaces, footing drains may be installed. If concrete slab-on-grade floors are used, perimeter footing drains should be installed as recommended below.

Where necessary, perimeter footing drains should consist of 3 or 4-inch diameter, perforated plastic pipe embedded in a minimum of 1 ft³ per lineal foot of clean, free-draining drain rock. The drain pipe and surrounding drain rock should be wrapped in non-woven geotextile (Mirafi 140N, or approved equivalent) to minimize the potential for clogging and/or ground loss due to piping. A minimum 0.5 percent fall should be maintained throughout the drain and non-perforated pipe outlet. Figure 3 presents a typical perimeter footing drain detail. In our opinion, footing drains may outlet at the curb, or on the back sides of lots where sufficient fall is not available to allow drainage to meet the street.

6.9 Permanent Below-Grade Walls

Lateral earth pressures against below-grade retaining walls will depend upon the inclination of any adjacent slopes, type of backfill, degree of wall restraint, method of backfill placement, degree of backfill compaction, drainage provisions, and magnitude and location of any adjacent surcharge loads. At-rest soil pressure is exerted on a retaining wall when it is restrained against rotation. In contrast, active soil pressure will be exerted on a wall if its top is allowed to rotate or yield a distance of roughly 0.001 times its height or greater.

If the subject retaining walls will be free to rotate at the top, they should be designed for an active earth pressure equivalent to that generated by a fluid weighing 35 pcf for level backfill against the wall. For restrained wall, an at-rest equivalent fluid pressure of 55 pcf should be used in design, again assuming level backfill against the wall. These values assume that the recommended drainage provisions are incorporated, and hydrostatic pressures are not allowed to develop against the wall.

During a seismic event, lateral earth pressures acting on below-grade structural walls will increase by an incremental amount that corresponds to the earthquake loading. Based on the Mononobe-Okabe equation and peak horizontal accelerations appropriate for the site location, seismic loading should be modeled using the active or at-rest earth pressures recommended above, plus an incremental rectangular-shaped seismic load of magnitude 6.5H, where H is the total height of the wall.

We assume relatively level ground surface below the base of the walls. As such, we recommend passive earth pressure of 300 pcf for use in design, assuming wall footings are cast against competent native soils or engineered fill. If the ground surface slopes down and away from the base of any of the walls, a lower passive earth pressure should be used and GeoPacific should be contacted for additional recommendations.

A coefficient of friction of 0.42 may be assumed along the interface between the base of the wall footing and subgrade soils. The recommended coefficient of friction and passive earth pressure values do not include a safety factor, and an appropriate safety factor should be included in design. The upper 12 inches of soil should be neglected in passive pressure computations unless it is protected by pavement or slabs on grade.

The above recommendations for lateral earth pressures assume that the backfill behind the subsurface walls will consist of properly compacted structural fill, and no adjacent surcharge loading. If the walls will be subjected to the influence of surcharge loading within a horizontal distance equal to or less than the height of the wall, the walls should be designed for the additional horizontal pressure. For uniform surcharge pressures, a uniformly distributed lateral pressure of 0.3 times the surcharge pressure should be added. Traffic surcharges may be estimated using an additional vertical load of 250 psf (2 feet of additional fill), in accordance with local practice.

The recommended equivalent fluid densities assume a free-draining condition behind the walls so that hydrostatic pressures do not build-up. This can be accomplished by placing a 12 to 18-inch wide zone of sand and gravel containing less than 5 percent passing the No. 200 sieve against the walls. A 3-inch minimum diameter perforated, plastic drain pipe should be installed at the base of the walls and connected to a suitable discharge point to remove water in this zone of sand and gravel. The drain pipe should be wrapped in filter fabric (Mirafi 140N or other as approved by the geotechnical engineer) to minimize clogging.

Wall drains are recommended to prevent detrimental effects of surface water runoff on foundations – not to dewater groundwater. Drains should not be expected to eliminate all potential sources of water entering a basement or beneath a slab-on-grade. An adequate grade to a low point outlet drain in the crawlspace is required by code. Underslab drains are sometimes added beneath the slab when placed over soils of low permeability and shallow, perched groundwater.

Water collected from the wall drains should be directed into the local storm drain system or other suitable outlet. A minimum 0.5 percent fall should be maintained throughout the drain and non-perforated pipe outlet. Down spouts and roof drains should not be connected to the wall drains in order to reduce the potential for clogging. The drains should include clean-outs to allow periodic maintenance and inspection. Grades around the proposed structure should be sloped such that surface water drains away from the building.

GeoPacific should be contacted during construction to verify subgrade strength in wall keyway excavations, to verify that backslope soils are in accordance with our assumptions, and to take density tests on the wall backfill materials.

Structures should be located a horizontal distance of at least $1.5H$ away from the back of the retaining wall, where H is the total height of the wall. GeoPacific should be contacted for additional foundation recommendations where structures are located closer than $1.5H$ to the top of any wall.



6.10 Pavement Design

For design purposes, we used an estimated resilient modulus of 9,000 for compacted native soil. Table 2 presents our recommended minimum pavement section for dry weather construction.

Table 2. Recommended Minimum Dry-Weather Pavement Section

Material Layer	Light-duty Public Streets	Compaction Standard
Asphaltic Concrete (AC)	3 in.	92% of Rice Density AASHTO T-209
Crushed Aggregate Base ¾"-0 (leveling course)	2 in.	95% of Modified Proctor AASHTO T-180
Crushed Aggregate Base 1½"-0	8 in.	95% of Modified Proctor AASHTO T-180
Subgrade	12 in.	95% of Standard Proctor AASHTO T-99

Any pockets of organic debris or loose fill encountered during ripping or tilling should be removed and replaced with engineered fill (see *Site Preparation* Section). In order to verify subgrade strength, we recommend proof-rolling directly on subgrade with a loaded dump truck during dry weather and on top of base course in wet weather. Soft areas that pump, rut, or weave should be stabilized prior to paving. If pavement areas are to be constructed during wet weather, the subgrade and construction plan should be reviewed by the project geotechnical engineer at the time of construction so that condition specific recommendations can be provided. The moisture sensitive subgrade soils make the site a difficult wet weather construction project.

During placement of pavement section materials, density testing should be performed to verify compliance with project specifications. Generally, one subgrade, one base course, and one asphalt compaction test is performed for every 100 to 200 linear feet of paving.

7.0 SEISMIC DESIGN

The Oregon Department of Geology and Mineral Industries (DOGAMI), Oregon HazVu: 2019 Statewide GeoHazards Viewer indicates that the site is in an area where *very strong* ground shaking is anticipated during an earthquake. Structures should be designed to resist earthquake loading in accordance with the methodology described in the 2015 International Building Code (IBC) with applicable Oregon Structural Specialty Code (OSSC) revisions (current 2014). We recommend Site Class D be used for design per the OSSC, Table 1613.5.2 and as defined in ASCE 7, Chapter 20, Table 20.3-1. Design values determined for the site using the Applied Technology Council (ATC) 2019 Hazards by Location Online Tool are summarized in Table 3, and are based upon existing soil conditions.



Table 3. Recommended Earthquake Ground Motion Parameters (ATC, 2019)

Parameter	Value
Location (Lat, Long), degrees	45.388, -122.277
Probabilistic Ground Motion Values, 2% Probability of Exceedance in 50 yrs	
Peak Ground Acceleration PGA_M	0.383 g
Short Period, S_s	0.772 g
1.0 Sec Period, S_1	0.337 g
Soil Factors for Site Class D:	
F_a	1.191
F_v	1.726
$SD_s = 2/3 \times F_a \times S_s$	0.613 g
$SD_1 = 2/3 \times F_v \times S_1$	0.388 g
Seismic Design Category	D

The Oregon Department of Geology and Mineral Industries (DOGAMI), Oregon HazVu: 2019 Statewide GeoHazards Viewer indicates that the site is in an area not considered to be at risk for soil liquefaction during an earthquake. Soil liquefaction is a phenomenon wherein saturated soil deposits temporarily lose strength and behave as a liquid in response to ground shaking caused by strong earthquakes. Soil liquefaction is generally limited to loose, sands and granular soils located below the water table, and fine-grained soils with a plasticity index less than 15. The upper 12 feet of the site was observed to be underlain by very stiff, fine-grained soils with moderate plasticity. Groundwater was not encountered within our subsurface explorations. Regional geologic mapping indicates static groundwater is between 60 and 80 feet below ground surface (Snyder, 2008). Based upon the results of our study, it is our opinion that the risk of soil liquefaction in the upper 12 feet of the ground surface during a seismic event at the subject site should be considered to be low.

If deemed necessary, quantitative liquefaction assessment, beyond the scope of this study, may be conducted at the subject site to determine whether or not liquefiable soil layers are present underneath the subject site beyond the depths explored. Cone penetrometer testing (CPT) would be conducted at a selected location within the site boundaries to explore deeper subsurface soil layers, and the data would be used to estimate anticipated dynamic settlement at the subject site during a seismic ground shaking event.

8.0 UNCERTAINTIES AND LIMITATIONS

We have prepared this report for the owner and their consultants for use in design of this project only. This report should be provided in its entirety to prospective contractors for bidding and estimating purposes; however, the conclusions and interpretations presented in this report should not be construed as a warranty of the subsurface conditions. Experience has shown that soil and groundwater conditions can vary significantly over small distances. Inconsistent conditions can occur between explorations that may not be detected by a geotechnical study. If, during future site operations, subsurface conditions are encountered which vary appreciably from those described herein, GeoPacific should be notified for review of the recommendations of this report, and revision of such if necessary.

Sufficient geotechnical monitoring, testing and consultation should be provided during construction to confirm that the conditions encountered are consistent with those indicated by explorations. The checklist attached to this report outlines recommended geotechnical observations and testing for the project. Recommendations for design changes will be provided should conditions revealed during construction differ from those anticipated, and to verify that the geotechnical aspects of construction comply with the contract plans and specifications.

Within the limitations of scope, schedule and budget, GeoPacific attempted to execute these services in accordance with generally accepted professional principles and practices in the fields of geotechnical engineering and engineering geology at the time the report was prepared. No warranty, expressed or implied, is made. The scope of our work did not include environmental assessments or evaluations regarding the presence or absence of wetlands or hazardous or toxic substances in the soil, surface water, or groundwater at this site.

We appreciate this opportunity to be of service.

Sincerely,

GEOPACIFIC ENGINEERING, INC.



Beth K. Rapp, C.E.G.
Senior Engineering Geologist



James D. Imbrie, G.E., C.E.G.
Geotechnical Engineer

REFERENCES

- Applied Technology Council (ATC), 2019, Hazards by Location Online Tool, <https://hazards.atcouncil.org/#/seismic>
- Atwater, B.F., 1992, Geologic evidence for earthquakes during the past 2,000 years along the Copalis River, southern coastal Washington: *Journal of Geophysical Research*, v. 97, p. 1901-1919.
- Carver, G.A., 1992, Late Cenozoic tectonics of coastal northern California: American Association of Petroleum Geologists-SEPM Field Trip Guidebook, May, 1992.
- CH2M Hill and Tola, Beeson and Associates, 1991, Phase I geologic studies at Grant Butte Reservoir: Report prepared for the city of Gresham, Oregon.
- Cornforth and Geomatrix Consultants, 1992, Seismic hazard evaluation, Bull run dam sites near Sandy, Oregon: unpublished report to City of Portland Bureau of Water Works.
- Geomatrix Consultants, 1995, Seismic Design Mapping, State of Oregon: unpublished report prepared for Oregon Department of Transportation, Personal Services Contract 11688, January 1995.
- Goldfinger, C., Kulm, L.D., Yeats, R.S., Appelgate, B, MacKay, M.E., and Cochrane, G.R., 1996, Active strike-slip faulting and folding of the Cascadia Subduction-Zone plate boundary and forearc in central and northern Oregon: in *Assessing earthquake hazards and reducing risk in the Pacific Northwest*, v. 1: U.S. Geological Survey Professional Paper 1560, P. 223-256.
- Lite, K.E., Jr., 1992, Deformation in the southeast part of the Portland Basin (abs): *Geological Society of America Abstracts with Programs*, v. 24, no. 5, p. 64.
- Madin, I.P., 1990, Earthquake hazard geology maps of the Portland metropolitan area, Oregon: Oregon Department of Geology and Mineral Industries Open-File Report 0-90-2, scale 1:24,000, 22 p.
- Madin, I.P., 1992, Quaternary deformation in the Portland Basin, Damascus Quadrangle (abs): *Geological Society of America Abstracts with Programs*, v. 24, no. 5, p.67.
- Oregon Department of Geology and Mineral Industries, 2019, Oregon HazVu: Statewide Geohazards Viewer (HazVu): <http://www.oregongeology.org/hazvu/>
- Peterson, C.D., Darioenzo, M.E., Burns, S.F., and Burris, W.K., 1993, Field trip guide to Cascadia paleoseismic evidence along the northern California coast: evidence of subduction zone seismicity in the central Cascadia margin: *Oregon Geology*, v. 55, p. 99-144.
- Schlicker, H.G. and Finlayson, C.T., 1979, *Geology and Geologic Hazards of northwestern Clackamas County, Oregon*: Oregon Department of Geology and Mineral Industries, Bulletin No. 99, 79 p., scale 1:24,000.
- Snyder, D.T., 2008, Estimated Depth to Ground Water and Configuration of the Water Table in the Portland, Oregon Area: U.S. Geological Survey Scientific Investigations Report 2008-5059, 41 p., 3 plates.
- Wong, I. Silva, W., Bott, J., Wright, D., Thomas, P., Gregor, N., Li, S., Mabey, M., Sojourner, A., and Wang, Y., 2000, Earthquake Scenario and Probabilistic Ground Shaking Maps for the Portland, Oregon, Metropolitan Area; State of Oregon Department of Geology and Mineral Industries; Interpretative Map Series IMS-16.
- Yeats, R.S., Graven, E.P., Werner, K.S., Goldfinger, C., and Popowski, T., 1996, Tectonics of the Willamette Valley, Oregon: in *Assessing earthquake hazards and reducing risk in the Pacific Northwest*, v. 1: U.S. Geological Survey Professional Paper 1560, P. 183-222, 5 plates, scale 1:100,000.
- Yelin, T.S., 1992, An earthquake swarm in the north Portland Hills (Oregon): More speculations on the seismotectonics of the Portland Basin: *Geological Society of America, Programs with Abstracts*, v. 24, no. 5, p. 92



CHECKLIST OF RECOMMENDED GEOTECHNICAL TESTING AND OBSERVATION

Item No.	Procedure	Timing	By Whom	Done
1	Preconstruction meeting	Prior to beginning site work	Contractor, Developer, Civil and Geotechnical Engineers	
2	Fill removal from site or sorting and stockpiling	Prior to mass stripping	Soil Technician/ Geotechnical Engineer	
3	Stripping, aeration, and root-picking operations	During stripping	Soil Technician	
4	Compaction testing of engineered fill (95% of Standard Proctor)	During filling, tested every 2 vertical feet	Soil Technician	
5	Retaining Wall Keyway and Subbase	During Excavation	Soil Technician/ Geotechnical Engineer	
6	Retaining Wall Backfill and Geogrid Placement	During Construction	Soil Technician/ Geotechnical Engineer	
7	Compaction testing of trench backfill (95% of Standard Proctor)	During backfilling, tested every 4 vertical feet for every 200 linear feet	Soil Technician	
8	Street Subgrade Inspection (95% of Standard Proctor)	Prior to placing base course	Soil Technician	
9	Base course compaction (95% of Modified Proctor)	Prior to paving, tested every 200 linear feet	Soil Technician	
10	Asphalt Compaction (92% Rice Value)	During paving, tested every 100 linear feet	Soil Technician	
11	Final Geotechnical Engineer's Report	Completion of project	Geotechnical Engineer	



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Investigation • Design • Construction Support

FIGURES

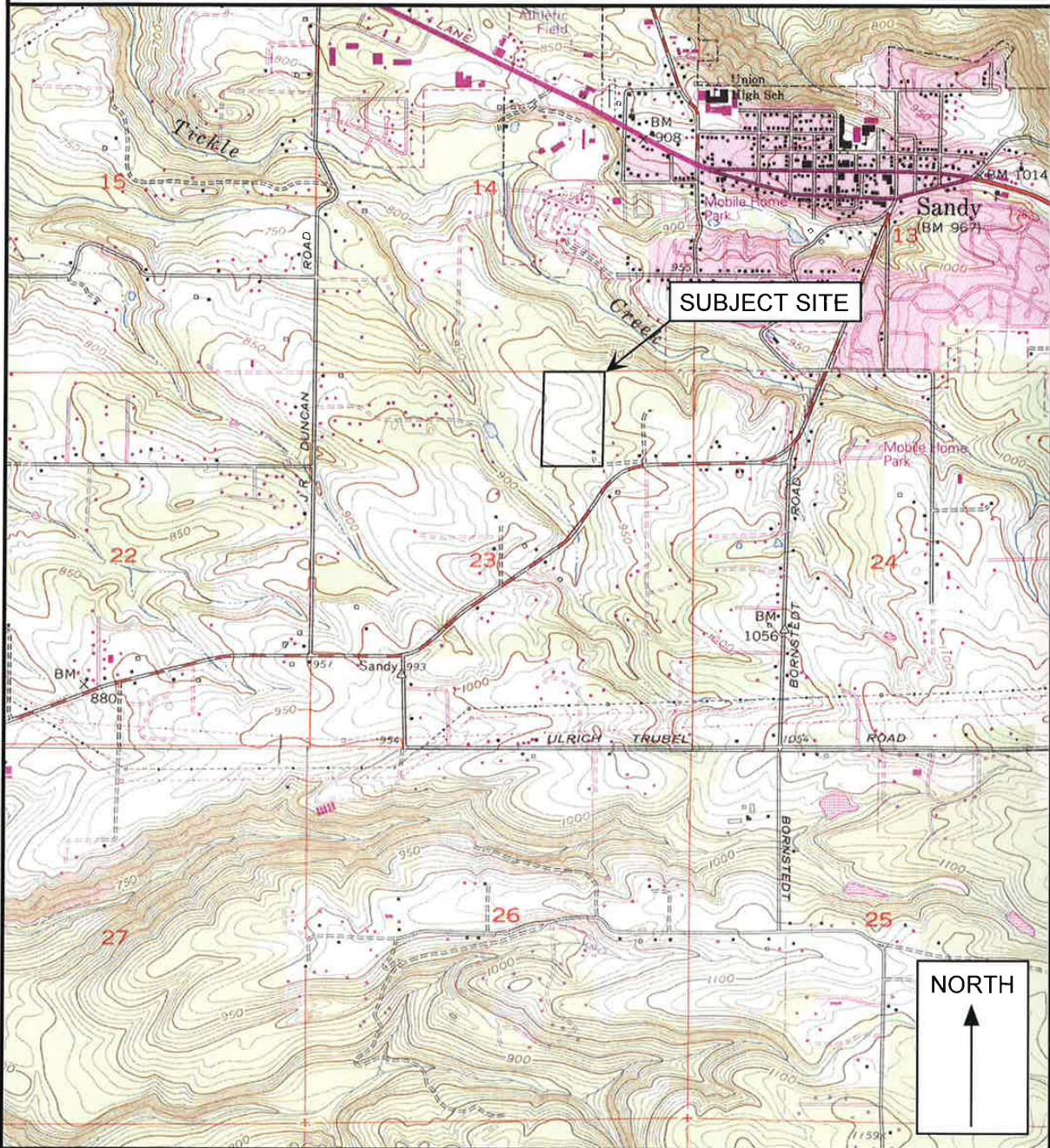
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Fax (503) 941-9281



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VICINITY MAP



Legend

Approximate Scale 1 in = 2,000 ft

Date: 6/18/2019

Drawn by: EKR

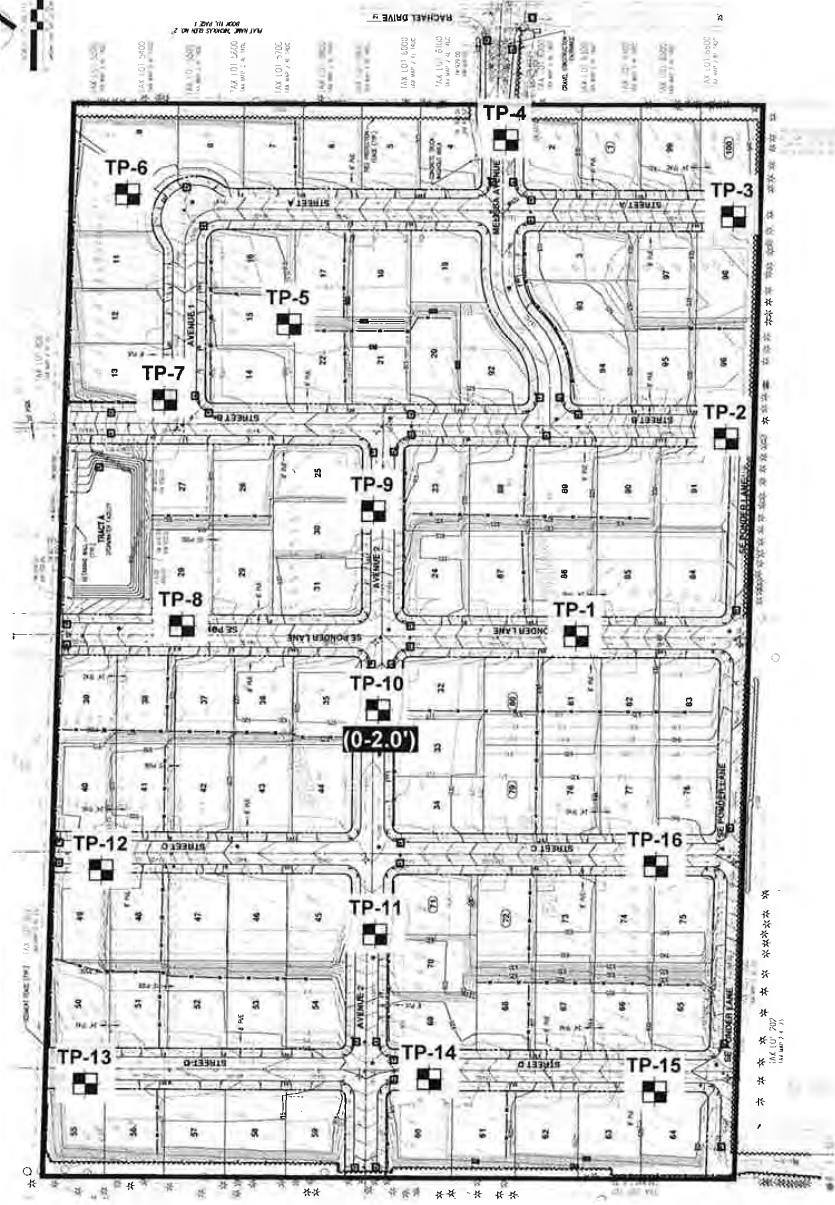
Base maps: U.S. Geological Survey 7.5 minute Topographic Map Series, Estacada, Oregon Quadrangle, 1961 (Photorevised in 1985) and Sandy, Oregon Quadrangle, 1961 (Photorevised in 1985).

Project: Bailey Meadows Sandy, Oregon	Project No. 19-5205	FIGURE 1
--	---------------------	----------



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SITE PLAN AND EXPLORATION LOCATIONS



Legend

TP-1 Test Pit Designation and
 Approximate Location

(0-2.0') Depth of Fill
 Encountered

0 200'
 APPROXIMATE SCALE 1"=200'

Date: 6/18/2019
 Drawn by: EKR

Project: Bailey Meadows
 Sandy, Oregon

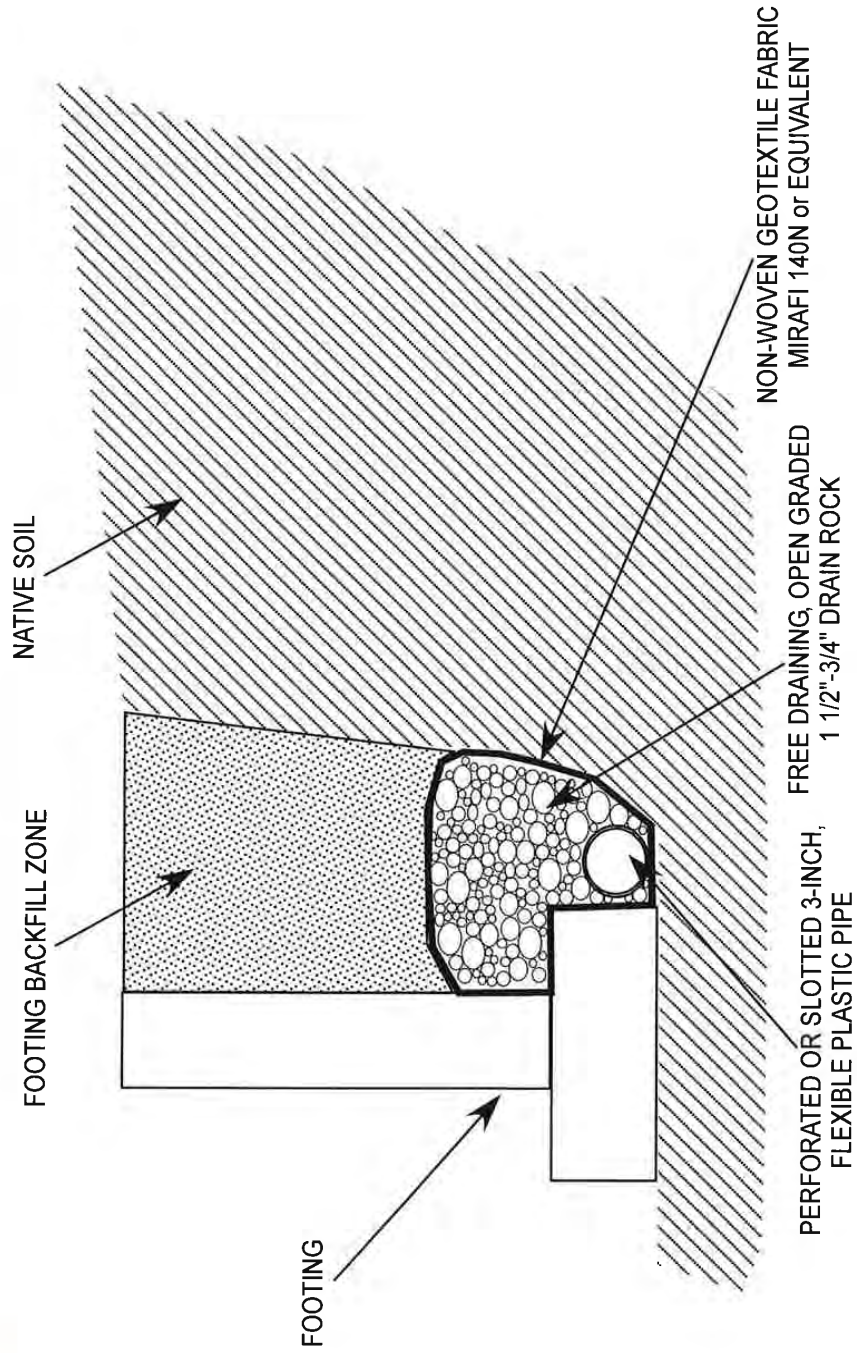
Project No. 19-5205

FIGURE 2



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TYPICAL PERIMETER FOOTING DRAIN DETAIL



Notes:

- 1) Drain rock should contain no more than 5 percent fines passing the U.S. No. 200 Sieve.
- 2) Trench bottom and drain pipe should be sloped to drain to approved discharge location.

Date: 6/18/2019
Drawn by: BLC

Project: Bailey Meadows
Sandy, Oregon

Project No. 19-5205

FIGURE 3



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EXPLORATION LOGS

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TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. TP-1

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	2.0					Low organic SILT (OL-ML), light brown, fine roots throughout, loose, trace charcoal, damp to moist (Topsoil Horizon)
2	2.0					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace fine roots to 4 feet, trace black staining, moist (Residual Soil)
3	3.0					
4	3.5					
5						
6						
7						
8						
9						
10						Test Pit Terminated at 10 Feet.
11						Note: No seepage or groundwater encountered.
12						

LEGEND



100 to 1,000 g



5 Gal Bucket



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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 Portland, Oregon 97224
 Tel: (503) 598-8445 Fax: (503) 941-9281

TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. **TP-2**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	4.5					Low to moderately organic, SILT (OL-ML), brown, fine roots throughout, loose, tilled, with charcoal fragments, damp to moist (Topsoil Horizon)
2	2.0					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, moist (Residual Soil)
3	3.5					
4	3.0					
5						
6						Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL) with gravel to dense, silty GRAVEL (GM), light reddish brown to gray, subtle orange and gray mottling, trace black staining, rock is subrounded, moist (Pliocene-Pleistocene Gravels)
7						
8						
9						
10						Test Pit Terminated at 11 Feet.
11						
12						Note: No seepage or groundwater encountered.

LEGEND



100 to 1,000 g
Bag Sample



5 Gal Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. **TP-3**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.0					Low to moderately organic, SILT (OL-ML), brown, fine roots throughout, loose, tilled, damp to moist (Topsoil Horizon)
2	2.0					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, moist (Residual Soil)
3	3.0					
4	2.5					
5						
6						
7						
8						
9						
10						
11						Test Pit Terminated at 11 Feet.
12						Note: No seepage or groundwater encountered.

LEGEND



Bag Sample



5 Gal Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:




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TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. **TP-4**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	2.5					Moderately organic, clayey SILT (OL-ML), dark brown, fine roots throughout, loose, damp to moist (Topsoil Horizon)
2	2.5					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, trace large roots, subtle to strong orange and gray mottling, trace black staining, moist (Residual Soil)
3	3.0					
4	3.0					
5						
6						
7						
8						
9						
10						
11						Test Pit Terminated at 10.5 Feet.
12						Note: Groundwater seepage encountered at 5 feet. Discharge visually estimated at 1/2 gallon per minute.

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows Sandy, Oregon Project No. 10-5205 Test Pit No. **TP-5**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.0					Moderately organic, clayey SILT (OL-ML), brown, fine roots throughout, loose, tilled, trace charcoal fragments, moist (Topsoil Horizon)
2	2.5					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), trace weathered gravel, light reddish brown, subtle orange and gray mottling, trace black staining, moist (Residual Soil)
3	2.5					
4	3.5					
5						
6						Dense, GRAVEL (GM), with clayey silt to silty clay matrix, light reddish brown, subtle orange and gray mottling, trace black staining, rock is subrounded, moist (Pliocene-Pleistocene Gravels)
7						
8						
9						
10						Test Pit Terminated at 12 Feet. Note: No seepage or groundwater encountered.
11						
12						

LEGEND



100 to 1,000 g
Bag Sample



5 Gal Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. **TP-6**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5					Moderately organic, clayey SILT (OL-ML), dark brown, fine roots throughout, loose, damp to moist (Topsoil Horizon)
2	3.5					Stiff to very stiff, silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, trace large roots to 4 feet, moist (Residual Soil)
3	3.5					
4	3.0					
5						
6						
7						
8						
9						
10						
11						Test Pit Terminated at 11 Feet.
12						Note: No seepage or groundwater encountered.

LEGEND



100 to 1,000 g
Bag Sample



5 Gal Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. **TP-7**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	2.0					Moderately organic, clayey SILT (OL-ML), dark brown, fine roots throughout, 5 inch thick root mat, tilled, loose, damp to moist (Topsoil Horizon)
2	2.5					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, moist (Residual Soil)
3	3.0					
4	3.0					
5						
6						
7						
8						
9						
10						
11						Test Pit Terminated at 10.5 Feet.
12						Note: No seepage or groundwater encountered.

LEGEND



100 to 1,000 g
Bag Sample



5 Gal. Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG







Project: Bailey Meadows
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Project No. 10-5205

Test Pit No. **TP-8**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.0					Moderately organic, clayey SILT (OL-ML), dark brown, fine roots throughout, loose, damp to moist (Topsoil Horizon)
2	3.0					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, moist (Residual Soil)
3	3.0					
4	2.5					
5						
6						
7						
8						
9						
10						Test Pit Terminated at 10 Feet.
11						Note: No seepage or groundwater encountered.
12						

LEGEND

 Bag Sample	 Bucket Sample	 Shelby Tube Sample	 Seepage	 Water Bearing Zone	 Water Level at Abandonment
---	--	---	--	---	---

Date Excavated: 5/7/2019
 Logged By: B. Rapp
 Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows
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Project No. 10-5205

Test Pit No. **TP-9**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	2.5					Low to moderately organic, SILT (OL-ML), brown, fine roots throughout, 4-5 inch root mat, loose, tilled, damp to moist (Topsoil Horizon)
2	3.0					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, damp to moist (Residual Soil)
3	3.0					
4	3.0					
5						
6						
7						
8						
9						
10						
11						Dense, highly weathered GRAVEL (GM), with clayey silt to silty clay matrix, light reddish brown, subtle orange and gray mottling, trace black staining, rock is rounded, moist (Pliocene-Pleistocene Gravels)
12						Test Pit Terminated at 11.5 Feet.

Note: No seepage or groundwater encountered.

LEGEND



Bag Sample



5 Gal Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows
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Project No. 10-5205

Test Pit No. **TP-10**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	2.5					Moderately to highly organic, gravelly SILT (OL-ML), brown, with wood chips, trace fine roots, damp (Undocumented Fill)
2	2.5					Moderately organic, SILT (OL-ML), brown, moist (Buried Topsoil Horizon)
3	3.5					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, trace roots to 4 feet, moist (Residual Soil)
4	3.5					
5						
6						
7						
8						
9						
10						
11						Test Pit Terminated at 10.5 Feet
12						Note: No seepage or groundwater encountered.

LEGEND



Bag Sample



5 Gal Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. **TP-11**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	2.0					Moderately organic, SILT (OL-ML), brown, fine roots throughout, loose, tilled, damp to moist (Topsoil Horizon)
2	1.0					Medium stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, damp to moist (Residual Soil)
3	2.5					
4	3.5					
5						
6						Dense, highly weathered GRAVEL (GM), with clayey silt to silty clay matrix, light reddish brown, subtle orange and gray mottling, trace black staining, moist (Pliocene-Pleistocene Gravels)
7						
8						
9						
10						Test Pit Terminated at 12.5 Feet.
11						
12						

Note: No seepage or groundwater encountered.

LEGEND



100 to 1,000 g



5 Gal Bucket



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. **TP-12**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.0					Low to moderately organic, SILT (OL-ML), brown, fine roots throughout, loose, tilled, with charcoal fragments, damp to moist (Topsoil Horizon)
2	3.0					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, moist (Residual Soil)
3	3.0					
4	3.5					
5						
6						Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL) with gravel, light reddish brown to gray, subtle orange and gray mottling, trace black staining, rock is subrounded and up to 6 inches diameter, moist (Pliocene-Pleistocene Gravels)
7						
8						
9						Test Pit Terminated at 9 Feet.
10						Note: No seepage or groundwater encountered.
11						
12						

LEGEND



Bag Sample



5 Gal Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. **TP-13**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	2.0					Low to moderately organic, SILT (OL-ML), brown, fine roots throughout, 4 inch thick root mat, loose, tilled, damp to moist (Topsoil Horizon)
2	3.5					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), trace subrounded gravel, light reddish brown, subtle orange and gray mottling, trace black staining, damp to moist (Residual Soil)
3	3.0					
4	3.0					
5						
6						Dense, highly weathered GRAVEL (GM), with clayey silt to silty clay matrix, light reddish brown, subtle orange and gray mottling, trace black staining, rock is rounded and up to 6" diameter, moist (Pliocene-Pleistocene Gravels)
7						
8						
9						Test Pit Terminated at 9 Feet.
10						Note: No seepage or groundwater encountered.
11						
12						

LEGEND



Bag Sample



5 Gal. Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. **TP-14**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.0					Moderately organic, SILT (OL-ML), brown, fine roots throughout, loose, tilled, damp to moist (Topsoil Horizon)
2	2.0					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, moist (Residual Soil)
3	3.5					
4	4.0					
5						
6						Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL) with weathered gravel, light reddish brown to gray, subtle orange and gray mottling, trace black staining, rock is subrounded, moist (Pliocene-Pleistocene Gravels)
7						
8						
9						
10						
11						Test Pit Terminated at 10.5 Feet.
12						Note: No seepage or groundwater encountered.

LEGEND



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. **TP-15**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	2.0					Moderately organic, SILT (OL-ML), brown, fine roots throughout, 6 inch thick root mat, loose, tilled, damp to moist (Topsoil Horizon)
2	4.5					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, damp to moist (Residual Soil)
3	3.5					
4	4.5					
5						Dense, highly weathered GRAVEL (GM), with clayey silt to silty clay matrix, light reddish brown, subtle orange and gray mottling, trace black staining, rock is rounded and up to 9 inches diameter, moist (Pliocene-Pleistocene Gravels)
6						
7						
8						
9						Test Pit Terminated at 10.5 Feet.
10						
11						
12						Note: No seepage or groundwater encountered.

LEGEND



100 to 1,000 g
Bag Sample



5 Gal. Bucket
Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 5/7/2019

Logged By: B. Rapp

Surface Elevation:



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TEST PIT LOG

Project: Bailey Meadows
 Sandy, Oregon

Project No. 10-5205

Test Pit No. **TP-16**

Depth (ft)	Pocket Penetrometer (tons/ft ²)	Sample Type	In-Situ Dry Density (lb/ft ³)	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5					Moderately organic, SILT (OL-ML), brown, fine roots throughout, loose, tilled, damp to moist (Topsoil Horizon)
2	2.5					Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL), light reddish brown, subtle orange and gray mottling, trace black staining, moist (Residual Soil)
3	2.5					
4	2.0					
5						Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL) with gravel, light reddish brown, subtle orange and gray mottling, trace black staining, rock is subrounded and up to 6 inches diameter, moist (Pliocene-Pleistocene Gravels)
6						
7						
8						Stiff to very stiff, clayey SILT (ML) to silty CLAY (CL) with gravel, light reddish brown, subtle orange and gray mottling, trace black staining, rock is subrounded and up to 6 inches diameter, moist (Pliocene-Pleistocene Gravels)
9						
10						Test Pit Terminated at 10 Feet.
11						Note: No seepage or groundwater encountered.
12						

LEGEND



Date Excavated: 5/7/2019
 Logged By: B. Rapp
 Surface Elevation:



July 2, 2019

Michael C. Robinson
Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

Kelly O'Neill, Jr., Director
City of Sandy Planning & Building Department
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: Application by Allied Homes & Development for Approval of the 100-Lot Bailey Meadows Preliminary Plat Subdivision Application

Dear Mr. O'Neill:

This office represents the Applicant. On behalf of the Applicant, please find enclosed the required materials for submission of a tentative subdivision plat application pursuant to Sandy Municipal Code ("SMC") Chapter 17.100. The Application includes the information required by SMC Chapter 17.100, a check for the applicable application fee, a City of Sandy Land Use application form signed by the property owner and other materials required for a complete application.

AKS Engineering & Forestry and I are the Applicant's representatives. Please provide us with copies of the City's determination of application completeness, notices of public hearings, staff reports and any correspondence to or from the City concerning this Application.

Additionally, I want to discuss four issues raised at the pre-application conference held on November 20, 2018 and at the Applicant's second meeting with City staff on January 29, 2019. Those four issues and the Applicant's responses to each are shown below.

City staff raised the following issues at the pre-application for this Application.

A. The City believes that the subdivision application should comply with the Oregon Transportation Planning Rule (the "TPR"), OAR 660-012-0060(1)-(3);

B. The City of Sandy Parks and Trail Advisory Board (the "Parks Board") has recommended that the Applicant dedicate land for a public park in the subdivision rather than accept a fee-in-lieu payment for park improvements elsewhere in the city;

C. The City believes that the vehicle trips from the proposed 100-lot subdivision cannot use Melissa Avenue because doing so would cause Melissa Avenue to exceed the number of vehicle trips permitted for a Local Street under the City's Transportation System Plan (the "TSP"); and

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D. The City proposes that the Application include an extension of Gunderson Road outside of the City's acknowledged Urban Growth Boundary (the "UGB") in order to provide a street connection to Oregon Highway 211 so that vehicle trips would have an alternative to Melissa Avenue.

2. Response to each issue.

A. The Transportation Planning Rule (the "TPR") is not applicable to a subdivision application.

The TPR is an administrative rule adopted by the Oregon Land Conservation and Development Commission (the "LCDC") that implements Statewide Planning Goal (the "Goals") 12, "Transportation." As explained below, the TPR does not apply to a subdivision application such as this. The City annexed the subject property and properly zoned it following annexation but did not apply the TPR when it zoned the property for urban uses. It is too late to ask the applicant to address the TPR in a subdivision application where the zoning map designation is already final.

OAR 660-012-0060(1)-(3) should have been applied no later than the zoning of this property. OAR 660-012-0060(1) does not apply to land division applications; it applies only to "an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map)." A subdivision is none of these things. A subdivision is a "limited land use decision" as defined in ORS 197.015(12) that is subject to acknowledged land use regulations. *See* ORS 197.175(2)(d). Therefore, the TPR cannot be an approval standard or criterion for this subdivision application.

B. An exception to the Goals in order for Gunderson Road to be extended outside of the City's acknowledged UGB is not possible nor can it be required of the Applicant.

Because Gunderson Road is outside of the City's UGB and the extension of Gunderson Road would not be within an existing right-of-way, the Applicant would have to apply for and receive approval from Clackamas County (the "County") for an "exception" to Goals 3, 12 and 14 to allow the extension of Gunderson Road to Oregon Highway 211 outside of the City's UGB.

The Applicant told the City that it would talk with the County about whether an exception to Goals 3, 12, and 14 to allow the extension of Gunderson Road outside of the City's UGB would be possible. The Applicant met with County Planning Department staff on April 3, 2019 and explained its request. After reviewing the Applicant's information, the County Planning Department staff told the Applicant it would not support the required exception to the Goals and that it would be unlikely that the required exceptions would be approved by the Clackamas County Board of Commissioners. The Applicant has exhausted its good-faith efforts to determine whether an exception is possible to allow the extension of Gunderson Road outside of the City's UGB and has concluded that it is not.

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Page 3

Additionally, there is no evidentiary reason that Gunderson Road should be extended since adequate transportation facilities are available for the subdivision trips inside the UGB as demonstrated by the Applicant's June 3, 2019 Traffic Impact Analysis prepared by Lancaster Engineering. Finally, there is no legal basis for the City to require the Applicant to make an exception application to extend a transportation facility outside of the acknowledged UGB where there is no evidentiary reason to do so and where existing transportation facilities inside the UGB are adequate.

C. Park land dedication.

The Sandy Municipal Code allows the City to either require park dedication or to accept a fee-in-lieu payment. This Application is predicated on development of 100 lots without a park. The Applicant will make the fee-in-lieu payment.

There are at least two legal issues that preclude the City from requiring a park land dedication. First, a park land dedication is subject to the *Dolan* and *Nollan* analysis for exactions of real property, as well as the recent Oregon Court of Appeals decision in *Hill v. City of Portland*. These cases collectively impose on the City the legal burden of proof to demonstrate that the Application requires the dedication. The City has not demonstrated that the required "nexus" exists to require the Applicant to dedicate the park land. The City Attorney's February 27, 2019 memorandum contains a thorough analysis of this issue.

Second, the Sandy Municipal Code approval criterion in SMC 17.100.060.E.4. and the standard regarding the choice of park land dedication or fee-in-lieu payments are subjective and because this Application is a "Needed Housing" application pursuant to ORS 197.303(1) and 197.307(4), the City may not apply subjective standards to the Application. The choice between the dedication of land and the payment of cash is a subjective process without standards for making the decision in SMC Chapter 17.86. SMC 17.86.40 provides that the choice is "at the City's discretion only." ORS 197.307(4) prohibits such a subjective procedure and standard.

D. The City's Comprehensive Plan (the "Plan"), the 1997 Parks Master Plan (the "Park Plan") and the Transportation System Plan (the "TSP") are inapplicable to this Application.

The Plan, the Park Plan and the TSP are all elements of the City's Comprehensive Plan. Because this Application is a limited land use decision application as defined in ORS 197.015(12), it is subject to ORS 197.195(1). ORS 197.195(1) provides that limited land use decisions may not be subject to Plan standards as approval criteria unless those Plan standards are expressly incorporated in whole or in part into a City's acknowledged land use regulations. The City's acknowledged land use regulations for approval of a tentative subdivision are found in SMC 17.100.060.E.1.-6. The Plan, the Park Plan and the TSP standards are not expressly incorporated into the approval criteria with sufficient detail to satisfy the requirement of ORS 197.195(1). Therefore, those Plan standards cannot be approval criteria for this limited land use decision application.

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Page 4

SMC 17.100.110 refers to the TSP but does not expressly incorporate specific TSP standards. Even if SMC 17.100.110 did so, the "Function Classification Management Objectives" in TSP Chapter 3, Page 17, are subjective and may not be applied under ORS 197.307(4). TSP Chapter 3, Page 17 describes local streets such as Melissa Street as having a "typical capacity." This standard is not specifically incorporated into the SMC and may not be applied as an approval standard under SMC 17.100.060.E.3, 4, or 5.

The Applicant wishes it could agree with everything the City asked it to do but for the above legal and practical reasons, it cannot do so. However, the Applicant and its team will work with City staff as much as is possible to address issues so that the City staff can recommend approval and the Sandy Planning Commission can approve the Application.

Very truly yours,



Michael C. Robinson

MCR:jmhi
Enclosures

cc: Mr. Cody Bjugan (*via email*) (*w/o enclosures*)
Mr. Monty Hurley (*via email*) (*w/o enclosures*)
Mr. Chris Goodell (*via email*) (*w/o enclosures*)
Mr. Todd Mobley (*via email*) (*w/o enclosures*)

PDX\133569\245146\MCR\25711778.1

EXHIBIT K

24E14C 03800
Jack Richard Gilbert
Po Box 637
Sandy, OR 97055

24E23 00200
Leslie Geren
37721 SE Ponder Ln
Sandy, OR 97055

24E23 00201
Paul Roger Klahn
Po Box 671
Sandy, OR 97055

24E23 00202
Melvin Leroy Fiscus
37777 SE Ponder Ln
Sandy, OR 97055

24E23 00502
Broek Boaz
244 Plant Ln
Salem, OR 97301

24E23 00700
Calvin & Teresa McKinnis II
37551 SE Highway 211
Sandy, OR 97055

24E23 00800
Myrtle Sturm
647 E Historic Col River Hwy
Troutdale, OR 97060

24E23 00801
Grant Sturm
647 E Historic Col River Hwy
Troutdale, OR 97060

24E23 00802
Myrtle Sturm
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Troutdale, OR 97060

24E23 00803
Grant Sturm
647 E Historic Col River Hwy
Troutdale, OR 97060

24E23 00804
Grant Sturm
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24E23 00805
Sherrene Eyck
37020 Deming Rd
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24E23 00806
Sherrene Eyck
37020 Deming Rd
Sandy, OR 97055

24E23 00807
Sherrene Eyck
37020 Deming Rd
Sandy, OR 97055

24E23 00901
Sherrene Eyck
37020 Deming Rd
Sandy, OR 97055

24E23 01800
Joanne Rohweder
39285 Cascadia Village Dr
Sandy, OR 97055

24E23 00518
Garrett & Meri Lang
37730 SE Highway 211
Sandy, OR 97055

24E23 00701
Eyck Mark Ten
36940 Deming Rd
Sandy, OR 97055

24E14DC01500
Lynn & Eric Boldt
18181 Grey Ave
Sandy, OR 97055

24E14DC01600
William Schlaht Sr.
18203 Grey Ave
Sandy, OR 97055

24E14DC01700
L Darlene McKinney
18227 Grey Ave
Sandy, OR 97055

24E14DC01800
Carol Sue Dick
18255 Grey Ave
Sandy, OR 97055

24E14DC01900
Matthew Dillingham
18273 Grey Ave
Sandy, OR 97055

24E14DC02000
David & Steven Snyder
18299 Grey Ave
Sandy, OR 97055

24E14DC02100
Clyde Volesky
18317 Grey Ave
Sandy, OR 97055

24E14DC02200
Anthony & Regina Profitt
18306 Grey Ave
Sandy, OR 97055

24E14DC02300
Jose Escareno Garcia
18288 Grey Ave
Sandy, OR 97055

24E14DC02400
Alexander Keeth
18260 Grey Ave
Sandy, OR 97055

24E14DC02500
Edith Newton
18246 Grey Ave
Sandy, OR 97055

24E14DC02600
Esther Naomi Quick
18214 Grey Ave
Sandy, OR 97055

24E14DC02700
David & Sharon Meeker
18198 Grey Ave
Sandy, OR 97055

24E14DC02800
Clark John Moore
18172 Grey Ave
Sandy, OR 97055

24E14DC03500
Jack Putnam
37488 Solso Dr
Sandy, OR 97055

24E14DC03600
Robert Durst
1873 Bullevarid
Philomath, OR 97370

24E14DC03700
Ronald & Sarah Bettey
18195 Melissa Ave
Sandy, OR 97055

24E14DC03800
Andy & Sarah Hill
18211 Melissa Ave
Sandy, OR 97055

24E14DC03900
Robert Maya
18243 Melissa Ave
Sandy, OR 97055

24E14DC04000
Lucas & Rachel Eibensteiner
18285 Melissa Ave
Sandy, OR 97055

24E14DC04100
Christina Ness
18377 Melissa Ave
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Karen Higgins
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Estacada, OR 97023

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Oliver Paul Mullon
18254 Myra Ct
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24E14DC04500
Edward Burgess
18222 Myra Ct
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24E14DC04600
Terrance Leland Myers
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24E14DC04700
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24E14DC04800
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37466 Rachael Dr
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24E14DC05900
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24E14DC06000
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24E14DC06900
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24E14DC07000
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24E14DC07300
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24E14DC07500
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24E14DC07700
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Stefan & Tamera Grabinski
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24E14DC10400
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24E14DC10500
Alissa Felix
18248 Wewer Ave
Sandy, OR 97055

24E14DC10600
Rene Huurman
18262 Wewer Ave
Sandy, OR 97055

24E14DC10700
Delores & Stephen Joslin
18294 Wewer Ave
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24E14DC10800
Alexander Doja
18302 Wewer Ave
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24E14DC10900
Cornelius & Christina Seulean
37253 Rachael Dr
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24E14DC11000
Barbara Henley
18287 Wewer Ave
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24E14DC11100
Randy & Lynette Fridlund
18253 Wewer Ave
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24E14DC11200
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24E14DC12900
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24E14DC13000
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24E14DC13100
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24E14DC13200
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24E14DC13700
Roy Jack & Doris Rooney
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24E14DC13800
Shawn Fleming
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24E14DC13900
James & Marie Debatty
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24E14DC14000
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Steven & Michelle Snyder
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24E14DC14300
Gigi Duncan
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24E14DD08100
Ernie Peterson
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24E14DD08200
Faith Egli
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24E14DD08300
Ruslan & Galina Motyko
37714 Rachael Dr
Sandy, OR 97055

24E14DD08400
Christian & Macey McDonald
37720 Rachael Dr
Sandy, OR 97055

24E14DD08500
Patrick & Jennifer Robichaud
37726 Rachael Dr
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24E14DD08600
Jack & Raelene Anderson
37732 Rachael Dr
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24E14DD08700
Juan Diaz
37810 Rachael Dr
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24E14DD08800
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24E14DD08900
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24E14DD09000
Dena Williams
37828 Rachael Dr
Sandy, OR 97055

24E14DD09100
Shelley Bolfik
37835 Rachael Dr
Sandy, OR 97055

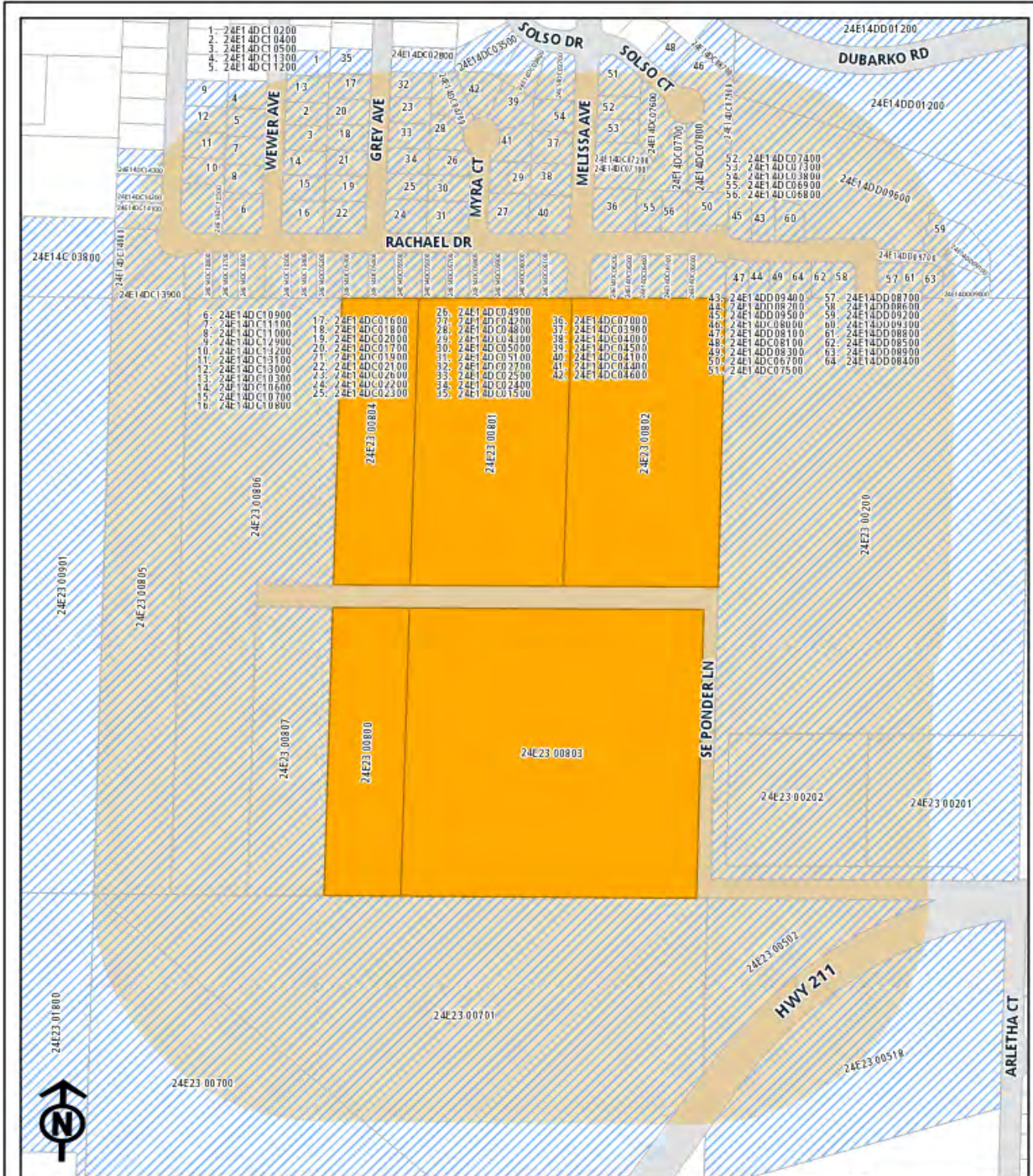
24E14DD09200
Jesse Brown
37839 Rachael Dr
Sandy, OR 97055

24E14DD09300
Craig & Sarah Barnes
37715 Rachael Dr
Sandy, OR 97055

24E14DD09400
Geoffrey & Kjersti Sanders
37703 Rachael Dr
Sandy, OR 97055

24E14DD09500
Kristofer J A & Skyler Oneill
37651 Rachael Dr
Sandy, OR 97055

24E14DD09600
City Of Sandy
39250 Pioneer Blvd
Sandy, OR 97055



- Taxlots
- Notification Parcels
- Subject

500
Feet

Prepared by: Fidelity National Title
 Data: CoreLogic, Metro RLIS
 Date: 5/22/2019
 This information is reliable, but not
 guaranteed. It is not a survey.



TYPE III SUBDIVISION SUBMISSION REQUIREMENTS

A subdivision is required for a land division of four (4) or more parcels in a calendar year. A Type III subdivision procedure is applicable if unsatisfactory street conditions exist or the resulting lots do not comply with the standards of the zoning district and Chapter 17.100. All of the following materials must be submitted with your application. All plans should be drawn to engineering scale (1" = 10' or 1" = 20' preferred). Prior to submitting application materials, a pre-application conference with City staff is required to discuss procedures for approval, applicable state and local requirements, and the availability of services.

A. One (1) copy of:

1. Land Use Application Form

3 copies provided for initial submittal, information included as applicable

B. Twenty (20) copies of the tentative plan for the subdivision and project narrative documenting compliance with applicable code criteria. The tentative plan shall be a minimum of 8-1/2" x 11" in size and shall include the following information:

1. Scale of drawing, north arrow, and date.
2. Location of the subdivision by section, township and range, and a legal description sufficient to define the location and boundaries of the proposed tract.
3. A vicinity map, showing adjacent property boundaries and how proposed streets may be extended to connect to existing streets.
4. Names, addresses, and telephone numbers of the owner(s) of the property, the engineer or surveyor, and the date of the survey.
5. Streets: location, names, paved widths, alleys, and right-of-way (existing and proposed) on and within 400 feet of the boundaries of the subdivision tract.
6. Easements: location, widths, purpose of all easements (existing and proposed) on or serving the tract.
7. Utilities: location of storm drainage, sanitary sewers and water lines (existing and proposed) on and abutting the tract. If utilities are not on or abutting the tract, indicate the direction and distance to the nearest locations.
8. Ground elevations shown by contour lines at two-foot vertical intervals for ground slopes of less than 10 percent and at ten-foot vertical intervals for ground slopes exceeding 10 percent. Ground elevation shall be related to an established benchmark or other datum approved by the Director.
- N/A 9. Natural features such as marshes, rock outcroppings, watercourses on and abutting the property, location of wooded areas.
- N/A 10. Approximate location of areas subject to periodic inundation or storm sewer overflow, location of any floodplain or flood hazard district.
- N/A 11. Location, width, and direction of flow of all water courses.
- N/A 12. Identification of the top of bank and boundary of mandatory setback for any stream or water course.
- N/A 13. Identification of any associated wetland and boundary of mandatory setback.
- N/A 14. Identification of any wetland and boundary of mandatory setback.
15. Location of at least one temporary bench mark within the tract boundaries.
16. Existing uses of the property, including location and present use of all existing structures to remain on

the property after platting.

17. Lots and Blocks: approximate dimensions of all lots, minimum lot sizes, and proposed lot and block numbers.
18. Existing zoning and proposed land use.
19. Designation of land intended to be dedicated or reserved for public use, with the purpose, conditions, or limitations of such reservations clearly indicated.
20. Proposed development phases, if applicable.
21. Any other information determined necessary by the Director at the pre-application conference, such as a soil report or other engineering study, traffic analysis, floodplain or wetland delineation, etc.

C. **List of affected property owners** within 300 feet of the boundaries of the subject site and **mailing labels** for property owners within 300 feet of the site, excluding rights-of-way.

labels within 500 feet included per SDC 17.22.20.B

D. **Filing Fee** per Fees and Charges Resolution

E. **Required Plan Submittals:**

1. Vicinity Map
2. Preliminary Site Plan
3. Tentative Plat
4. Existing Features Plan
5. Utility Plan
6. Grading Plan
7. Tree Plan (Per Chapter 17.102)
8. Residential Parking Analysis

F. **Other Submissions That May Be Required:**

- Arborist's Report
- Flood, Slope and Hazard Analysis (FSH)
- FSH Reports (Hydrology and Soils, Native Vegetation)
- Composite Site Plan and FSH Overlay Analysis
- Traffic Impact Letter or Report
- Geotechnical Report
- Future Street Plan showing connectivity within 400 feet of the boundaries of the site
- Other _____

G. **Unsatisfactory Street Conditions**

1. The land division does not link streets that are stubbed to the boundaries of the property.
2. An existing street or a new proposed street will be extended beyond the boundaries of the land division to complete a street system or provide access to adjacent property.
3. The proposed street layout is inconsistent with a street pattern adopted as part of the Comprehensive Plan or officially adopted City street plan.

H. **Approval Criteria.** The Director shall review the tentative plan for a minor partition, subdivision or minor replat based on the following approval criteria:

1. The proposed partition is consistent with the density, setback and dimensional standards of the base-zoning district.
2. The proposed partition is consistent with applicable design standards.
3. The proposed street pattern is connected and consistent with the Transportation System Plan.
4. Adequate public facilities are available or can be provided to serve the proposed partition.
5. All proposed improvements meet City standards.
6. The plan preserves the potential for future redivision of the parcels (if applicable).

I. The application must also be in conformance with street design standards included in the City of Sandy Transportation System Plan and standards and construction specifications for public improvements as set forth in adopted Public Facilities Plans and the Sandy Municipal Code.

EXHIBIT M

Clackamas County Official Records	2016-026546
Sherry Hall, County Clerk	04/26/2016 08:44:06 AM
D-D	Cnt=1 Stn=2 LESLIE
\$20.00 \$16.00 \$10.00 \$22.00	\$68.00

After Recording Return to:
Kevin J. Tillson
Tillson Law P.C.
39075 Proctor Blvd., Suite C
Sandy, OR 97055

Send All Tax Statements To:
Grant E. Sturm & Myrtle J. Sturm, Trustees
Sturm Family Trust dated April 20, 2016
647 E. Hist. Columbia River Hwy
Troutdale, OR 97060

WARRANTY DEED – STATUTORY FORM

Grant E. Sturm, Trustee of the Grant Sturm Trust, (Grantor) conveys and warrants to Grant E. Sturm & Myrtle J. Sturm, Trustees of the Sturm Family Trust dated April 20, 2016, and any amendments thereto (Grantee), Grantor's interest in the following described real property situated in Clackamas County, State of Oregon, free of encumbrances except as specifically set forth herein, to-wit:

See Exhibit A attached hereto and incorporated herein

Parcel Nos.: 00675941, 00675923, 00675932, 00675950, and
00675969

This property is free from encumbrances, EXCEPT for all those items of record, if any, as of the date of this deed, including any real property taxes due, but not yet payable, or the rights of the public in and to that said portion of the above property lying within the limits of roads and highways.

The true and actual consideration for this conveyance is \$ 0.00 (transfer to trust) .

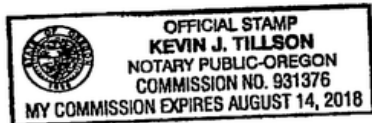
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS.92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 to 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the grantor has executed this instrument on April 20, 2016.


Grant E. Sturm, Trustee

STATE OF OREGON, County of Clackamas) ss.

This instrument was acknowledged before me on April 20, 2016, by Grant E. Sturm in his capacity as Trustee of the Grant Sturm Trust.



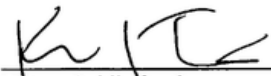

Notary Public for Oregon
My Commission Expires: 08/14/2018

Exhibit A

Real property situated in Clackamas County, Oregon, described as follows:

PARCEL I:

A part of the Northwest one-quarter of the Northeast one-quarter of Section 23, Township 2 South, Range 4 East, of the Willamette Meridian, in the County of Clackamas as State of Oregon, described as follows:

Beginning at a point on the North line of the Northwest one-quarter of the Northeast one-quarter of Section 23, Township 2 South, Range 4 East, of the Willamette Meridian, that is 330.00 feet West of the Northeast corner of said Northwest one-quarter; from said point of beginning thence South parallel with the East line thereof, 660.00 feet to a point; thence West parallel with the North line of the said Northwest one-quarter, a distance of 330.00 feet to a point; thence North parallel with the East line thereof, 660.00 feet to a point on the North line of said Northwest one-quarter; thence East along said North line, a distance of 330.00 feet to the point of beginning.

PARCEL II:

A portion of the Northwest quarter of the Northeast quarter of Section 23, Township 2 South, Range 4 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Northeast corner of the Northwest quarter of the Northeast quarter of said Section 23; thence West along the North line of the Northwest quarter of the Northeast quarter of said Section 23, a distance of 330.00 feet to a point; thence South parallel with the East line of the Northwest quarter of the Northeast quarter of said Section 23, a distance of 660.00 feet to a point in the center of a public road; thence East parallel with the North line of said Section 23, a distance of 330.00 feet to the East line of the Northwest quarter of the Northeast quarter of said Section 23; thence North, along said East line, a distance of 660.00 feet to the point of beginning.

PARCEL III:

A tract of land in the Northwest quarter of the Northeast quarter of Section 23, Township 2 South, Range 4 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point on the South line of the Northwest quarter of the Northeast quarter of said Section which is 660.00 feet West of the Southeast corner thereof; thence continuing West along said South line, a distance of 165.00 feet; thence North parallel with the East line of said legal subdivision, a distance of 1,312.00 feet, more or less, to the North line of said legal subdivision; thence East along said North line, a distance of 165.00 feet to a point 660.00 feet West of the

Northeast corner of said legal subdivision; thence South parallel with the East line thereof, 1,320.00 feet, more or less, to the point of beginning.

PARCEL IV:

A part of the Northwest one-quarter of the Northeast one-quarter of Section 23, Township 2 South, Range 4 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Southeast corner of the Northwest one-quarter of the Northeast one-quarter of Section 23, Township 2 South, Range 4 East, of the Willamette Meridian; thence West along the South line of the said Northwest one-quarter, a distance of 660.00 feet to a point; thence North parallel with the East line thereof, a distance of 660.00 feet to a point; thence East parallel with the South line of said Northwest one-quarter, a distance of 660.00 feet to a point on the East line thereof; thence South along said East line, a distance of 660.00 feet to the point of beginning.

EXHIBIT N

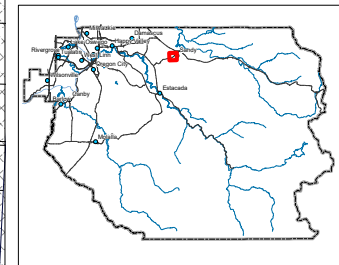
2 4 E 23

SECTION 23 T.2S. R.4E. W.M.
CLACKAMAS COUNTY
1" = 400'

Cancelled Taxlots

- 2801
- 1900
- 2819
- 2300A.1
- 1201
- 2701
- 501E1
- 503
- 1902
- 1802
- 517

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

5/17/2018

2 4 E 23

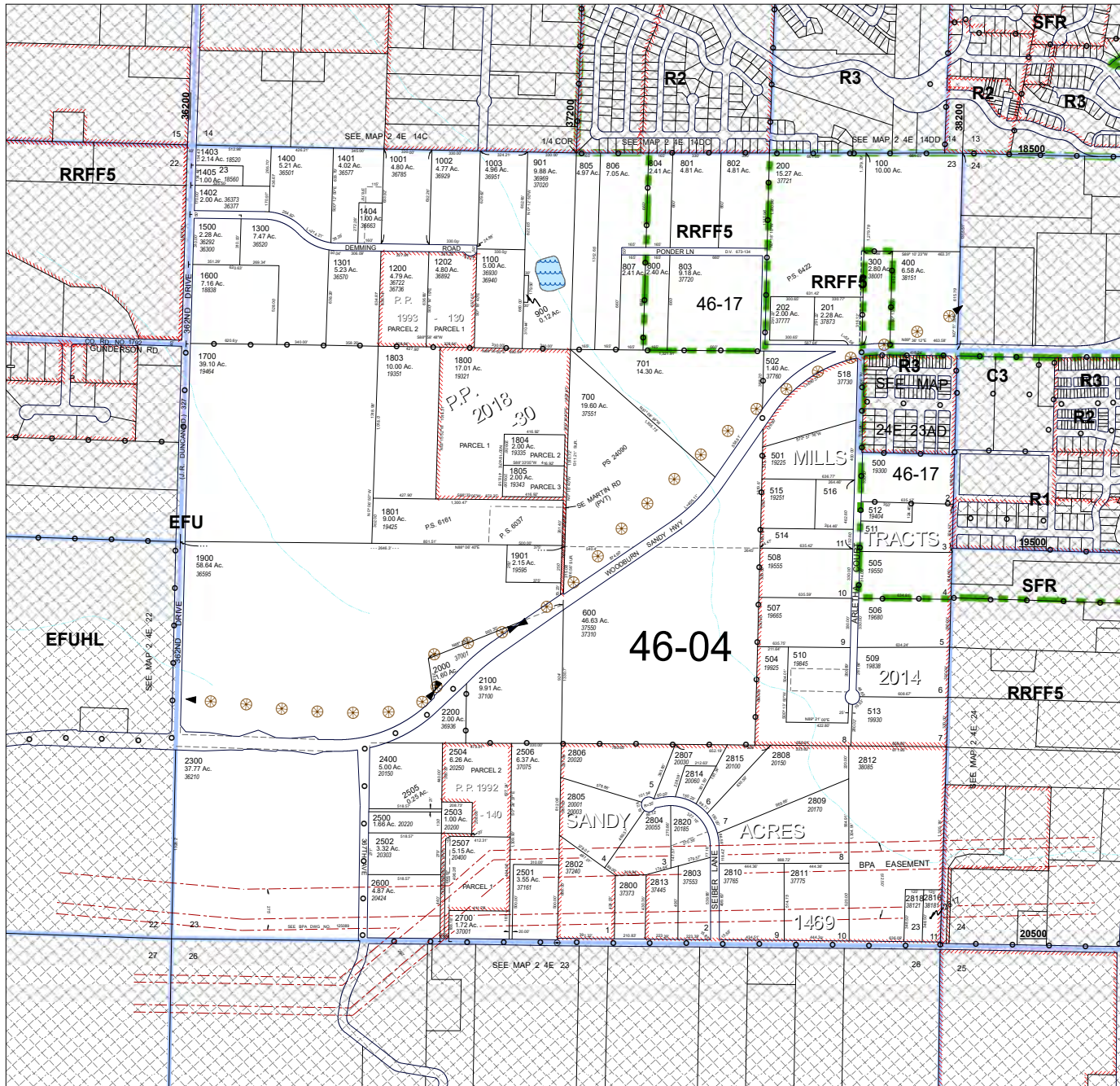


EXHIBIT O

From: [Gonzales, Renee](#)
To: [Marie Holladay](#); [Surveyor](#)
Subject: RE: Plat name reservation
Date: Wednesday, June 5, 2019 10:18:23 AM

EXTERNAL EMAIL: This email originated from outside of AKS Engineering & Forestry. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Marie,

Your request to reserve the plat name of “Bailey Meadows” is approved.

Thank you.

Renee Gonzales
Administrative Specialist
Clackamas County Surveyor’s Office
Phone: (503) 742-4475
Direct: (503) 742-4478

From: Marie Holladay [mailto:holladaym@aks-eng.com]
Sent: Tuesday, June 4, 2019 8:11 AM
To: Surveyor <Surveyor@co.clackamas.or.us>
Subject: Plat name reservation

Good Morning,

We’ve had a slight change in plat name which was reserved on 5/30. The subdivision should be called Bailey Meadows with an “s.”

Thank you,

Marie Holladay



AKS ENGINEERING & FORESTRY, LLC

12965 SW Herman Road, Suite 100 | Tualatin, OR 97062
P: 503.563.6151 Ext. 270 | www.aks-eng.com | holladaym@aks-eng.com
Offices in: Bend, OR | Keizer, OR | Tualatin, OR | Vancouver, WA

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply e-mail and immediately delete the message and any attachments without copying or disclosing the contents. AKS Engineering and Forestry shall not be liable for any changes made to the electronic data transferred. Distribution of electronic data to others is prohibited without the express written consent of AKS Engineering and Forestry.

NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.

REQUEST TO RESERVE SUBDIVISION / CONDOMINIUM NAME

Clackamas County Surveyor's Office
150 Beaver Creek Road, #325
Oregon City, OR 97045
(503) 742-4475
E-mail address: surveyor@clackamas.us

PLAT NAME REQUESTED:

Bailey Meadows

	TWP/RANGE:	SECTION#:	TAX LOT#(s):
Location of Plat:	T: 2S, R:4E	23	800, 801, 802, 803, & 804

I understand that if the above name plat is not pending or recorded within two years, the name will be removed from the reserved list.

RESERVED BY: AKS Engineering & Forestry, LLC

DATE: 05/28/2019	TELEPHONE: 503)563 - 6151	FAX: 503)563 - 6152
EMAIL ADDRESS: holladaym@aks-eng.com		
PLAT SURVEYOR: # Rob Rettig		
NAME OF DEVELOPER: Allied Homes & Development		
ADDRESS: 12965 SW Herman Rd., Suite 100 Tualatin, OR 97062		
TELEPHONE: 503)563 - 6151		FAX: 503)563 - 6152
EMAIL ADDRESS: holladaym@aks-eng.com		

APPROVED BY:	APPROVAL DATE:
---------------------	-----------------------



August 20, 2019

Michael C. Robinson
Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

VIA OVERNIGHT MAIL FOR AUGUST 21, 2019 DELIVERY

Ms. Emily Meharg, Associate Planner
City of Sandy Planning Department
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: City of Sandy File No. 19-023, SUB/VAR; Application by Allied Homes & Development for Preliminary Plat Approval for Bailey Meadows Subdivision

Dear Ms. Meharg:

This office represents the Applicant, Allied Homes & Development.

This letter responds to the City’s August 1, 2019 determination that the Application submitted on July 5, 2019 is incomplete (**Exhibit 1**).

1. Introduction.

The Applicant submitted the Application on July 5, 2019. ORS 227.178(3)(a) requires that an applicant make an application complete within 180 days of the date the application was first submitted.

This letter and its enclosures provide some or all of the missing information identified by the City in the August 1, 2019 incompleteness determination. ORS 227.178(2)(b). Therefore, the Application has been made complete within the required 180-day period.

The Application is deemed complete for on the date the City receives some or all of the missing information. ORS 227.178(2). Because the City has received some or all of the missing information and written notice from the Applicant that no other information will be provided on August 21, 2019, the 120-day period starts on August 21, 2019 and ends on December 29, 2019, unless waived or extended by the Applicant 2019. ORS 277.178(1).

2. Response to determination of incompleteness items by provision of some or all of the missing information.

A. “Define how [the Applicant] satisfy[ies] Appendix D, Section D 107 of the Oregon Fire Code. Include a letter from the fire department.”



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Page 2

RESPONSE: Appendix D, Section D107 of the Oregon Fire Code addresses one- and two-family residential developments. Where the number of dwelling units exceeds thirty, two separate and approved fire apparatus access roads shall be provided. Application Sheet P1-26 shows two preliminary emergency vehicle access routes, utilizing both Melissa Avenue and SE Ponder Lane. As detailed on Application Sheet P1-25 of the Preliminary Plans, four temporary fire access road gates are planned to be located on the west side of SE Ponder Lane. Correspondence from the Fire Marshall stating the requirements are satisfied is included. The fire department's August 14, 2019 email to the Applicant is attached (**Exhibit 2**). Mr. Patty's email states that he talked to the City and that the City and the fire department will not approve Ponder Lane for access to the proposed subdivision.

The Applicant has provided all of the missing information.

The Applicant will address this issue in the following ways. First, it will seek to meet with Mr. Patty to understand the basis for his email. His email does not specifically address the use of Ponder Lane for fire access. Second, the City's August 1, 2019 letter did not identify a relevant approval criterion in Sandy Development Code 17.100.60.A-G that requires compliance with the Fire Code. Moreover, SDC 17.100.60.E.4, requiring that adequate public facilities are available or can be provided, does not include fire access roads. SDC 17.10 defines "Public Facility" as including both Major Public Facilities and Minor Public Facilities but neither includes fire access roads. Third, Ponder Lane is an existing public right-of-way. The Applicant believes that Ponder Lane is adequate for temporary emergency access only, or can be made so by the Applicant through a clear and objective condition of approval.

The Applicant has provided all of the missing information.

B. "Explain phasing plan rationale."

RESPONSE: The phasing plan for Bailey Meadows Subdivision is intended to allow for appropriate market absorption into the City of Sandy. The configuration of Phase 1, the largest of the three phases, is a result of various points of infrastructure connection, detailed as follows. Phase 1 begins at the north property boundary to allow the extension of underground utilities from Melissa Avenue into the subdivision. The phase moves west to the low point of the site to construct the stormwater facility and is then directed to the southeast property boundary to implement the second required emergency vehicle access on SE Ponder Lane. The design of Phases 2 and 3 are a result of planned utility installation sequencing. The phasing plan is designed to be carried out in a manner that provides necessary public improvements for each phase as it moves forward.

The Applicant has provided all of the missing information.

C. "Confirm the maximum lot width for Lot 92."

RESPONSE: The minimum average lot width for single detached dwellings in the Single-Family Residential district is 60 feet per SDC 17.34.30(B). According to SDC 17.10.30, Lot

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Page 3

Width is defined as the horizontal distance between the midpoints of the side lot lines. Please see Exhibit 3, included, which illustrates and confirms the criteria are met.

The Applicant has provided all of the missing information.

D. “Have you fully exhausted your options for extending Gunderson Road? Can you provide a formal decision from the Clackamas County Planning Commission or Clackamas County Board of Directors? Can Gunderson be extended within the [Urban Growth Boundary] via the property to the east as depicted in the [Transportation System Plan]? Regardless, a minimum half-street of Gunderson will need to be detailed on the Site Plan.”

RESPONSE: a. The Applicant has fully exhausted its options for extending Gunderson Road outside of the UGB. Exhibit 4 to this letter are two emails from Clackamas County Principal Planner Martha Fritzie that followed the Applicant’s meeting with Ms. Fritzie.

Ms. Fritzie explained in the email that the Clackamas County Planning Department staff would not support an exception to Statewide Planning Goals (the “Goals”) 3, “Agriculture,” 12, “Transportation,” and 14, “Urbanization.” Exceptions to all three Goals are required to extend an urban road outside of the Sandy Urban Growth Boundary (the “UGB”) on land zoned Exclusive Farm Use (“EFU”). In response to the City of Sandy Planning Director’s request that we further discuss this matter, the Applicant discussed the exception application to allow Gunderson Road to be extended outside of the UGB. Ms. Fritzie consulted with Ms. Jennifer Hughes, Clackamas County Planning Director. Ms. Hughes confirmed Ms. Fritzie’s position.

The Applicant has exhausted its options for extending Gunderson Road outside of the UGB. Aside from the fact that there is no legal requirement for the Applicant to seek an exception to one or more of the Goals in order to extend Gunderson Road to Oregon Highway 211 outside of the UGB, there is similarly no requirement that the Applicant make a fruitless application to Clackamas County. An exception application is an amendment to the County’s acknowledged Comprehensive Plan (the “Plan”). An exception application demonstrates compliance with the exception criteria found in Goal 2, “Planning,” and applicable polices from the Plan and the Clackamas County Zoning and Ordinance, the County’s acknowledged land use regulations. An exception application is initially heard by the Clackamas County Planning Commission, which makes a recommendation to the Clackamas County Board of Commissioners. Notwithstanding the inherent complexity and difficulty of submitting a successful exception application, such an application is made even more difficult where County staff has said, as in this case, that it will not support the exception application.

Additionally, the Applicant would expect the Oregon Department of Land Conservation and Development (“DLCD”) and 1000 Friends of Oregon to oppose the exception application. Both the DLCD and 1000 Friends of Oregon take an active role in applications that seek to allow

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urban uses outside of urban growth boundaries, especially those located on Exclusive Farm Use lands.

For these reasons, the Applicant believes that it has, in good faith, exhausted its efforts to seek an exception to allow Gunderson Road to be extended outside of the UGB to connect with Oregon Highway 211.

b. The Applicant cannot provide a recommendation from the Clackamas County Planning Commission nor a final land use decision from the Clackamas County Board of County Commissioners because it has not submitted an exception application. As explained in “A.” above, the Applicant believes that submitting such an application would be a fruitless endeavor which would take at least six months to prosecute and cost at least \$50,000.00 to prepare. For these reasons, the Applicant did not submit a formal application to the County.

c. The Applicant cannot extend Gunderson Road within the UGB over the properties to the east as depicted in the Transportation System Plan (the “TSP”) for several reasons. First, the Applicant’s planning and engineering consultant, AKS Engineering & Forestry, has identified an area that would be required for this extension of Gunderson Road which is not within the UGB; in other words, to accomplish this extension would still require an exception (**Exhibit 5**). Second, the Applicant has contacted the property owners to the east and none of them are interested in selling a fee interest in their property or granting an easement for Gunderson Road. The Applicant does not have the power of eminent domain and could not proceed with extending Gunderson Road without the consent of those property owners. Finally, even if the Applicant could obtain an exception for that portion of Gunderson Road outside the UGB and if the property owners consented to either sell a fee interest in their property or grant an exception for the Gunderson Road exception, its connection with Oregon Highway 211 would not be within the Oregon Department of Transportation’s (“ODOT”) sight distance requirements.

d. The Applicant will not “detail” on the plan a half-street extension of Gunderson Road on its property for several reasons. First, as explained in the Application, the Applicant does not have the legal burden of proof to provide a right-of-way to the City for Gunderson Road since it is unrelated to the impacts of the subdivision. Even in the event the Applicant detailed (or dedicated) its property for a half-street extension of Gunderson Road, that portion of Gunderson Road will not go anywhere. This means that vehicles from the proposed subdivision would not be able to use Gunderson Road. Second, as explained in the Application, the City has the burden of proof under relevant state and federal law to demonstrate that the impacts of the Application require dedication of real property by the Applicant. Additionally, this Application is a “Needed Housing” application under ORS 197.303(1), 197.307(4) and 197.522. A proposed condition of approval requiring the detailing or dedication of a half-street for Gunderson Road may not be imposed because it is not based on clear and objective standards since the City has the burden of proof to demonstrate that the Application’s impacts require the dedication. Finally, because the Application is also a Limited Land Use Decision, no applicable policy of the acknowledged TSP or Comprehensive Plan expressly requires a half-street detailing or dedication for Gunderson Road.

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e. Additionally, Mr. Todd Mobley of Lancaster Engineering, the Applicant's traffic engineer, states:

“With access to the subdivision via Melissa Avenue, all of the study area intersections will operate with acceptable delay and level of service during both peak hours, even with the subdivision at full build-out. This includes the intersection of Melissa Avenue and Dubarko Road. Left turn lanes are not needed on Melissa Avenue or on Dubarko Road at the intersection. These findings include the worst-case assumption that Bailey Meadows will be fully built out and occupied before other street connections are available. In fact, access solely via Melissa Avenue is a temporary condition and additional development in the area will provide additional access and connectivity.

The project team spent a considerable amount of time investigating a potential connection of Gunderson Road to Highway 211. This investigation began by exploring the Gunderson Road alignment that is shown in the TSP. It is noted that future street alignments in the TSP are planning-level representations of a general alignment and are not precisely shown. While the intersection location shown in the TSP is within the existing UGB, an engineering analysis found problems with an intersection in that location due to the potential skew angle of the intersection, poor sight distance, and challenging turning movements to and from the highway due to severe superelevation (banking of the roadway). The intersection location would need to be shifted to the southwest to avoid these issues. Alternatively, a future street connection serving the area north of Highway 211 could be established to the east, in the location of Arletha Court or Village Boulevard.”

The Applicant has provided all of the missing information.

E. “Provide a narrative to Section 17.84.50(B) regarding Gunderson Road, which is a minor arterial and is detailed in the TSP along the southern property boundary.”

RESPONSE: The Applicant's response incorporates the response to Item 4, above. The City has not specified how the minor arterial is “detailed in the TSP.” The Application addressed Sandy Municipal Code (“SMC”) 17.84.50(B) (Application Page 16).

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SMC 17.84.50(B) provides that “location of new arterial streets shall conform to the Transportation System Plan in accordance with the following: . . .” However, the City has not identified a provision in the TSP that complies with ORS 197.195(1). ORS 197.195(1) provides:

“Within two years of September 29, 1991, cities and counties shall incorporate all comprehensive plan standards applicable to limited land use decisions into their land use regulations. . . If a city or county does not incorporate its comprehensive plan provisions into its land use regulations, the comprehensive plan provisions may not be used as a basis for a decision by the city or county or an appeal from that decision.”

The generalized reference to the “TSP” is insufficient to comply with the Oregon Court of Appeals holding in *Paterson v. City of Bend*, 201 Or App 344, 351, 352, 118 P3d 842 (2005), holding that the City’s failure to incorporate “any specific standards set out in the general plan” precluded the City from applying its Comprehensive Plan to the limited land use application. *See also Holland v. City of Cannon Beach*, 142 Or App 5, 920 P2d 562, *rev. den.* 324 Or 229, 925 P2d 907 (1996) (when considering an application for a subdivision, City was precluded from applying “Comprehensive Plan provisions that had not been incorporated into the City’s land use regulations pursuant to ORS 197.195(1)”).

The Applicant has provided all of the missing information.

F. “Address connections to existing and planned streets outside the development in your narrative response to Section 17.100.100(F).”

RESPONSE: The Preliminary Plans show local street and pedestrian walkway (sidewalk) connections internal to the subdivision and stubbed street sections on the south, west, and east boundaries of the site to undeveloped properties which have no future street plan. A planned and existing street stub north of the property, Melissa Avenue, is extended into the subdivision. West and south of the site, local streets terminate at stubs which abut the City Limits, the UGB, and an undeveloped property. To the east, the street stubs abut SE Ponder Lane, an existing driveway, and the City Limits. The local streets within Bailey Meadows do not cross any collector or arterial roads and there are no exemptions necessary for the intended street network. **Exhibit 5** illustrates connections past the 400-foot radius to show the Conceptual Future Streets Plan as has been requested.

The Applicant has provided all of the missing information.

G. “Update the plan set to extend Street A to the west property boundary and apply for a Type III Variance to block lengths to the north side of Street A between Melissa Ave and the west property boundary. Staff will support this variance request due to the existing block length on Rachel Drive.”

Ms. Emily Meharg, Associate Planner
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RESPONSE: The Applicant appreciates the staff's offer to support the block length variance. As explained above, the variance is unnecessary to meet the applicable approval criteria (which were not specifically identified by the City in Item 7) and the Sandy Planning Commission or the Sandy City Council might find the variance approval criteria not to be satisfied, thus meaning that the Application can be denied.

Street A currently meets City block length standards to the south without necessity for a variance. Although City staff stated support of the variance request, the Planning Commission is the final decision-making body. The extension of Street A would be the fifth stubbed street section to the west property boundary. The project includes four additional street stubs to the property to the west, one on average every 330 feet.

The Applicant has provided some but not all of the missing information.

H. "Update the future street plan to detail how the proposed future street network ties into the Bornstedt Village Illustrated Street Plan in the Bornstedt Specific Area Plan Report labeled Gunderson Road and show connection to Cascadia Village Drive as shown in the TSP. Eliminate the cul-de-sac on the property to the west and extend Street A to the west property boundary."

RESPONSE: SDC 17.100.100 provides that a Future Street Plan shall provide proposed connections to abutting properties, and extension of streets to adjacent parcels within a 400-foot radius of the project area. The Bornstedt Village Illustrative Street Plan is not within 400 feet of the project site; however, the intended Bailey Meadows street network could align with the proposed streets of the Bornstedt Village Illustrative Street Plan as shown in Exhibit 7. Exhibit 7 is updated to show the conceptual Gunderson Road connection to Cascadia Village Drive and the elimination of the cul-de-sac on the property to the west by way of a north-south oriented local street.

The Applicant has provided all of the missing information.

I. "Provide clarification on the twenty-foot PSDE extending to the west of Street B. Where is the stormwater proposed to go? Does the easement end approximately 400 feet to the west, and, if so, is this sufficient area to accommodate stormwater flow from the site?"

RESPONSE: Application Exhibit Sheet E107 shows this information. The stormwater is planned to be routed to an existing ditch to the west of the project site. The easement extends to the outfall approximately 160 feet west of the subject site. The area is sufficient to accommodate stormwater flow from the site.

The Applicant has provided all of the missing information.

J. "Submit an explanation of how the proposal meets subdivision criteria 17.100.60(E)(3)-(4)."

Ms. Emily Meharg, Associate Planner
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Page 8

RESPONSE: As shown on the original preliminary plans, the intended local street pattern within the subdivision is interconnected. Access from the existing street stub, Melissa Avenue, provides a continuous street network through and to the boundaries of the subdivision. Internal local streets are stubbed at the property boundaries, which are the UGB and the City limits to the south and west, and the City limits to the east. To the extent possible, the street pattern internal to the subdivision is consistent with the official street plan for the City. Various constraints prevent the implementation of the arterial road to the south of the site and there is no applicable requirement in the City's acknowledged land use regulations that the Applicant make this connection. Additionally, this standard may not be applied under ORS 197.307(4) because the phrase "connected and consistent" is subjective and because the phrase "City standards" is subjective and because the words "objective" and "necessary" are subjective.

The configuration of the phasing plan is designed to provide adequate public facilities to serve the subdivision. Public facilities to be provided include but are not limited to stormwater management, sanitary sewer, municipal water, and franchise utilities.

The Applicant has provided all of the missing information.

K. "Update the parking plan (sheet P-24) to detail which parking space is for which lot so we can confirm that there's parking spot within 200 feet of each lot."

RESPONSE: The updated Parking Detail Plan, **Exhibit 6**, is numbered to illustrate correspondence with each associated lot. Additionally, the furthest distances from associated on-street parking spaces are to Tax Lots 42, 47, 52, and 57 and are measured as shown to ensure the requirement is satisfied.

The Applicant has provided all of the missing information.

L. "Provide clarification on which, if any, of the following variances you are requesting and payment of the associated fee, or an updated plan set reflecting that you are not requesting any variances/deviations:

- **Special Variance Section 17.100.120(A) for single tiered lot configuration for lots 55-59.**
- **Special Variance Section 17.82.20(A) for houses on lots 55-59 to not have primary entrances oriented toward Gunderson Road."**

RESPONSE: The Applicant does not intend to request variances or deviations because Gunderson Road is not to be extended.

The Applicant has provided all of the missing information.

M. "Submit additional fees totaling \$3,477.00 as outlined below. This is Type III review per 17.100.20(E) and also due to the variances and special variances."

Ms. Emily Meharg, Associate Planner
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Page 9

RESPONSE: A check in the amount of \$180 for the additional fee is enclosed. The additional fees are for the Type III Subdivision fee and the Tree Removal fee.

The Applicant has provided all of the missing information because it is not requesting additional variance applications, so additional fees are not required.

3. Conclusion.

The Applicant respectfully requests that the City select a date for the initial evidentiary hearing before the Sandy Planning Commission. On behalf of the Applicant, we appreciate your time and effort and look forward to working with you further on this Application.

Very truly yours,

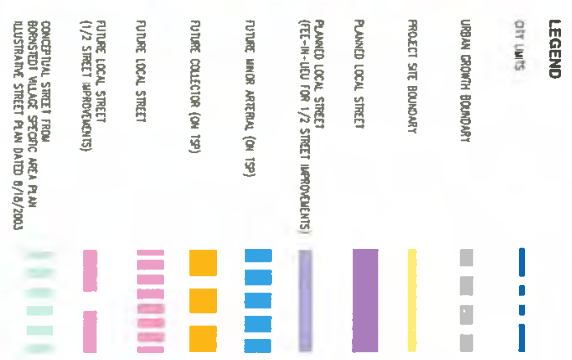
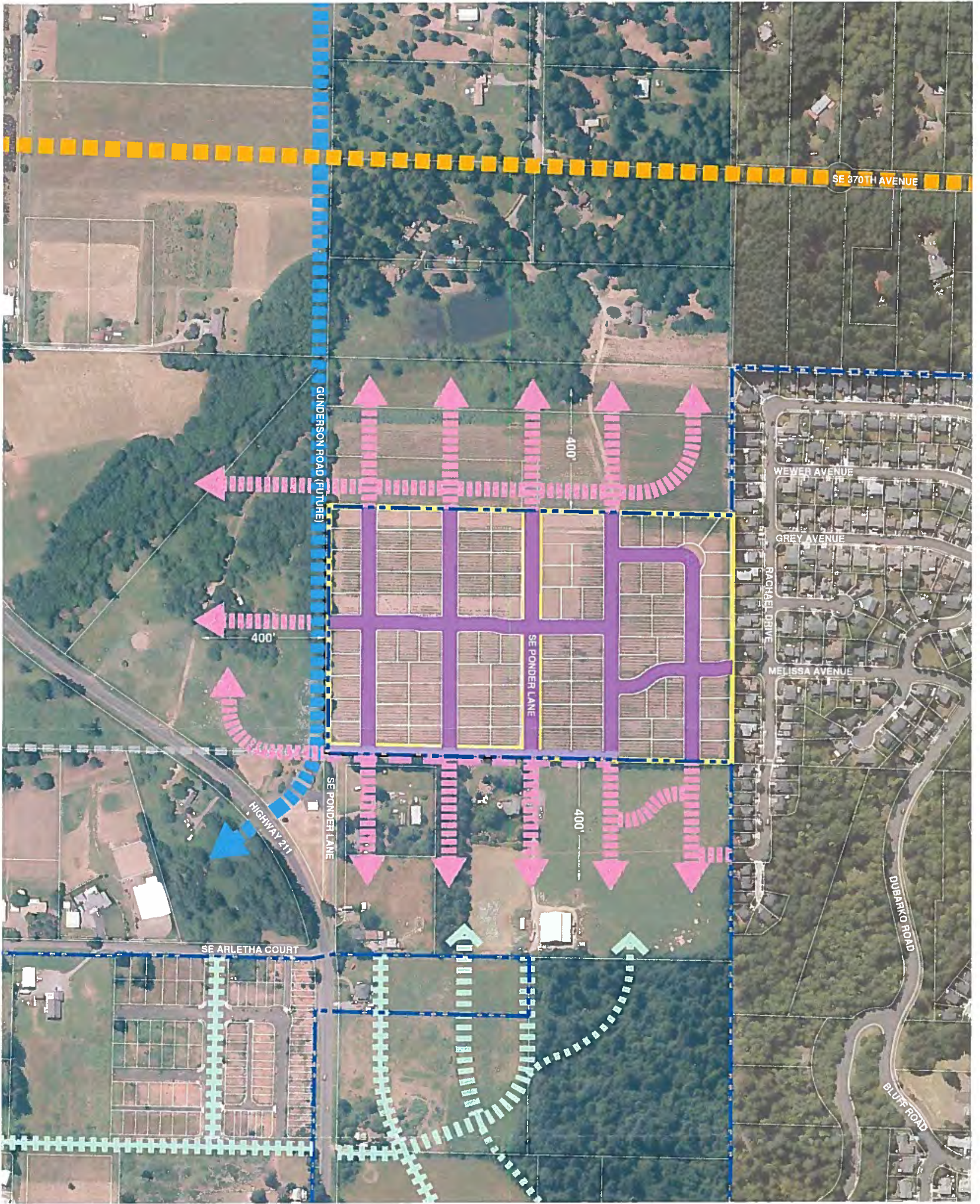


Michael C. Robinson

MCR:jmhi
Enclosures

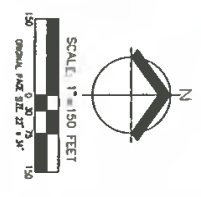
cc: Mr. Cody Bjugan (*via email*) (*w/enclosures*)
Mr. Monty Hurley (*via email*) (*w/enclosures*)
Mr. Chris Goodell (*via email*) (*w/enclosures*)
Mr. Todd Mobley (*via email*) (*w/enclosures*)
Mr. Rand Waltz (*via email*) (*w/enclosures*)

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NOTES

1. THIS PLAN IS INCLUDED TO MEET THE SUBMITTAL REQUIREMENTS APPLICATION.
2. CONCEPTUAL FUTURE STREET LOCATIONS ARE SHOWN FOR ALL OTHER AREAS OF THE PROJECT. THE SUBMITTAL ONLY SHOWS THE PROPOSED STREETS FOR THE SUBMITTAL AND NOT SHOWING ON ANY OTHER PROJECTIONS.



BAILEY MEADOWS	DATE: 06/09/2016
AKS ENGINEERING & FORESTRY, LLC	DRAWN BY: C
1000 W. 10TH AVE. SUITE 100	CHECKED BY: C
MINNAPACK, MN 55369	DATE: 06/09/2016
TEL: 952.835.7107	PROJECT: BAILEY MEADOWS
FAX: 952.835.7107	SHEET: 7107
WWW.AKS-ENG.COM	

August 1, 2019

Allied Homes & Development
12042 SE Sunnyside Rd. Ste. 706
Clackamas, OR 97015

Grant E. & Myrtle J. Sturm
647 E Historic Columbia River Hwy
Troutdale, OR 97060

Chris Goodell
AKS Engineering & Forestry, LLC
12965 SW Herman Rd., Suite 100
Tualatin, OR 97062

RE: NOTICE REGARDING COMPLETION OF SUBMISSION
FILE NUMBER: 19-023 SUB/VAR
PROJECT NAME: Bailey Meadows

Application accepted as complete on: _____

Application incomplete. The additional information necessary to consider your application is listed below. The application will be deemed complete upon submission of one of the following options:

1. All of the missing information;
2. Some of the missing information and written notice that no other information will be provided; or
3. Written notice that none of the missing information will be provided.

If one of the above listed options is not received by the city by the 180th day following submittal of your application, the application will be void per state law (ORS 227.178 (4)).

Requested additional information filed on: _____

Following submission of your land use application (received on 07/05/19), staff finds the application incomplete. Please submit the following as soon as possible so that City staff can move your application review forward for staff review and analysis in preparation of a City of Sandy Planning Commission public hearing:

- Define how you satisfy Appendix D, Section D107 of the Oregon fire code; include a letter from the fire department.
- Explain phasing plan rationale.
- Confirm the minimum average lot width for Lot 92.
- Have you fully exhausted your options for extending Gunderson Road? Can you provide a formal decision from the Clackamas County Planning Commission or Clackamas County Board of Directors? Can Gunderson be extended within the UGB via the property to the east as depicted in the TSP? Regardless, a minimum half-street of Gunderson Road will need to be depicted on the site plan.

W City Hall\Planning Correspondence\2019 19-023 SUB VAR Bailey Meadows Incompleteness doc

RECEIVED
NOV 26 2019
CITY OF SANDY

Exhibit 1
Page 1 of 3

- Provide a narrative to Section 17.84.50(B) regarding Gunderson Road, which is a minor arterial and is detailed in the TSP along the southern property boundary.
- Address connections to existing and planned streets outside the development in your narrative response to Section 17.100.100(F).
- Update the plan set to extend Street A to the west property boundary and apply for a Type III Variance to block length for the north side of Street A between Melissa Ave and the west property boundary. Staff will support this variance request due to the existing block length on Rachael Drive.
- Update the future street plan to detail how the proposed future street network ties into the Bornstedt Village Illustrative Street Plan in the Bornstedt Village Specific Area Plan Report. Label Gunderson Road and show connection to Cascadia Village Drive as shown in the TSP. Eliminate the cul-de-sac on the property to the west and extend Street A to the west property boundary.
- Provide clarification on the 20 foot PSDE extending to the west of Street B. Where is the stormwater proposed to go? Does the easement end approximately 400 feet to the west, and, if so, is this sufficient area to accommodate stormwater flow from the site?
- Submit an explanation of how the proposal meets subdivision criteria 17.100.60(E.3-4).
- Update the parking plan (sheet P1-24) to detail which parking space is for which lot so we can confirm that there's a parking spot within 200 feet of each lot.
- Provide clarification on which, if any, of the following variances you are requesting and payment of the associated fee, or an updated plan set reflecting that you are not requesting any variances/deviations:
 - Special Variance to Section 17.100.120(A) for single tiered lot configuration for Lots 55-59.
 - Special Variance to Section 17.82.20(A) for houses on Lots 55-59 to not have primary entrances oriented towards Gunderson Road.
- Submit additional fees totaling \$3,477 as outlined below. This is a Type III review per 17.100.20(E.3), and also due to the variance and special variances.

Fee	Amount paid	Balance
Traffic review fee: \$1,500	\$1,500	\$0
Type III Subdivision: \$3,297 + \$86/lot = \$11,897	\$11,810	\$87
Unidentified	\$10	-\$10
Special Variance for single tiered lot configuration: \$1,099	\$0	\$1,099
Special Variance for houses to not face Gunderson Road: \$1,099	\$0	\$1,099
Type III Variance for block length of Street A between Melissa Ave and west property boundary: \$1,099	\$0	\$1,099
Tree removal: \$103	\$0	\$103
Total	\$13,320	\$3,477

Citizen involvement is Goal #1 in the Oregon Statewide Planning Goals. Please keep in mind that this project with 100 lots is proposing its sole street connection through an existing neighborhood on an existing local street. Regardless of the letter dated July 2, 2019 from Mr. Robinson, this

project will be heavily scrutinized by the residents that live in the Nicholas Glen subdivision and therefore we respectfully request more robust analysis on why Gunderson Road cannot be extended and how the applicant finds they meet the Local Street Plan in the TSP.

Once the application is ready to be deemed complete, we will request additional hard copies and a digital copy of all items.

Please call me at (503) 783-2585 or email emeharg@ci.sandy.or.us if you have any questions.

Sincerely,


Emily Meharg
Associate Planner

From: Don Patty <d.patty3710@gmail.com>
Sent: Wednesday, August 14, 2019 8:53 AM
To: Rand Waltz <rand@aks-eng.com>
Subject: Re: FW: Bailey Meadows - Fire Department Letter

EXTERNAL EMAIL: This email originated from outside of AKS Engineering & Forestry. Do not click links or open attachments unless you recognize the sender and know the content is safe.

HI RANDY TALKED TO THE CITY ABOUT PONDER LANE AND THEY AND SANDY FIRE WILL NOT APPROVE PONDER LANE FOR ACCESS TO YOUR SUBDIVISION .THANK YOU DON PATTY FIRE MARSHAL SANDY FIRE .

On Tue, Aug 13, 2019 at 3:23 PM Rand Waltz <rand@aks-eng.com> wrote:

1

Exhibit 2

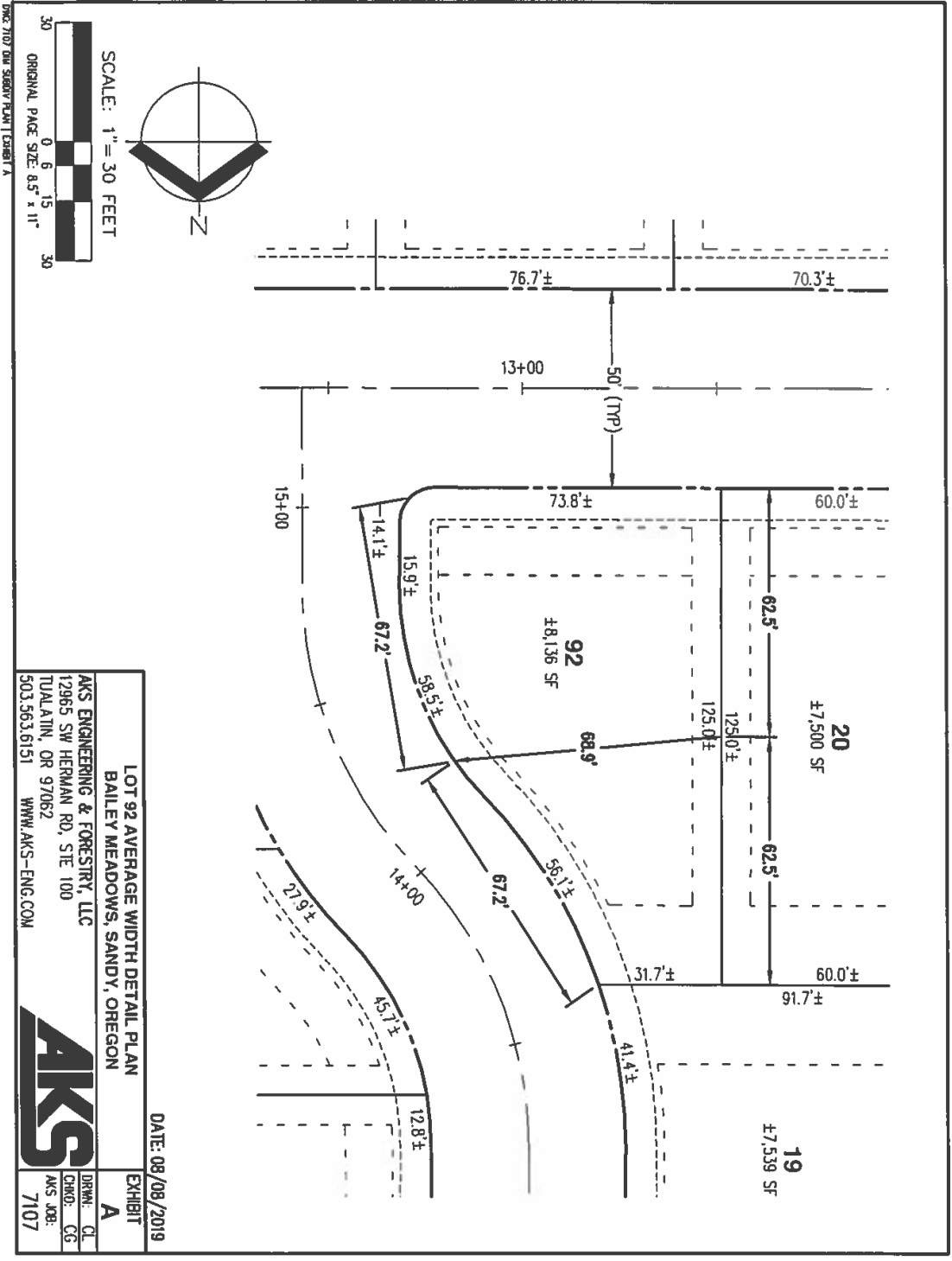


Exhibit 3
 Page 1 of 1

Robinson, Michael C.

From: Fritzie, Martha <MFritzie@clackamas.us>
Sent: Thursday, May 2, 2019 4:13 PM
To: Chris Goodell
Cc: Robinson, Michael C.; Cody Bjugan; Todd Mobley (todd@lancasterengineering.com); Kelly O'Neill; Hughes, Jennifer
Subject: RE: Sandy Development

Chris – I did speak to our Planning Director, Jennifer Hughes, and she concurs.

Martha

Martha Fritzie, Senior Planner
Clackamas County DTD | Planning & Zoning Division
150 Beaver Creek Road | Oregon City, OR 97045
(503) 742-4529
Office hours 8:00am to 6:00pm | Monday - Thursday

The Clackamas County Department of Transportation and Development is dedicated to providing excellent customer service. Please help us to serve you better by giving us your feedback. We appreciate your comments and will use them to evaluate and improve the quality of our public service.

From: Chris Goodell [mailto:chrsg@aks-eng.com]
Sent: Monday, April 22, 2019 7:56 AM
To: Fritzie, Martha <MFritzie@clackamas.us>
Cc: Robinson, Michael C. <MRobinson@SCHWABE.com>; Cody Bjugan <cody@investpdx.com>; Todd Mobley (todd@lancasterengineering.com) <todd@lancasterengineering.com>; Kelly O'Neill <koneill@ci.sandy.or.us>
Subject: RE: Sandy Development

Martha:

We met with City of Sandy staff on Friday and they asked us if we could confirm that the sentiment below is shared by the Planning Director also. They were concerned that it might not be. Can you please confirm that this is the case?

Thanks.

Chris Goodell, AICP, LEED^{AP} - Associate
AKS ENGINEERING & FORESTRY, LLC
P: 503.563.6151 | F: 503.563.6152 | www.aks-eng.com | chrsg@aks-eng.com

From: Fritzie, Martha <MFritzie@clackamas.us>
Sent: Friday, April 5, 2019 10:50 AM
To: Chris Goodell <chrsg@aks-eng.com>
Cc: Robinson, Michael C. <MRobinson@SCHWABE.com>; Cody Bjugan <cody@investpdx.com>; Todd Mobley (todd@lancasterengineering.com) <todd@lancasterengineering.com>
Subject: RE: Sandy Development

Chris - My general reaction is that Goal Exceptions in general are a very difficult processes and this one, in particular, would be a very heavy lift. In all honesty, I think the likelihood of approval is fairly low.

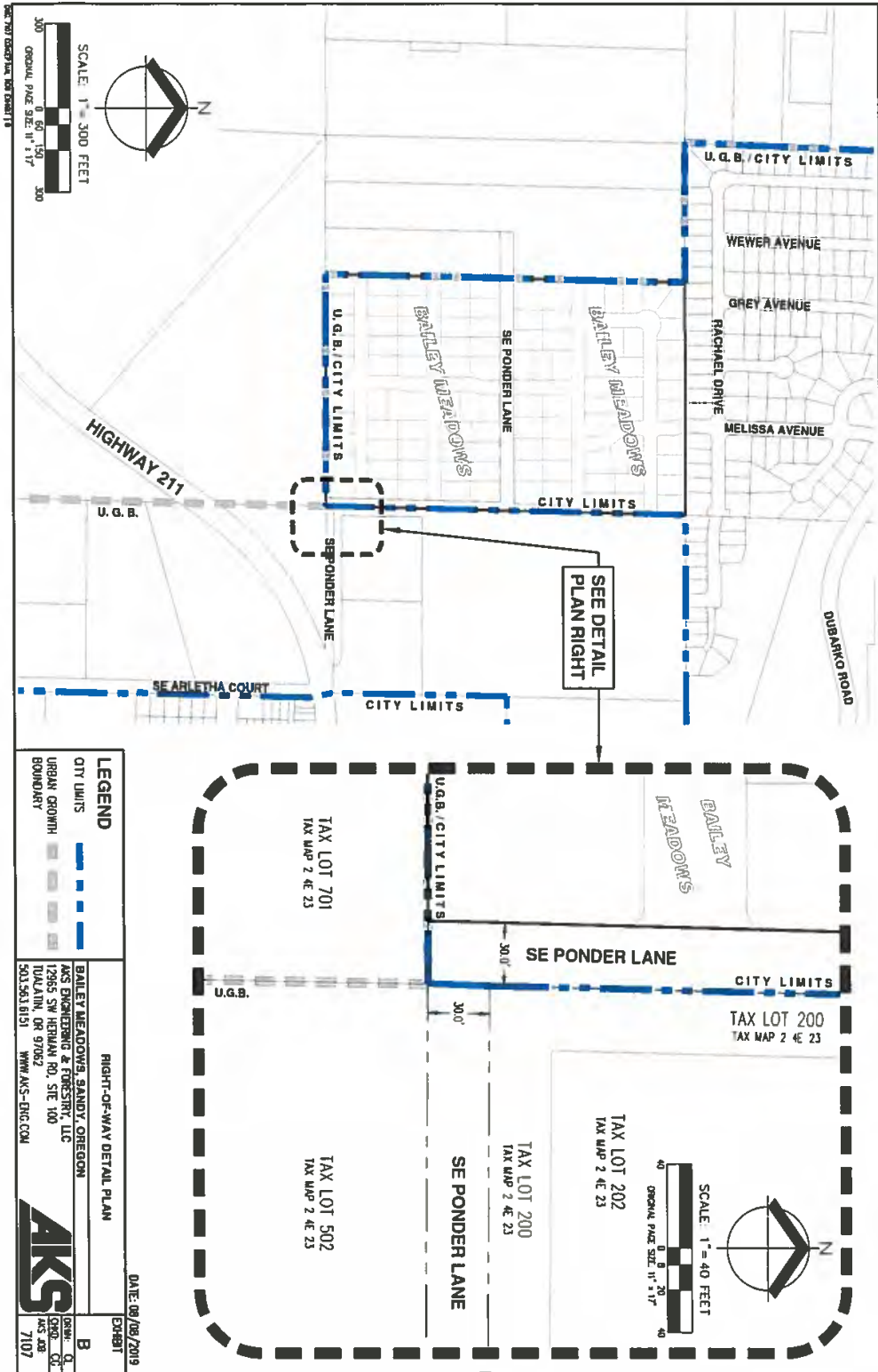
To start, there would need to be a very strong argument built for the need for an urban road outside a UGB being built for the sole purpose of serving the urban subdivision. I understand that this road segment is identified on the city's TSP as a long-term need, but there would need to be a demonstration that there is an immediate need for the road, and for the road in this exact location (the TSP identifies conceptual alignments for future roadways).

There would also need to be an alternatives analysis completed that demonstrates that there is no reasonable alternative location for this road (or way to accommodate the need) inside the UGB; keeping in mind that the "reasonable" standard is pretty high - it is not simply a preference, but the analysis would need to demonstrate that is essentially not possible - even if it is more expensive, or would require a redesign of the subdivision, etc- to locate the road in the UGB.

The other two main criteria for the Goal Exception include an ESEE (economic, social, environmental and energy consequences) analysis of the proposed alignment with other possible alignments that also would require a Goal Exception and an analysis of potential adverse effects on surrounding rural lands. I do not have a real good sense for how difficult or not these analyses would be, but the fact that the proposed road crosses the historic Barlow Rd Corridor (a Goal 5 resource in the county) would definitely need to be factored into the ESEE analysis.

Per the request at the meeting, I have attached a file to this email containing the findings and some of the analysis for a Goal Exception that was taken for a portion of Arndt Rd; this is the most recent example that I am aware of for a Goal Exception for a new roadway through agricultural-zoned land.

Please let me know if you have any more questions,
Martha



LEGEND

	CITY LIMITS
	U.G.B. / CITY LIMITS
	URBAN GROWTH BOUNDARY

RIGHT-OF-WAY DETAIL PLAN

BAILEY MEADOWS, SANDY, OREGON
 AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD, SITE 100
 TUALATIN, OR 97062
 WWW.AKS-ENG.COM
 503.563.6151

AKS

DATE: 08/08/2019
 EXHIBIT
 B
 DRN: O
 CRD: CT
 AKS JOB: 7107

Exhibit 5
 Page 1 of 1

October 15, 2019

Michael C. Robinson
Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

VIA E-MAIL

Mr. Kelly O'Neill, Jr., Director
Development Services Department
Sandy City Hall
39250 Pioneer Blvd.
Sandy, OR 97055

RE: City of Sandy File No. 19-023 SUB/VAR/TREE

Dear Mr. O'Neill:

This office represents the Applicant.

The Applicant requests that the City cancel the scheduled October 28, 2019 Sandy Planning Commission initial evidentiary hearing on this Application by providing mailed notice to all property owners entitled to such notice. The Applicant also requests that the City reschedule the Sandy Planning Commission initial evidentiary hearing for December 17, 2019 at 7:00 p.m. The Applicant will extend the 120-day period in ORS 227.178(1) by fifty (50) days, the period of the continuance.

Please let me know if you have any questions.

Very truly yours,



Michael C. Robinson

MCR/jmhi

Cc Ms. Emily Meharg (via email)
Mr. Cody Bjugan (via email)
Mr. Monty Hurley (via email)
Mr. Chris Goodell (via email)
Mr. David Doughman (via email)

PDX\133569\245146\MCR\26358881.1

EXHIBIT R



November 21, 2019

Michael C. Robinson

Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

Ms. Kelly O'Neill, Director
City of Sandy Planning & Building Department
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: City of Sandy File No. 19-23 SUB/VAR; Application by Allied Homes & Development for Approval of the 100-Lot Bailey Meadows Preliminary Plat Subdivision Application; Revised Application Narrative and Exhibits for December 17, 2019 Planning Commission Hearing

Dear Ms. O'Neill:

This office represents the Applicant. Attached to this letter is the Applicant's revised Application narrative and exhibits demonstrating compliance with applicable approval criteria. Please place this letter and its enclosures in the official Planning Department file for this Application and before the City of Sandy Planning Commission at its initial evidentiary hearing on December 17, 2019.

Very truly yours,

A handwritten signature in blue ink that reads "Michael C. Robinson".

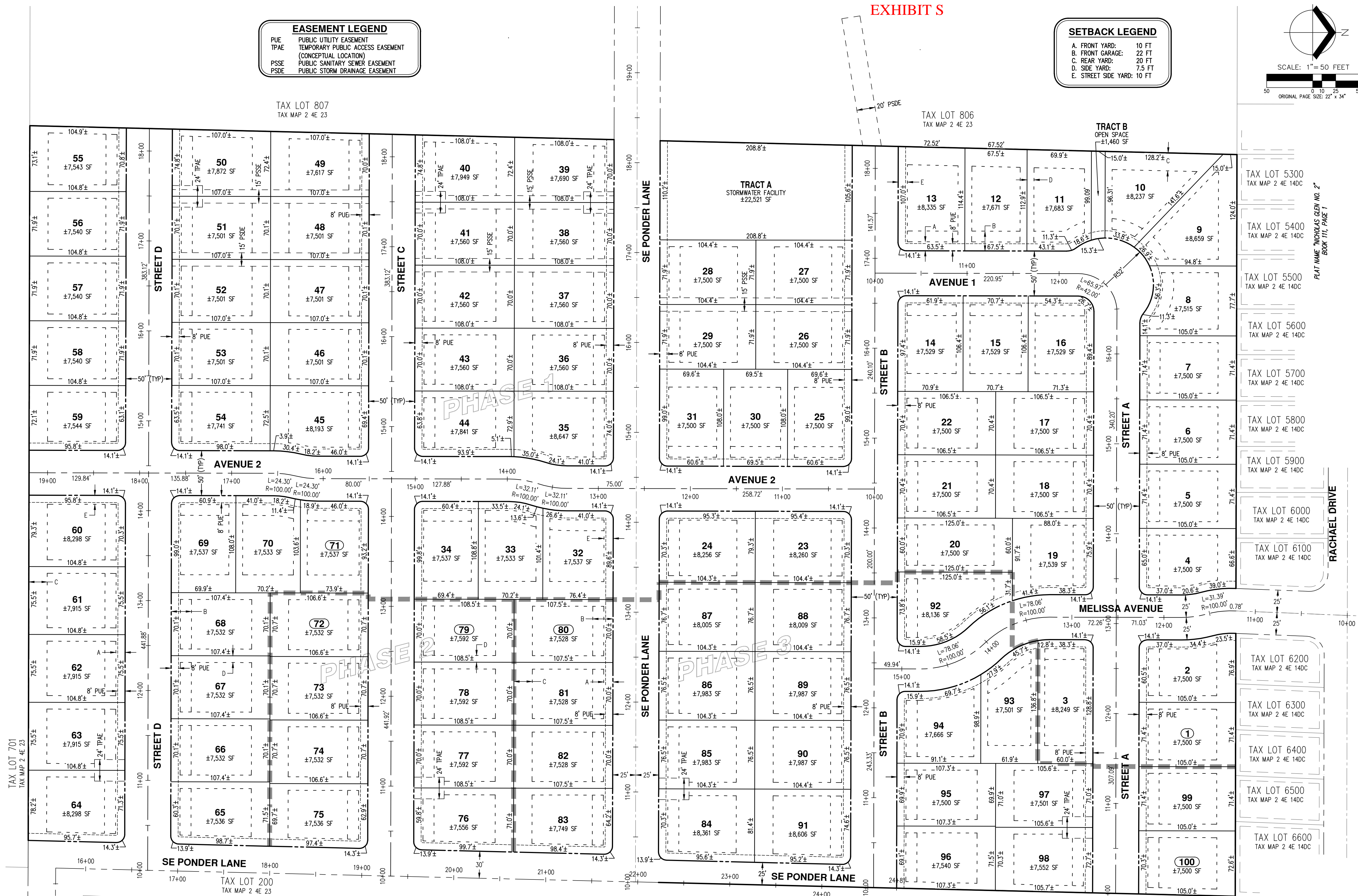
Michael C. Robinson

MCR:jmhi
Enclosures

cc: Mr. Cody Bjugan (*via email*) (*w/enclosures*)
Mr. Monty Hurley (*via email*) (*w/enclosures*)
Mr. Chris Goodell (*via email*) (*w/enclosures*)
Mr. Todd Mobley (*via email*) (*w/enclosures*)
Ms. Emily Meharg (*via email*) (*w/enclosures*)
Mr. David Doughman (*via email*) (*w/enclosures*)

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AKS DRAWING FILE: 7107 DDM SUBDIV PLANNING | LAYOUT | P1-04

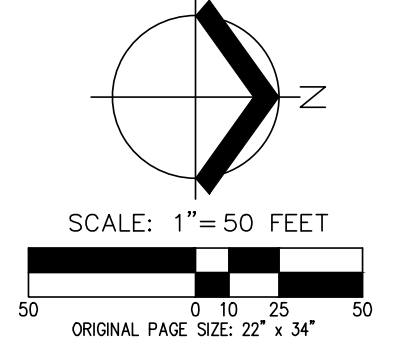


EASEMENT LEGEND

- PUE PUBLIC UTILITY EASEMENT
- TPAE TEMPORARY PUBLIC ACCESS EASEMENT (CONCEPTUAL LOCATION)
- PSSE PUBLIC SANITARY SEWER EASEMENT
- PSDE PUBLIC STORM DRAINAGE EASEMENT

SETBACK LEGEND

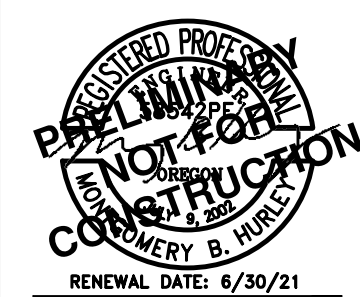
- A. FRONT YARD: 10 FT
- B. FRONT GARAGE: 22 FT
- C. REAR YARD: 20 FT
- D. SIDE YARD: 7.5 FT
- E. STREET SIDE YARD: 10 FT



AKS
AKS ENGINEERING & FORESTRY, LLC
12985 SW HERMAN RD., STE. 100
TUALATIN, OR 97062
503.563.6151
WWW.AKS-ENG.COM

ENGINEERING - SURVEYING - NATURAL RESOURCES
FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

**PRELIMINARY SUBDIVISION PLAT
WITH FUTURE BUILDING SETBACKS
BAILEY MEADOWS
SANDY, OREGON**



RENEWAL DATE: 6/30/21
JOB NUMBER: 7107
DATE: 11/15/2019
DESIGNED BY: WN
DRAWN BY: CL
CHECKED BY: RSW

P1-04

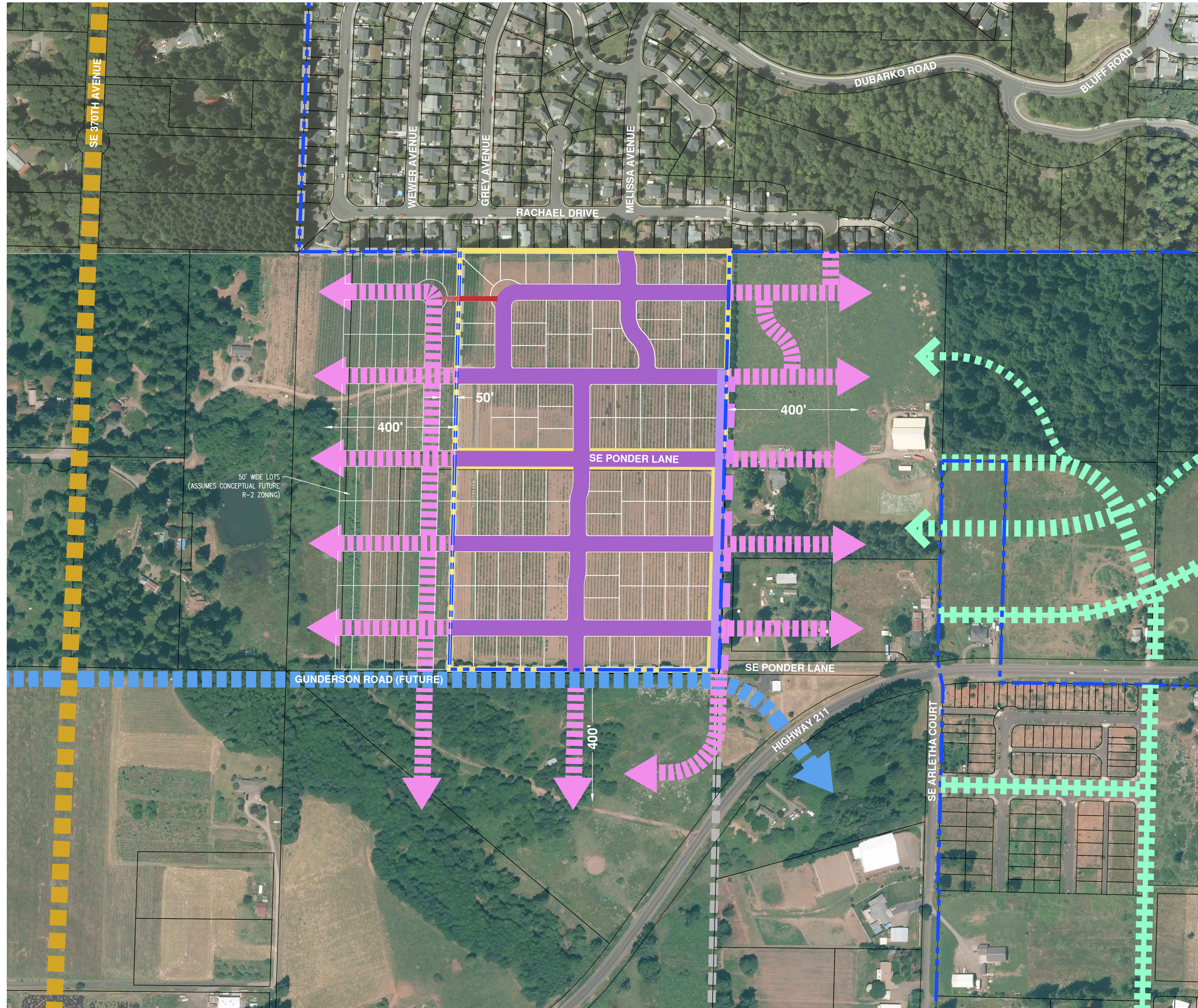


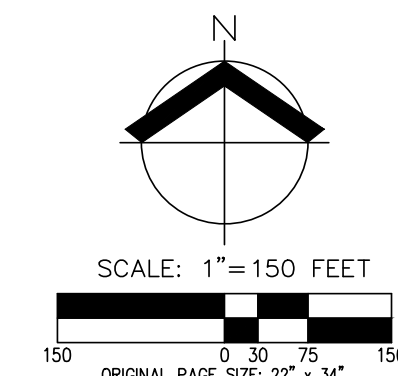
EXHIBIT T

LEGEND

CITY LIMITS	
URBAN GROWTH BOUNDARY	
PROJECT SITE BOUNDARY	
PLANNED LOCAL STREET	
PLANNED LOCAL STREET (FEE-IN-LIEU FOR 1/2 STREET IMPROVEMENTS)	
CONCEPTUAL FUTURE MINOR ARTERIAL (ON TSP)	
CONCEPTUAL FUTURE COLLECTOR (ON TSP)	
CONCEPTUAL FUTURE LOCAL STREET	
CONCEPTUAL FUTURE LOCAL STREET (1/2 STREET IMPROVEMENTS)	
CONCEPTUAL STREET FROM BORNSTEDT VILLAGE SPECIFIC AREA PLAN ILLUSTRATIVE STREET PLAN DATED 8/18/2003	
PLANNED PEDESTRIAN PATH	
CONCEPTUAL FUTURE PEDESTRIAN PATH	

NOTES

1. THIS PLAN IS INCLUDED TO MEET THE SUBMITTAL REQUIREMENTS FOR THE CITY OF SANDY FOR THE BAILEY MEADOWS SUBDIVISION APPLICATION.
2. CONCEPTUAL FUTURE STREET LOCATIONS ARE SHOWN FOR ILLUSTRATIVE PURPOSES FOR THE LAND USE APPLICATION ONLY AND ARE NOT PROPOSED WITH THIS SUBDIVISION AND ARE NOT BINDING ON ANY OFFSITE PROPERTIES.



AKS
 AKS ENGINEERING & FORESTRY, LLC
 12905 SW HERMAN RD., STE. 100
 TUALATIN, OR 97062
 503.563.6151
 WWW.AKS-ENG.COM

ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

**CONCEPTUAL FUTURE
 STREET PLAN
 BAILEY MEADOWS
 SANDY, OREGON**

**REGISTERED PROFESSIONAL
 PLANNING
 NOT FOR
 CONSTRUCTION**
 CODY B. WILSON
 RENEWAL DATE: 6/30/21

JOB NUMBER: 7107
 DATE: 11/21/2019
 DESIGNED BY: WN
 DRAWN BY: CL
 CHECKED BY: RSW

P1-15

Bailey Meadows Subdivision

Date: July 2019
Updated November 2019

Submitted to: City of Sandy
39250 Pioneer Boulevard
Sandy, OR 97055

Applicant: Allied Homes & Development
12042 SE Sunnyside Road, Suite 706
Clackamas, OR 97015

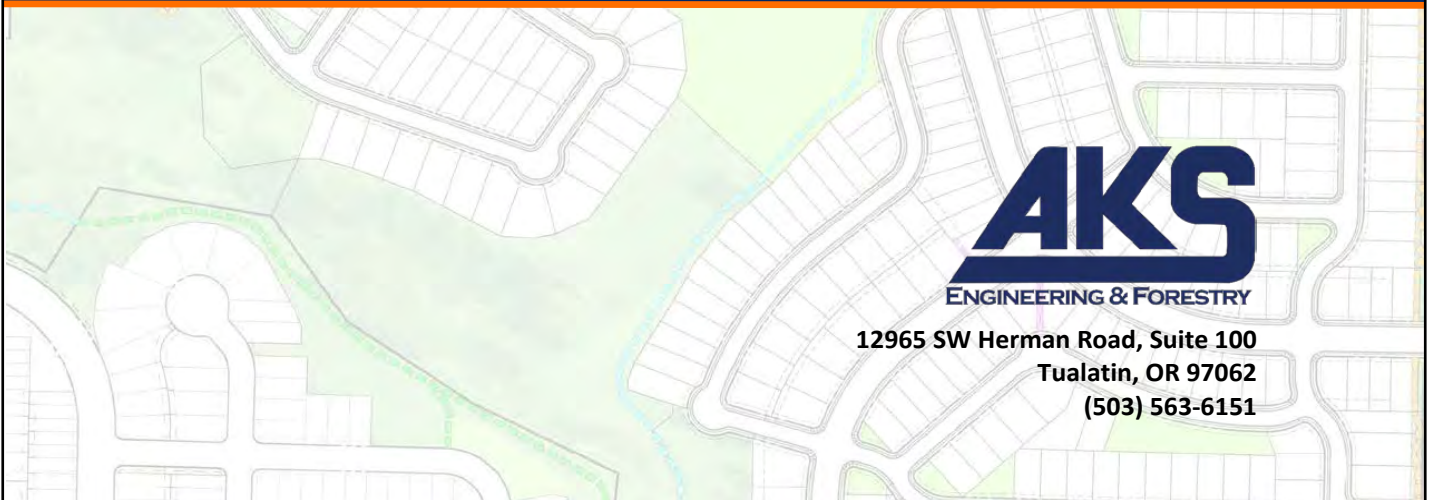


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Exhibits

- Exhibit A:** Preliminary Plans
- Exhibit B:** City of Sandy Land Use Application Forms and Checklists
- Exhibit C:** Property Ownership Information
- Exhibit D:** Clackamas County Assessor’s Map
- Exhibit E:** Public Notification
- Exhibit F:** Traffic Impact Analysis
- Exhibit G:** Preliminary Stormwater Report
- Exhibit H:** Flood & Slope Hazard (FSH) Analysis
- Exhibit I:** Documentation of Plat Name Reservation
- Exhibit J:** Geotechnical Engineering Report

Also Included with This Application

- Cover Letter from Applicant’s Legal Counsel (November 2019)
 - Cover Letter from Applicant’s Legal Counsel (July 2019)
-

Bailey Meadows Subdivision

Submitted to:	City of Sandy Planning Department 39250 Pioneer Boulevard Sandy, OR 97055
Applicant:	Allied Homes and Development 12402 SE Sunnyside Road, Suite 706 Clackamas, OR 97015
Property Owner:	Myrtle J. Sturm and Grant E. Sturm, Trustees of the Sturm Family Trust 647 E Historic Columbia River Highway Troutdale, OR 97060
Applicant's Consultant:	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062 Contact(s): Chris Goodell, AICP, LEED ^{AP} Email: chrisg@aks-eng.com Phone: (503) 563-6151
Applicant's Legal Counsel:	Schwabe, Williamson & Wyatt Pacwest Center 1211 SW 5th Avenue, Suite 190 Portland, OR 97204 Contact(s): Michael Robinson Email: mrobinson@schwabe.com Phone: (503) 796-3756
Applicant's Transportation Engineer:	Lancaster Engineering 321 SW 4 th Avenue, Suite 400 Portland, OR 97204 Contact(s): Todd Mobley Email: todd@lancasterengineering.com Phone: (503) 248-0313
Applicant's Geotechnical Engineer:	GeoPacific Engineering, Inc. 14835 SW 72 nd Avenue Tigard, OR 97224 Contact(s): Jim Imbrie Email: jimbrie@geopacificeng.com Phone: (503) 598-8445
Clackamas County Assessor's Map:	24E 23 Tax Lots 800, 801, 802, 803, and 804



Site Size:

One subdivision affecting five lots at ±23.42 total acres:

±2.40 acres (Lot 800)

±4.74 acres (Lot 801)

±4.74 acres (Lot 802)

±9.17 acres (Lot 803)

±2.37 acres (Lot 804)

Land Use District:

Single-Family Residential (SFR)



I. Executive Summary

To address the City of Sandy's identified need for urban land for housing under statewide planning goal 10, "housing," the City of Sandy (City) in 2017 expanded its Urban Growth Boundary (UGB) south to include the subject site. In June 2017, the property was annexed to the City of Sandy. The UGB expansion is final and acknowledged by the state.

This application for the Bailey Meadows Subdivision (the "Subdivision") is part of the planned progression of land use planning for the area and involves the creation of "Needed Housing" under ORS 197-303(1) and 197.307(4) on residential land properly zoned for the proposed use within the incorporated limits of the City of Sandy. The Applicant is submitting this application to the City of Sandy for a Single-Family Residential Subdivision on the ±23.42-acre site, designated with Single Family Residential (SFR) zoning. Planned project site features include:

- 100 lots for single-family detached housing
- Interconnected system of sidewalks and local public streets
- On-street parking
- Three planned phases with concurrent infrastructure improvements
- Full range of underground utilities including sanitary sewer, water, and franchise utilities
- Fee-in-lieu payment for parkland dedication
- Fee-in-lieu payment for improvements to SE Ponder Lane

This application package includes the City of Sandy application forms, written materials, and Preliminary Plans necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City's approval of this Subdivision.

This application is a "Needed Housing" application under ORS 197.303(1)(a) as it provides housing within an acknowledged urban growth boundary. ORS 197.307(4) states that a local government may apply only clear and objective standards, conditions, and procedures regulating the creation of Needed Housing, and such standards, conditions, and procedures cannot have the effect, either in themselves or cumulatively, of discouraging Needed Housing through unreasonable cost or delay.

Oregon Courts and the Land Use Board of Appeals (LUBA) have held that an approval standard is not clear and objective if it imposes on an applicant "subjective, value-laden analyses that are designed to balance or mitigate impacts of the development." *Rogue Valley Association of Realtors v. City of Ashland*, 35 Or LUBA 139, 158 (1998) *aff'd*, 158 Or App 1 (1999). ORS 197.831 places the burden on local governments to demonstrate that the standards and conditions placed on Needed Housing applications can be imposed only in a clear and objective manner. While this application addresses all standards and conditions, the Applicant reserves the right to object to the application of standards or conditions that are not clear and objective and does not waive its right to assert that the Needed Housing statutes apply to this application. The exceptions in ORS 197.307(4)(a) and 197.307(5) do not apply to this application. ORS 197.307(7)(a) is controlled by ORS 197.307(4). The City has not taken an exception for Needed Housing under 197.303(3).

II. Site Description and Setting

The subject property is approximately ±23.42 acres and is comprised of five separate tax lots generally located directly south of the Nicolas Glen No. 2 Subdivision. The site is designated "SFR" with no existing structures on the site. The site is primarily used for agricultural purposes with a few trees along the southern border of Tax Lots 800 and 803.

Surrounding Land Uses

North: The site abuts 14 residential lots within the southern portion of the Nicolas Glen No. 2 Subdivision. These properties have a general lot size of ±0.12 acres and are zoned Medium Density Residential (MDR) and are in the City. The planned access for Bailey Meadows Subdivision is via the existing right-of-way street stub terminus at Melissa Avenue, directly north of the project boundary.

East: The property to the east is within both the City's UGB and unincorporated Clackamas County and is zoned Rural Residential Farm Forest 5-Acre (RRFF-5). It is currently improved with a single-family dwelling which accesses off Ponder Lane.

South/West: The properties south and west of the site are undeveloped and located outside of the City's UGB and are zoned Exclusive Farm Use District (EFU) by Clackamas County.

III. Applicable Review Criteria

CITY OF SANDY MUNICIPAL CODE

Title 17 – DEVELOPMENT CODE

CHAPTER 17.18 - PROCESSING APPLICATIONS

17.18.00 PROCEDURES FOR PROCESSING LAND USE APPLICATIONS

An application shall be processed under a Type I, II, III or IV procedure. The differences between the procedures are generally associated with the different nature of the decisions as described in Chapter 17.12.

When an application and proposed development is submitted, the Director shall determine the type of procedure the Code specifies for its processing and the potentially affected agencies.

If a development proposal requires an applicant to file a land use application with the city (e.g. a design review application) and if there is a question as to the appropriate procedure to guide review of the application (e.g. a Type II versus a Type III design review process), the question will be resolved in favor of the lower type number.

If a development proposal requires an applicant to file more than one land use application with the city (e.g. a design review application and a variance) and if the development code provides that the applications are to be reviewed under separate types of procedures (e.g. a Type II design review and a Type III variance):

- the Director will generally elevate all of the required applications to the highest number procedure for review (e.g. the Type II design review application would be reviewed by the Planning Commission along with the Type III variance).

In situations where an applicant has attended a pre-application conference and has reviewed the application with the Director prior to submitting the applications, the Director may exercise his/her discretion to review the Type II application(s) at the staff level and only schedule a public hearing for the Type III portion(s) of the development proposal.

Response: The application requires a Type III Review Procedure, following conclusions of the November 20, 2018 pre-application conference (see response below).

17.18.20 PRE-APPLICATION CONFERENCE

A pre-application conference is required for all Type II, III, and IV applications unless the Director determines a conference is not needed. A request for a pre-application conference shall be made on the form provided by the city and will be scheduled following submittal of required materials and payment of fees. The purpose of the conference is to acquaint the applicant with the substantive and procedural requirements of the Code, provide for an exchange of information regarding applicable elements of the Comprehensive Plan and development requirements, arrange such technical and design assistance which will aid the applicant, and to otherwise identify policies and regulations that create opportunities or pose significant constraints for the proposed development. The Director will provide the applicant with notes from the conference within 10 days of the conference. These notes may include confirmation of the procedures to be used to process the application, a list of materials to be submitted, and the applicable code sections and criteria that may apply to the application. Any opinion expressed by the Director or City staff during a pre-application conference regarding substantive provisions of the City's code is advisory and is subject to change upon official review of the application.

Response: A pre-application conference was held with the City of Sandy on November 20, 2018. An additional meeting with City staff was held on January 29, 2019. This requirement is met.

17.18.30 LAND USE APPLICATION MATERIALS

Unless otherwise specified in this code, an application shall consist of the materials specified in this section, plus any other materials required by this Code.

- A. A completed application form and payment of fees.
- B. List and mailing labels of Affected Property Owners.
- C. An explanation of intent, stating the nature of the proposed development, reasons for the request, pertinent background information, information required by the Development Code and other material that may have a bearing in determining the action to be taken.
- D. Proof that the property affected by the application is in the exclusive ownership of the applicant, that the applicant has the consent of all parties in ownership of the affected property, or the applicant is the contractual owner.
- E. Legal description of the property affected by the application.
- F. Written narrative addressing applicable code chapters and approval criteria.
- G. Vicinity Map showing site in relation to local and collector streets, plus any other significant features in the nearby area.
- F. Site plan of proposed development
- G. Number of Copies to be Submitted:
 - 1. One copy of items A through D listed above;
 - (...)



-
4. Type III: 15 copies of site plan and other materials required by the Code

The Director may vary the quantity of materials to be submitted as deemed necessary.

Response: The application submittal materials include the items listed above. The list and mailing labels are applicable to property owners within 500 feet of the subject properties. The remainder of the Code Section discusses the processing requirements to be completed by the City. For purposes of brevity, those Sections are not included in this narrative. This requirement is met.

CHAPTER 17.20 - PUBLIC HEARINGS

17.20.40 APPLICANT'S RESPONSIBILITY

(...)

- C. Neighborhood Meetings. Applicants intending to develop a major project within the City are strongly urged to conduct their own informational meetings in the neighborhood affected prior to submitting their application to the City.

Response: On September 18, 2019, the Applicant conducted a neighborhood meeting at the Sandy Public Library. The above City recommendation has been satisfied.

CHAPTER 17.30 - ZONING DISTRICTS

17.30.20 RESIDENTIAL DENSITY CALCULATION PROCEDURE

The number of dwelling units permitted on a parcel of land is calculated after the determination of the net site area and the acreage of any restricted development areas (as defined by Chapter 17.60). Limited density transfers are permitted from restricted development areas to unrestricted areas consistent with the provisions of the Flood and Slope Hazard Area Overlay District, Chapter 17.60.

Calculation of Net Site Area (NSA): Net site area should be calculated in acres based upon a survey of the property boundaries excluding areas dedicated for public use.

- A. Minimum and Maximum Dwelling Units for Sites with No Restricted Areas. The allowable range of housing units on a piece of property is calculated by multiplying the net site area (NSA) in acres by the minimum and maximum number of dwelling units allowed in that zone.

For example: A site (NSA) containing 10 acres in the Single-Family Residential Zoning District requires a minimum of 30 units and allows a maximum of 58 units. (NSA x 3 units/acre = 30 units minimum) (NSA x 5.8 units/acre = 58 units maximum)

Response: The subject site is zoned Single Family Residential (SFR). The planned subdivision includes a total of 100 units on a total net site area of ±18.21 acres resulting in a net residential density of ±5.49 units per acre. This planned density falls within the minimum number of dwelling units required of 3 and the maximum of 5.8 units per acre. The tables below provide the details of the density calculations. Note that the gross site area excludes existing SE Ponder Lane right-of-way. The criteria are met.



Gross Area (AC)	ROW (AC)	NSA (AC)= GROSS-ROW
23.42	5.21	18.21

	Units Per Acre	Density	Total Density
MIN	3	54.63	55
MAX	5.8	105.62	106

B. Minimum and Maximum Dwelling Units for Sites with Restricted Areas

1. **Unrestricted Site Area:** To calculate unrestricted site area (USA): subtract all restricted development areas (RDA) as defined by Section 17.60.20(A) from the net site area (NSA), if applicable.

$$\text{NSA} - \text{RDA} = \text{USA}$$

2. **Minimum Required Dwelling Units:** The minimum number of dwelling units required for the site is calculated using the following formula:

$$\text{USA (in acres)} \times \text{Minimum Density (Units per Acre) of Zoning District} = \text{Minimum Number of Dwelling Units Required.}$$

3. **Maximum Allowed Dwelling Units:** The maximum number of dwelling units allowed on a site is the lesser of the results of these two formulas:

- a. $\text{NSA (in acres)} \times \text{Maximum Density of Zoning District (units/acre)}$

- b. $\text{USA (in acres)} \times \text{Maximum Density of Zoning District (units/acre)} \times 1.5$ (maximum allowable density transfer based on Chapter 17.60)

For example: suppose a site in a zone with a maximum density of eight (8) units per acre has 6 acres of unrestricted site area (USA= 6) and two acres of restricted development area (RDA=2), for a total net site area of 8 acres (NSA= 8). Then NSA (8) x 8 units/acre = 64 and USA (6) x 8 units/acre x 1.5 = 72, so the maximum permitted number of dwelling units is 64 (the lesser of the two results).

Response: The project site does not contain any restricted areas. See Exhibit H for Flood and Slope Hazard Analysis. The criteria do not apply.

- C. **Lot Sizes:** Lot sizes shall comply with any minimum lot size standards of the underlying zoning district.

- D. **Rounding:** A dwelling unit figure is rounded down to the nearest whole number for all total maximum or minimum figures less than four dwelling units. For dwelling unit figures greater than four dwellings units, a partial figure of one-half or greater is rounded up to the next whole number.

For example: A calculation of 3.7 units is rounded down to 3 units. A calculation of 4.2 units is rounded down to 4 units and a calculation of 4.5 units is rounded up to 5 units.

Response: The application involves subdividing the subject site into 100 lots suitable for future single-family detached dwellings, all complying with the minimum lot size of 7,500 square feet. The subdivision also includes one tract for stormwater management infrastructure. Rounding as stated above is demonstrated in the density calculation. The criterion is met.

CHAPTER 17.34 - SINGLE-FAMILY RESIDENTIAL (SFR)

17.34.10 PERMITTED USES

A. Primary Uses Permitted Outright:

1. Single detached dwelling subject to design standards in Chapter 17.90;

Response: The Applicant plans on building model homes with this subdivision. To the extent this cannot be done, the Applicant will work with the City and build a new single-family home on each of the lots of record prior to plat recordation, similar to a model home scenario.

2. Single detached manufactured dwelling subject to design standards in Chapter 17.90;

17.34.30 DEVELOPMENT STANDARDS

Type	Standard
A. Minimum Lot Area – Single detached dwelling	7,500 square ft.
B. Minimum Average Lot Width – Single detached dwelling	60 ft.
C. Minimum Lot Frontage	20 ft, except as allowed by Section 17.100.160
D. Minimum Average Lot Depth	No minimum
E. Setbacks (Main Building) Front Yard Rear Yard Side Yard (interior) Corner Lot	10 ft. minimum 20 ft. minimum 7.5 ft. minimum 10 ft. minimum on side abutting the street ¹
F. Setbacks (Garage/Carport)	22 ft. minimum for front vehicle access 15 ft. minimum if entrance is perpendicular to street (subject to Section 17.90.220) 5 ft. minimum for alley or rear access

Response: This application proposes lots for the permitted use of “single detached dwelling” listed above. The minimum standards for newly created lots in the SFR district are included in the table above. As planned, each of the lots meets the 20-foot minimum lot frontage to the street and the 60-foot average lot width for a single detached dwelling. The Preliminary Subdivision Plat, included in Exhibit A, demonstrates that future homes can meet the minimum setback requirements at the time of future building permit submittal. As shown, each lot meets the 7,500 square-foot minimum lot size requirement. The criteria are met.

17.34.40 MINIMUM REQUIREMENTS

- A. Must connect to municipal water.
- B. Must connect to municipal sewer if service is currently within 200 feet of the site. Sites more than 200 feet from municipal sewer, may be

approved to connect to an alternative disposal system provided all of the following are satisfied:

1. A county septic permit is secured and a copy is provided to the city;
 2. The property owner executes a waiver of remonstrance to a local improvement district and/or signs a deed restriction agreeing to complete improvements, including but not limited, to curbs, sidewalks, sanitary sewer, water, storm sewer or other improvements which directly benefit the property;
 3. The minimum size of the property is one acre or is a pre-existing buildable lot, as determined by the city;
 4. Site consists of a buildable parcel(s) created through dividing property in the city, which is less than five acres in size.
- C. The location of any real improvements to the property must provide for a future street network to be developed.
- D. Must have frontage or approved access to public streets.

Response: The Preliminary plans include information illustrating how the subdivision is planned to be serviced with municipal water, sanitary sewer, planned street network and improvements, and frontage on public streets. These criteria will be met.

17.34.50 ADDITIONAL REQUIREMENTS

- A. Design review as specified in Chapter 17.90 is required for all uses.

Response: This application involves a subdivision; design review for specific uses will be reviewed at the time of future permit submittal, if necessary. The standard is understood.

- B. Lots with 40 feet or less of street frontage shall be accessed by a rear alley or a shared private driveway.

Response: As illustrated by the Preliminary Plans, each lot is planned with at least 40 feet of street frontage. This criterion does not apply.

- C. Lots with alley access may be up to 10 percent smaller than the minimum lot size of the zone.

Response: Alleys are not included in this project. The criterion does not apply.

- D. Zero Lot Line Dwellings: Prior to building permit approval, the applicant shall submit a recorded easement between the subject property and the abutting lot next to the yard having the zero setback. This easement shall be sufficient to guarantee rights for maintenance purposes of structures and yard, but in no case shall it be less than 5 ft. in width.

Response: Building setback requirements will be reviewed at the time of future building permit submittal. This criterion is understood.

CHAPTER 17.60 - FLOOD & SLOPE HAZARD (FSH) OVERLAY DISTRICT



17.60.10 INTERPRETATION AND MAPPING

The Director has the ultimate responsibility for maintaining the FSH Overlay District on the City of Sandy Zoning Map, determining on-site measuring methods, and otherwise interpreting the provisions of this chapter. Technical terms used in this chapter are defined in Chapter 17.10, Definitions. This chapter does not regulate development on lots or parcels entirely outside the FSH Overlay District.

A. FSH Overlay District. The only areas subject to the restrictions and prohibitions of the FSH overlay district are those indicated on the City of Sandy Zoning Map on file in the Planning Department and areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled, "Flood Insurance Study (FIS) for Clackamas County, Oregon and Incorporated Areas," dated January 18, 2019, with accompanying Flood Insurance Rate Maps (FIRMs). This chapter does not regulate lots or parcels entirely outside the FSH Overlay District.

1. The FIS and FIRMs are hereby adopted by reference and declared to be a part of Section 17.60 and are on file at the City of Sandy.

Response: According to the current Zoning Map, the site is located inside the City limits, within the UGB and is unaffected by the FSH Overlay. However, the project site was not included on the City's Goal 5 Inventory to determine whether wetlands, streams, or the FSH Overlay applies to the site because that inventory was created prior to the site's inclusion within the UGB and annexation to the City. A FSH Analysis (Exhibit H) is included in the application materials demonstrating that the FSH Overlay District does not apply to the project site.

B. Development Approval Required. No development shall occur within the FSH overlay district without first obtaining City approval under the provisions of this chapter. The Director shall notify the Oregon Division of State Lands whenever any inventoried wetland is proposed for development, in accordance with ORS 227.350. In riverine situations, the Director shall notify adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notification to the administrator.

C. Interpretation

All provisions of the FSH overlay code shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

D. Applicant Responsibilities. The applicant for alteration or development within the FSH overlay district shall be responsible for preparing a survey of the entire site, based on site-specific field surveys or Corps of Engineers data that precisely maps and delineates the following areas:

1. The name, location and dimensions of affected streams or rivers, and the tops of their respective banks.



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2. Area of Special Flood Hazard boundaries and elevations as determined by the January 18, 2019 FIS for Clackamas County and Incorporated Areas.

Response: According to Federal Emergency Management Area (FEMA) mapping, Special Flood Hazard Areas are not mapped within the project site.

3. The City of Sandy FSH overlay district boundary as depicted on the City of Sandy FSH Map.

Response: The subject site is not located within the City's FSH Overlay District.

4. The water quality and slope setback area(s) as defined in Section 17.60.30.

5. The size and location of locally significant wetlands shall be determined based on the City of Sandy Locally Significant Wetland Inventory (2002) unless modified by a wetland delineation approved by the Oregon Division of State Lands and submitted to the City. Wetland delineations that have formal concurrence from the Division of State Lands shall be valid for the period specified in that agency's administrative rules.

Response: The project site is located outside of the City of Sandy's Local Wetland Inventory.

6. Steep slope areas where the slope of the land is 25% or greater within the FSH overlay district boundary.

7. The area enclosed by a continuous line, measured 25 feet horizontally, parallel to and upland from the top of a steep slope area, where the top of the steep slope is within the FSH overlay district boundary.

Response: The FSH Analysis (Exhibit H) concludes that wetlands, waters, or slopes greater than 25% are not located on the subject site.

8. Existing public rights-of-way, structures, roads and utilities.

9. Natural vegetation, including trees or tree clusters and understory within the FSH Overlay District boundary.

10. Existing and proposed contours at 2-foot intervals.

Response: The FSH Analysis (Exhibit H) contains the applicable information as listed above. The criteria are met.

17.60.20 PERMITTED USES AND ACTIVITIES

This chapter lists permitted uses, or uses allowed under prescribed conditions, within the FSH overlay district. Where there are conflicts, this chapter supersedes the use provisions of the underlying district.

Response: The FSH Analysis (Exhibit H) documents that wetlands, waters, or slopes greater than 25% are not located on the subject site. Therefore, the FSH Overlay District does not apply to the project site and thus the criteria of Chapter 17.60 do not apply and have been omitted for brevity.



CHAPTER 17.84 - IMPROVEMENTS REQUIRED WITH DEVELOPMENT

17.84.20 TIMING OF IMPROVEMENTS

- A. All improvements required by the standards in this chapter shall be installed concurrently with development, as follows:
1. Where a land division is proposed, each proposed lot shall have required public and franchise utility improvements installed or financially guaranteed in accordance with the provisions of Chapter 17 prior to approval of the final plat.
 2. Where a land division is not proposed, the site shall have required public and franchise utility improvements installed or financially guaranteed in accordance with the provisions of Chapter 17 prior to temporary or final occupancy of structures.

Response: As shown in the Preliminary Plans in Exhibit A, each lot is to be provided with utility, sanitary sewer, water, and stormwater infrastructure. The criterion is met.

- B. Where specific approval for a phasing plan has been granted for a planned development and/or subdivision, improvements may similarly be phased in accordance with that plan.

Response: As depicted in the Preliminary Plans, improvements are planned to be phased with the approved plans. See Exhibit A for detailed phasing logistics.

17.84.30 PEDESTRIAN AND BICYCLIST REQUIREMENTS

- A. Sidewalks shall be required along both sides of all arterial, collector, and local streets, as follows:

Response: As shown on the Preliminary Plans, sidewalks are planned to be provided on the streets within the subdivision and along the unimproved street stub section of Melissa Avenue.

1. Sidewalks shall be a minimum of 5 ft. wide on local streets. The sidewalks shall be separated from curbs by a tree planting area that provides separation between sidewalk and curb, unless modified in accordance with Subsection 3 below.

Response: As shown on the Preliminary Plans, sidewalks will be a minimum of 5 feet wide on the local street sections interior to the subdivision. See Exhibit A for detailed landscaping plans. The criterion is met.

2. Sidewalks along arterial and collector streets shall be separated from curbs with a planting area, except as necessary to continue an existing curb-tight sidewalk. The planting area shall be landscaped with trees and plant materials approved by the City. The sidewalks shall be a minimum of 6 ft. wide.

Response: The project site does not include proposed arterial or collector streets. The criterion does not apply.

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3. Sidewalk improvements shall be made according to city standards, unless the city determines that the public benefit in the particular case does not warrant imposing a severe adverse impact to a natural or other significant feature such as requiring removal of a mature tree, requiring undue grading, or requiring modification to an existing building. Any exceptions to the standards shall generally be in the following order.
- a) Narrow landscape strips
 - b) Narrow sidewalk or portion of sidewalk to no less than 4 feet in width
 - c) Eliminate landscape strips
 - d) Narrow on-street improvements by eliminating on-street parking
 - e) Eliminate sidewalks

Response: As shown on the Preliminary Plans, sidewalks are planned adjacent to the new streets within the subdivision. The criteria do not apply.

4. The timing of the installation of sidewalks shall be as follows:
- a) Sidewalks and planted areas along arterial and collector streets shall be installed with street improvements, or with development of the site if street improvements are deferred.

Response: The project site does not include proposed arterial or collector streets. The criterion does not apply.

- b) Sidewalks along local streets shall be installed in conjunction with development of the site, generally with building permits, except as noted in (c) below.

Response: Sidewalks are planned to be completed in conjunction with frontage improvements as phased with the approved plans. The criterion is met.

- c) Where sidewalks on local streets abut common areas, drainageways, or other publicly owned or semi-publicly owned areas, the sidewalks and planted areas shall be installed with street improvements.

Response: The project site does not abut drainageways, publicly owned areas, or common areas. The criterion does not apply.

- B. Safe and convenient pedestrian and bicyclist facilities that strive to minimize travel distance to the extent practicable shall be provided in conjunction with new development within and between new subdivisions, planned developments, commercial developments, industrial areas, residential areas, public transit stops, school transit stops, and neighborhood activity centers such as schools and parks, as follows:

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1. For the purposes of this section, “safe and convenient” means pedestrian and bicyclist facilities that: are reasonably free from hazards which would interfere with or discourage travel for short trips; provide a direct route of travel between destinations; and meet the travel needs of pedestrians and bicyclists considering destination and length of trip.

Response: As shown on the Updated Preliminary Plan Sheets, a pedestrian path is planned in the northwest portion of the project site to provide a potential connection for a future development to the west. Pedestrian routes as planned are safe, direct, and convenient and don’t deviate unnecessarily from a straight line, involve a significant amount of out-of-direction travel for likely users, or contain hazards. The criteria are met.

2. To meet the intent of “B” above, right-of-ways connecting cul-de-sacs or passing through unusually long or oddly shaped blocks shall be a minimum of 15 ft. wide with 8 feet of pavement.

Response: The application does not include cul-de-sac improvements or unusual blocks; the criterion is met.

3. 12 feet wide pathways shall be provided in areas with high bicycle volumes or multiple use by bicyclists, pedestrians, and joggers.

Response: The application does not involve high volume pedestrian travel. The criterion does not apply.

4. Pathways and sidewalks shall be encouraged in new developments by clustering buildings or constructing convenient pedestrian ways. Pedestrian walkways shall be provided in accordance with the following standards:
 - a) The pedestrian circulation system shall be at least five feet in width and shall connect the sidewalk on each abutting street to the main entrance of the primary structure on the site to minimize out of direction pedestrian travel.
 - b) Walkways at least five feet in width shall be provided to connect the pedestrian circulation system with existing or planned pedestrian facilities which abut the site but are not adjacent to the streets abutting the site.
 - c) Walkways shall be as direct as possible and avoid unnecessary meandering.
 - d) Walkway/driveway crossings shall be minimized. Internal parking lot design shall maintain ease of access for pedestrians from abutting streets, pedestrian facilities, and transit stops.

Response: As shown on the Preliminary Plans, pedestrian walkways are intended to connect to the existing and planned pedestrian circulation system and future building entrances. Therefore, the applicable standards above are met.

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- e) With the exception of walkway/driveway crossings, walkways shall be separated from vehicle parking or vehicle maneuvering areas by grade, different paving material, painted crosshatching or landscaping. They shall be constructed in accordance with the sidewalk standards adopted by the City. (This provision does not require a separated walkway system to collect drivers and passengers from cars that have parked on site unless an unusual parking lot hazard exists).

Response: The application does not involve common space walkways of this nature. Therefore, the criteria are not applicable.

- f) Pedestrians amenities such as covered walk-ways, awnings, visual corridors and benches will be encouraged. For every two benches provided, the minimum parking requirements will be reduced by one, up to a maximum of four benches per site. Benches shall have direct access to the circulation system.

Response: The application does not include pedestrian amenities as described above. The criterion is not applicable.

- C. Where a development site is traversed by or adjacent to a future trail linkage identified within the Transportation System Plan, improvement of the trail linkage shall occur concurrent with development. Dedication of the trail to the City shall be provided in accordance with 17.84.80.

Response: According to the City of Sandy's Transportation System Plan (the "TSP"), there are no existing or planned trails adjacent to the project site which warrant a linkage. Therefore, the standard does not apply. However, this application is not subject to the TSP as explained above.

- D. To provide for orderly development of an effective pedestrian network, pedestrian facilities installed concurrent with development of a site shall be extended through the site to the edge of adjacent property(ies).

Response: As illustrated by the Updated Preliminary Plan Sheets, continuous pedestrian facilities extending from the Nicolas Glen No. 2 Subdivision throughout the site are planned concurrently with each individual project phase. In addition, a pedestrian pathway is planned to provide a potential connection for a future development west of the project site. Sidewalks are planned to be completed prior to occupancy of the adjoining home, as indicated on the Preliminary Plans. Therefore, the standard is met.

- E. To ensure improved access between a development site and an existing developed facility such as a commercial center, school, park, or trail system, the Planning Commission or Director may require off-site pedestrian facility improvements concurrent with development.

Response: Existing adjacent trails, future phases, or public parks that warrant a connection are not included in the project. Therefore, the standard does not apply.



17.84.40 TRANSIT AND SCHOOL BUS TRANSIT REQUIREMENTS

- A. Development sites located along existing or planned transit routes shall, where appropriate, incorporate bus pull-outs and/or shelters into the site design. These improvements shall be installed in accordance with the guidelines and standards of the transit agency. School bus pull-outs and/or shelters may also be required, where appropriate, as a condition of approval for a residential development of greater than 50 dwelling units where a school bus pick-up point is anticipated to serve a large number of children.
- B. New developments at or near existing or planned transit or school bus transit stops shall design development sites to provide safe, convenient access to the transit system, as follows:
 - 1. Commercial and civic use developments shall provide a prominent entrance oriented towards arterial and collector streets, with front setbacks reduced as much as possible to provide access for pedestrians, bicycles, and transit.
 - 2. All developments shall provide safe, convenient pedestrian walkways between the buildings and the transit stop, in accordance with the provisions of 17.84.30 B.

Response: The project site is not located along any existing or planned transit or school bus transit stops. The criteria do not apply.

17.84.50 STREET REQUIREMENTS

- A. Traffic evaluations may be required of all development proposals in accordance with the following:
 - 1. A proposal establishing the scope of the traffic evaluation shall be submitted for review to the City Engineer. The evaluation requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. Large projects should assess all nearby key intersections. Once the scope of the traffic evaluation has been approved, the applicant shall present the results with and an overall site development proposal. If required by the City Engineer, such evaluations shall be signed by a Licensed Professional Civil Engineer or Licensed Professional Traffic Engineer licensed in the State of Oregon.

Response: The Traffic Impact Analysis (Exhibit F) assesses the traffic in accordance with planned site improvements and accepted traffic engineering practices. The standard is met.

- 2. If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.

Response: The Traffic Impact Analysis (Exhibit F) reports conditions which meet the minimum standard established in the Transportation System Plan. The criterion does not apply.



B. Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:

1. Arterial streets should generally be spaced in one-mile intervals.
2. Traffic signals should generally not be spaced closer than 1500 ft. for reasonable traffic progression.

Response: This application does not include construction of new arterial streets. The criteria do not apply.

C. Local streets shall be designed to discourage through traffic. NOTE: for the purposes of this section, "through traffic" means the traffic traveling through an area that does not have a local origination or destination. To discourage through traffic and excessive vehicle speeds the following street design characteristics shall be considered, as well as other designs intended to discourage traffic:

1. Straight segments of local streets should be kept to less than a quarter mile in length. As practical, local streets should include traffic calming features, and design features such as curves and "T" intersections while maintaining pedestrian connectivity.
2. Local streets should typically intersect in "T" configurations rather than 4-way intersections to minimize conflicts and discourage through traffic. Adjacent "T" intersections shall maintain a minimum of 150 ft. between the nearest edges of the 2 rights-of-way.

Response: The Preliminary Plans include information on the local street pattern and intersections internal to the subdivision. The design incorporates curves, "T" intersections, straight segments less than a quarter mile in length, and maintains pedestrian connectivity. The traffic traveling through the area will be of local origin. The criteria are met.

3. Cul-de-sacs should generally not exceed 400 ft. in length nor serve more than 20 dwelling units, except in cases where existing topography, wetlands, or drainage systems or other existing features necessitate a longer cul-de-sac in order to provide adequate access to an area. Cul-de-sacs longer than 400 feet or developments with only one access point may be required to provide an alternative access for emergency vehicle use only, install fire prevention sprinklers, or provide other mitigating measures, determined by the City.

Response: The project site does not include cul-de-sacs as defined in SDC 17.10.30: *a local street with only one outlet and having a bulb at the opposite end*. Additionally, as shown on the Updated Preliminary Plans Sheets, the project site is planned to be served with two accesses. The standard does not apply.

D. Development sites shall be provided with access from a public street improved to City standards in accordance with the following:

1. Where a development site abuts an existing public street not improved to City standards, the abutting street shall be improved to City standards along the full frontage of the property concurrent with development.

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2. Half-street improvements are considered the minimum required improvement. Three-quarter-street or full-street improvements shall be required where traffic volumes generated by the development are such that a half-street improvement would cause safety and/or capacity problems. Such a determination shall be made by the City Engineer.
 3. To ensure improved access to a development site consistent with policies on orderly urbanization and extension of public facilities the Planning Commission or Director may require off-site improvements concurrent with development. Off-site improvement requirements upon the site developer shall be reasonably related to the anticipated impacts of the development.
 4. Reimbursement agreements for $\frac{3}{4}$ street improvements (i.e., curb face to curb face) may be requested by the developer per Chapter 12 of the SMC.
 5. A $\frac{1}{2}$ street improvement includes curb and pavement 2 feet beyond the center line of the right-of-way. A $\frac{3}{4}$ street improvement includes curbs on both sides of the side and full pavement between curb faces.

Response: The Preliminary Plans show the project site is provided with access extending from Melissa Avenue, an existing public street right-of-way stubbed to the property. Per the Preliminary Plans, a fee-in-lieu of half-street improvements is planned on east SE Ponder Lane. Required frontage improvements on streets applicable to the project site will be completed as necessary. The criterion is met.

- E. As necessary to provide for orderly development of adjacent properties, public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property(ies) in accordance with the following:
 1. Temporary dead-ends created by this requirement to extend street improvements to the edge of adjacent properties may be installed without turn-arounds, subject to the approval of the Fire Marshal.
 2. In order to assure the eventual continuation or completion of the street, reserve strips may be required.

Response: The Preliminary Plans illustrate local street sections extending through the site to the edge of the property boundaries. Temporary dead-ends, as necessary, can be provided in the phase it is associated with, as indicated on the Preliminary Plans. The criteria can be met.

Appendix D, Section D107 of the Oregon Fire Code addresses standards regarding fire apparatus access roads for one or two-family residential developments. Developments which exceed 30 dwelling units shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

- F. Where required by the Planning Commission or Director, public street improvements may be required through a development site to provide for the logical extension of an existing street network or to connect a site with a nearby neighborhood activity center, such as a

school or park. Where this creates a land division incidental to the development, a land partition shall be completed concurrent with the development.

Response: This application does not include an incidental land division as stated above. The standard does not apply.

G. Except for extensions of existing streets, no street names shall be used that will duplicate or be confused with names of existing streets. Street names and numbers shall conform to the established pattern in the surrounding area and be subject to approval of the Director.

Response: Street names which conform to the surrounding area will be subjected to the approval of the Director. The criterion is met.

H. Location, grades, alignment, and widths for all public streets shall be considered in relation to existing and planned streets, topographical conditions, public convenience and safety, and proposed land use. Where topographical conditions present special circumstances, exceptions to these standards may be granted by the City Engineer provided the safety and capacity of the street network is not adversely affected. The following standards shall apply:

1. Location of streets in a development shall not preclude development of adjacent properties. Streets shall conform to planned street extensions identified in the Transportation Plan and/or provide for continuation of the existing street network in the surrounding area.
2. Grades shall not exceed 6 percent on arterial streets, 10 percent on collector streets, and 15 percent on local streets.

Response: The planned locations of streets internal to the subdivision provide continuation of the existing street network stemming from the stub at Melissa Avenue, as identified in the Transportation Plan. Location of streets internal to the subdivision do not preclude development of adjacent properties. The grades on the planned local streets are not intended to exceed 15 percent; the project does not include arterial or collector streets. It is understood that if any special circumstances are identified, the standards of this Section will apply and be reviewed for compliance by the City Engineer. The criterion is met.

3. As far as practical, arterial streets and collector streets shall be extended in alignment with existing streets by continuation of the street centerline. When staggered street alignments resulting in "T" intersections are unavoidable, they shall leave a minimum of 150 ft. between the nearest edges of the two rights-of-way.

Response: The project site does not include the extension of arterial or collector streets. The standard does not apply.

4. Centerline radii of curves shall not be less than 500 ft. on arterial streets, 300 ft. on collector streets, and 100 ft. on local streets.



Response: The Preliminary Plans show the centerline radii of curves are not less than 100-foot on internal local streets. The standard is met.

5. Streets shall be designed to intersect at angles as near as practicable to right angles and shall comply with the following:

a) The intersection of an arterial or collector street with another arterial or collector street shall have a minimum of 100 ft. of straight (tangent) alignment perpendicular to the intersection.

Response: The project site does not include arterial or collector streets. The criterion does not apply.

b) The intersection of a local street with another street shall have a minimum of 50 ft. of straight (tangent) alignment perpendicular to the intersection.

c) Where right angle intersections are not possible, exceptions can be granted by the City Engineer provided that intersections not at right angles have a minimum corner radius of 20 ft. along the right-of-way lines of the acute angle.

d) Intersections with arterial streets shall have a minimum curb corner radius of 20 ft. All other intersections shall have a minimum curb corner radius of 10 ft.

Response: The project site does not intersect with existing arterial streets. The criteria do not apply.

6. Right-of-way and improvement widths shall be as specified by the Transportation System Plan. Exceptions to those specifications may be approved by the City Engineer to deal with specific unique physical constraints of the site.

Response: As shown on the Preliminary Plans, right-of-way and improvement widths for streets within Bailey Meadows are being designed in accordance with City standards. The criterion is met.

J. Private streets may be considered within a development site provided all the following conditions are met:

Response: This application includes public, local street infrastructure and thus the criteria for private streets do not apply and has been deleted for brevity.

17.84.50 STREET REQUIREMENTS

(...)

B. Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:

1. Arterial streets should generally be spaced in one-mile intervals.

2. Traffic signals should generally not be spaced closer than 1500 ft. for reasonable traffic progression.



Response: This application does not involve the completion of arterial street infrastructure. The TSP details Gunderson Road as a minor arterial street section along the southern property boundary. Due to circumstances outside of the Applicant’s control, Gunderson Road cannot be extended within the UGB via the property to the east as depicted in the TSP.

17.84.60 PUBLIC FACILITY EXTENSIONS

- A. All development sites shall be provided with public water, sanitary sewer, broadband (fiber), and storm drainage.
- B. Where necessary to serve property as specified in “A” above, required public facility installations shall be constructed concurrent with development.
- C. Off-site public facility extensions necessary to fully serve a development site and adjacent properties shall be constructed concurrent with development.
- D. As necessary to provide for orderly development of adjacent properties, public facilities installed concurrent with development of a site shall be extended through the site to the edge of adjacent property(ies).
- E. All public facility installations required with development shall conform to the City’s facilities master plans.

Response: The Preliminary Plans include information detailing the nature of public facility extensions to each lot, and to the edge of properties adjacent to the subdivision, where applicable. Installations are planned to be completed concurrent with the approved phasing of the subdivision and conform to the City’s facilities master plans. The criteria are met.

- F. Private on-site sanitary sewer and storm drainage facilities may be considered provided all the following conditions exist:
 - 1. Extension of a public facility through the site is not necessary for the future orderly development of adjacent properties;
 - 2. The development site remains in one ownership and land division does not occur (with the exception of land divisions that may occur under the provisions of 17.84.50 F above);
 - 3. The facilities are designed and constructed in accordance with the Uniform Plumbing Code and other applicable codes, and permits and/or authorization to proceed with construction is issued prior to commencement of work.

Response: The application does not include private facilities as described above. The criterion does not apply.

17.84.70 PUBLIC IMPROVEMENT PROCEDURES

It is in the best interests of the community to ensure public improvements installed in conjunction with development are constructed in accordance with all applicable City policies, standards, procedures, and ordinances. Therefore, prior to commencement of installation of public water, sanitary sewer, storm drainage, broadband (fiber), street, bicycle, or pedestrian improvements for any development site, developers shall contact the City Engineer to receive information regarding adopted procedures governing plan submittal, plan



review and approval, permit requirements, inspection and testing requirements, progress of the work, and provision of easements, dedications, and as-built drawings for installation of public improvements. All work shall proceed in accordance with those adopted procedures, and all applicable City policies, standards, and ordinances.

Whenever any work is being done contrary to the provisions of this Code, the Director may order the work stopped by notice in writing served on the persons engaged in performing the work or causing the work to be performed. The work shall stop until authorized by the Director to proceed with the work or with corrective action to remedy substandard work already completed.

Response: Site work is planned to be completed in accordance with the public improvement procedures described above.

17.84.80 FRANCHISE UTILITY INSTALLATIONS

These standards are intended to supplement, not replace or supersede, requirements contained within individual franchise agreements the City has with providers of electrical power, telephone, cable television, and natural gas services (hereinafter referred to as "franchise utilities").

- A. Where a land division is proposed, the developer shall provide franchise utilities to the development site. Each lot created within a subdivision shall have an individual service available or financially guaranteed prior to approval of the final plat.
- B. Where necessary, in the judgment of the Director, to provide for orderly development of adjacent properties, franchise utilities shall be extended through the site to the edge of adjacent property(ies), whether or not the development involves a land division.
- C. The developer shall have the option of choosing whether or not to provide natural gas or cable television service to the development site, providing all of the following conditions exist:
 - 1. Extension of franchise utilities through the site is not necessary for the future orderly development of adjacent property(ies);
 - 2. The development site remains in one ownership and land division does not occur (with the exception of land divisions that may occur under the provisions of 17.84.50 F above); and
 - 3. The development is non-residential.
- D. Where a land division is not proposed, the site shall have franchise utilities required by this section provided in accordance with the provisions of 17.84.70 prior to occupancy of structures.
- E. All franchise utility distribution facilities installed to serve new development shall be placed underground except as provided below. The following facilities may be installed above-ground:
 - 1. Poles for street lights and traffic signals, pedestals for police and fire system communications and alarms, pad mounted transformers, pedestals, pedestal mounted terminal boxes and meter cabinets, concealed ducts, substations, or facilities used to carry voltage higher than 35,000 volts;



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2. Overhead utility distribution lines may be permitted upon approval of the City Engineer when unusual terrain, soil, or other conditions make underground installation impracticable. Location of such overhead utilities shall follow rear or side lot lines wherever feasible.

Response: The Preliminary Plans include information for franchise utility installations. The installation of franchise utilities will be in accordance with the provisions of this Section and arranged with franchise utility providers. The criteria are met.

- F. The developer shall be responsible for making necessary arrangements with franchise utility providers for provision of plans, timing of installation, and payment for services installed. Plans for franchise utility installations shall be submitted concurrent with plan submittal for public improvements to facilitate review by the City Engineer.

Response: The Preliminary Plans include information for franchise utility installations. The standard is met.

- G. The developer shall be responsible for installation of underground conduit for street lighting along all public streets improved in conjunction with the development in accordance with the following:
 1. The developer shall coordinate with the City Engineer to determine the location of future street light poles. The street light plan shall be designed to provide illumination meeting standards set by the City Engineer.
 2. The developer shall make arrangements with the serving electric utility for trenching prior to installation of underground conduit for street lighting.

Response: The installation of franchise utilities will be in accordance with the provisions of this Section and arranged with franchise utility providers. The criteria are met.

17.84.90 LAND FOR PUBLIC PURPOSES

- A. Easements for public sanitary sewer, water, storm drain, pedestrian and bicycle facilities shall be provided whenever these facilities are located outside a public right-of-way in accordance with the following:
 1. When located between adjacent lots, easements shall be provided on one side of a lot line.
 2. The minimum easement width for a single utility is 15 ft. The minimum easement width for two adjacent utilities is 20 ft. The easement width shall be centered on the utility to the greatest extent practicable. Wider easements may be required for unusually deep facilities.
- B. Public utility easements with a minimum width of 5 feet shall be provided adjacent to all street rights-of-way for franchise utility installations.

Response: The Preliminary Subdivision Plat in the Preliminary Plans depicts required dedications and easements. The criteria are met.



C. Where a development site is traversed by a drainageway or water course, a drainage way dedication shall be provided to the City.

Response: The project site does not include water course or drainageway, as reported in the FSH Analysis (Exhibit H). This criterion does not apply.

D. Where a development is traversed by, or adjacent to, a future trail linkage identified within the Transportation System Plan, dedications of suitable width to accommodate the trail linkage shall be provided. This width shall be determined by the City Engineer, considering the type of trail facility involved.

Response: The project site does not contain adjacent or future trails within the Transportation System Plan. This criterion does not apply.

E. Where existing rights-of-way and/or easements within or adjacent to development sites are nonexistent or of insufficient width, dedications may be required. The need for and widths of those dedications shall be determined by the City Engineer.

Response: As shown on the Preliminary Plans, right-of-way and improvement widths for streets within Bailey Meadows are being designed in accordance with City standards. Dedications related to existing right-of-way on SE Ponder Lane, east adjacent to the subdivision, are detailed for review by the City Engineer. The criterion is met.

F. Where easement or dedications are required in conjunction with land divisions, they shall be recorded on the plat. Where a development does not include a land division, easements and/or dedications shall be recorded on standard document forms provided by the City Engineer.

Response: The Preliminary Subdivision Plat in Exhibit A includes details of necessary easements and dedications to be recorded on the plat as required. The criteria are met.

G. If the City has an interest in acquiring any portion of a proposed subdivision or planned development site for a public purpose, other than for those purposes listed above, or if the City has been advised of such interest by a school district or other public agency, and there is a reasonable assurance that steps will be taken to acquire the land, the Planning Commission may require those portions of the land be reserved for public acquisition for a period not to exceed 1 year.

Response: Other than for necessary supporting public infrastructure, this application does not include land designated for a public purpose. The criteria do not apply.

H. Environmental assessments for all lands to be dedicated to the public or City may be required to be provided by the developer. An environmental assessment shall include information necessary for the City to evaluate potential liability for environmental hazards, contamination, or required waste cleanups related to the dedicated land. An environmental assessment shall be completed prior to the acceptance of dedicated lands in accordance with the following:

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1. The initial environmental assessment shall detail the history of ownership and general use of the land by past owners. Upon review of the information provided by the grantor, as well as any site investigation by the City, the Director will determine if the risks of potential contamination warrant further investigation. When further site investigation is warranted, a Level I Environmental Assessment shall be provided by the grantor.

Response: Other than for necessary supporting public infrastructure, this application does not include land designated for a public purpose. The criteria do not apply.

17.84.100 MAIL DELIVERY FACILITIES

- A. In establishing placement of mail delivery facilities, locations of sidewalks, bikeways, intersections, existing or future driveways, existing or future utilities, right-of-way and street width, and vehicle, bicycle and pedestrian movements shall be considered. The final location of these facilities shall meet the approval of the City Engineer and the Post Office. Where mail delivery facilities are being installed in conjunction with a land division, placement shall be indicated on the plat and meet the approval of the City Engineer and the Post Office prior to final plat approval.
- B. Where mail delivery facilities are proposed to be installed in areas with an existing or future curb-tight sidewalk, a sidewalk transition shall be provided that maintains the required design width of the sidewalk around the mail delivery facility. If the right-of-way width will not accommodate the sidewalk transition, a sidewalk easement shall be provided adjacent to the right-of-way.
- C. Mail delivery facilities and the associated sidewalk transition (if necessary) around these facilities shall conform with the City's standard construction specifications. Actual mailbox units shall conform with the Post Office standards for mail delivery facilities.
- D. Installation of mail delivery facilities is the obligation of the developer. These facilities shall be installed concurrently with the public improvements. Where development of a site does not require public improvements, mail delivery facilities shall be installed concurrently with private site improvements.

Response: In conjunction with the final construction plans, locations for mail delivery facilities will be coordinated and established with the U.S. Post Office.

CHAPTER 17.86 - PARKLAND & OPEN SPACE

Parkland Dedication: New residential subdivisions, planned developments, multi-family or manufactured home park developments shall be required to provide parkland to serve existing and future residents of those developments. Multi-family developments which provide some "congregate" services and/or facilities, such as group transportation, dining halls, emergency monitoring systems, etc., but which have individual dwelling units rather than sleeping quarters only, are considered to be multi-family developments for the purpose of parkland dedication. Licensed adult congregate living facilities, nursing homes, and all other similar facilities which provide their clients with individual beds and sleeping quarters, but in which all other care and services are communal and provided by facility employees, are specifically exempt from parkland dedication and system development fee requirements.



1. The required parkland shall be dedicated as a condition of approval for the following:
 - a. Tentative plat for a subdivision or partition;
2. Calculation of Required Dedication: The required parkland acreage to be dedicated is based on a calculation of the following formula rounded to the nearest 1/100 (0.00) of an acre:

Required parkland dedication (acres) = (proposed units) x (persons/unit) x 0.0043 (per person park land dedication factor)

 - a. Population Formula: The following table shall be used to determine the number of persons per unit to be used in calculating required parkland dedication:

Type of Unit	Total Persons Per Unit
Single-family residential	3.0

Persons per unit, age distribution, and local conditions change with time. The specific formula for the dedication of land will, therefore, be subject to periodic review and amendment.

- b. Per Person Parkland Dedication Factor: The total parkland dedication requirement shall be 0.0043 of an acre per person based on the adopted standard of 4.3 acres of land per one thousand of ultimate population per the Parks Master Plan
 1. This standard represents the citywide land-to-population ratio for city parks, and may be adjusted periodically through amendments to the Parks Master Plan.

Response: The criteria above are satisfied by means of a fee in lieu of parkland dedication per the City standard 17.86.40. The remainder of Chapter 17 Section 86, which does not apply to the project, has been omitted for brevity.

17.86.40 CASH IN LIEU OF DEDICATION

At the city's discretion only, the city may accept payment of a fee in lieu of land dedication. The city may require payment in lieu of land when the park land to be dedicated is less than 3 acres. A payment in lieu of land dedication is separate from Park Systems Development Charges, and is not eligible for a credit of Park Systems Development Charges. The amount of the fee in lieu of land dedication (in dollars per acre) shall be set by City Council Resolution, and it shall be based on the typical market value of developed property (finished lots) in Sandy net of related development costs.

1. The following factors shall be used in the choice of whether to accept land or cash in lieu:

Response: This application is a "Needed Housing" application pursuant to ORS 197.303(1) and ORS 197.307(4), therefore, only objective standards and procedures apply to the application



review. The choice between dedication and payment is subjective, as is the procedure to make the recommendation on the choice.

- a. The topography, geology, access to, parcel size, and location of land in the development available for dedication;

Response: This criterion is subjective and cannot be applied to a “Needed Housing” application under ORS 197.307(4).

- b. Potential adverse/beneficial effects on environmentally sensitive areas;

Response: This application does not include any environmentally sensitive areas as reported in the FSH Analysis (Exhibit H). The criterion does not apply.

- c. Compatibility with the Parks Master Plan, Public Facilities element of the Comprehensive Plan, and the City of Sandy Capital Improvements Program in effect at the time of dedication;

Response: This application is a “Limited Land Use Decision” pursuant to ORS 197.195(1) and Plans may be approval criteria only if specific policies are incorporated into the City’s land use regulations. The City’s land use regulation’s approval criteria in SDC 17.100.60 do not incorporate the 1997 Parks Master Plan, nor the above Plans with the specificity required by ORS 197.195(1), so they are not mandatory approval criteria and do not apply to this application.

- d. Availability of previously acquired property; and
- e. The feasibility of dedication.

Response: The above criteria are subjective and cannot be applied to a “Needed Housing” application per ORS 197.307(4).

- 2. Cash in lieu of parkland dedication shall be paid prior to approval of the final plat or as specified below:
 - a. 50 percent of the payment shall be paid prior to final plat approval, and
 - b. The remaining 50 percent of the payment pro-rated equally among the lots, plus an administrative surcharge as determined by the City Council through a resolution, will constitute a lien against the property payable at the time of sale.

Response: Cash in lieu of parkland dedication will be paid as determined and recorded in the resolution. The table below provides a preliminary cost estimate calculation. The criteria can be met.

CASH IN LIEU OF DEDICATION	
Proposed Units	100
Persons Per Unit	3

Per Person Parkland Dedication Factor	0.0043
Required Parkland (Acres)	1.29
Cash in Lieu Cost Estimate	\$310,890

CHAPTER 17.90 - DESIGN STANDARDS

17.90.10 APPLICABILITY

The provisions of this chapter apply to all zones and uses as follows except as specified in Sections 17.90.10(B), (C), (D), (E), and (F) below:

- C. **Residential Dwelling Exception:** Single family dwellings, duplexes, manufactured dwellings on individual lots of record, and manufactured dwellings in parks are exempt from all requirements of this chapter except for Section 17.90.150.

Response:

This application involves a planned subdivision of lots suitable for future single-family detached dwellings. The Preliminary Dimensioned Subdivision Plan with Setbacks, included in Exhibit A, demonstrates that future homes can meet the minimum setback requirements of the Single-Family Residential zone. The residential design standards, which apply to the street-facing facades of all new single-family dwellings, will be assessed at time of future building permit submittal. The remainder of Section 17.90.150 has been omitted for brevity.

CHAPTER 17.92 - LANDSCAPING & SCREENING GENERAL STANDARDS - ALL ZONES

17.92.30 REQUIRED TREE PLANTINGS

Planting of trees is required for all parking lots with 4 or more parking spaces, public street frontages, and along private drives more than 150 feet long. Trees shall be planted outside the street right-of-way except where there is a designated planting strip or City adopted street tree plan.

The City maintains a list of appropriate trees for street tree and parking lot planting situations. Selection of species should be made from the city-approved list. Alternate selections may be approved by the Director following written request. The type of tree used shall determine frequency of trees in planting areas. Trees in parking areas shall be dispersed throughout the lot to provide a canopy for shade and visual relief.

Area/Type of Planting	Canopy	Spacing
Street Tree	Medium	30 ft. on center
Street Tree	Large	50 ft. on center

Trees may not be planted:

- Within 5 ft. of permanent hard surface paving or walkways, unless specific species, special
- planting techniques and specifications approved by the Director are used.
- Unless approved otherwise by the City Engineer:
- Within 10 ft. of fire hydrants and utility poles



-
- Within 20 ft. of street light standards
 - Within 5 ft. from an existing curb face
 - Within 10 ft. of a public sanitary sewer, storm drainage or water line
 - Where the Director determines the trees may be a hazard to the public interest or general welfare.
 - Trees shall be pruned to provide a minimum clearance of 8 ft. above sidewalks and 12 ft. above street and roadway surfaces.

Response: As shown on the Preliminary Street Tree and Stormwater Screening Planting Plan (included in Exhibit A), required street trees and planting strips are generally planned to be completed prior to occupancy of the adjoining lot. Street trees and planting strips that are located along the stormwater facility and at the site access are planned to be completed with the subdivision infrastructure as shown on the Preliminary Plans. Landscaping will be provided in accordance with the above criteria. Therefore, this standard is met.

17.92.40 IRRIGATION

Landscaping shall be irrigated, either with a manual or automatic system, to sustain viable plant life.

Response: This standard is understood. No additional response is necessary.

17.92.60 REVEGETATION IN UNLANDSCAPED OR NATURAL LANDSCAPED AREAS

- A. Areas where natural vegetation has been removed or damaged through grading or construction activity in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements shall be replanted.
- B. Plant material shall be watered at intervals sufficient to assure survival and growth.
- C. The use of native plant materials or plants acclimatized to the Pacific Northwest is encouraged to reduce irrigation and maintenance demands.

Response: This standard is understood. No additional response is necessary.

17.98.20 OFF-STREET PARKING REQUIREMENTS

- A. Off Street Parking Requirements. Off street parking shall conform to the following standards:
 1. All square footage measurements are gross square feet of total floor area.
 2. 18 lineal inches of bench shall be considered 1 seat.
 3. Except as otherwise specified, parking for employees shall be provided based on 1 space per 2 employees for the largest shift in addition to required parking specified in Sections A6-A9 below.

4. Where less than 5 parking spaces are required, then only one bicycle space shall be required except as otherwise modified in Sections 5-9 below.
5. In addition to requirements for residential off street parking, new dwellings shall meet the on-street parking requirements in Section 17.98.200.

6.

Residential Uses	Number of Parking Spaces	Number of Bicycle Spaces
Single Family Detached	2 per dwelling	0

Response: This application is for a residential subdivision suitable for single-family detached homes. As shown on the Preliminary Parking Plan in Exhibit A, future driveways provide for two off-street parking spaces per dwelling. Bicycle parking is not required or provided. As applicable, the criteria above are met.

17.98.200 RESIDENTIAL ON-STREET PARKING REQUIREMENTS

A. **Residential On-Street Parking Requirements.** Residential on-street parking shall conform to the following standards:

1. In addition to required off-street parking, all new residential planned developments, subdivisions and partitions shall provide one (1) on-street parking space within 200 feet of each dwelling except as provided in Section 17.98.200(A)(6) below.

Response: As shown on the Preliminary Parking Plan in Exhibit A, in addition to required off-street parking, the 100-lot subdivision is planned to provide 122 on-street parking spaces. The criterion is met.

2. The location of residential on-street parking shall be reviewed for compliance with this section through submittal of a Residential Parking Analysis Plan as required in Section 17.98.10(M).

Response: The Preliminary Plans (Exhibit A) include a Preliminary Parking Plan sheet. The submittal requirements are met.

3. Residential on-street parking shall not obstruct required clear vision areas and shall not violate any local or state laws.
4. Parallel residential on-street parking spaces shall be 22 feet minimum in length.
5. Residential on-street parking shall be measured along the curb from the outside edge of a driveway wing or curb cut. Parking spaces must be set back a minimum of 15 feet from an intersection and may not be located within 10 feet of a fire hydrant.

Response: As shown on the Preliminary Parking Plan in Exhibit A, on-street parking is planned to not obstruct clear vision areas. Parallel on-street parking spaces meet the minimum length and setback requirements as detailed above. The criteria are met.

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6. Portions of residential on-street parking required by this section may be provided in parking courts that are interspersed throughout a development when the following standards are met:
- a. No more than eight (8) parking spaces shall be provided in a parking court;
 - b. Parking spaces within a parking court shall be nine (9) feet wide and 18 feet in depth;
 - c. Notwithstanding Section 17.98.70, vehicles parked in a parking court are permitted to back onto the public right-of-way from the parking court;
 - d. A parking court shall be located within 200 feet of the dwellings requiring parking in accordance with the requirements of Section 17.98.10(M);
 - e. No more than two (2) parking courts shall be provided within a block, with only one (1) parking court provided along a block face;
 - f. A parking court shall be paved in compliance with the standards of this chapter and the latest adopted grading and drainage standards; 17.98 - 13 Revised by Ordinance No. 2013-04 (effective 07/03/13)
 - g. If a parking court is adjacent to a public right-of-way, it shall be publicly owned and maintained;
 - h. If a parking court is adjacent to a private drive, it shall be privately owned and maintained. For each parking court there shall be a legal recorded document which includes:
 - i. A legal description of the parking court;
 - ii. Ownership of the parking court;
 - iii. Use rights; and
 - iv. A maintenance agreement and the allocation and/or method of determining liability for maintenance of the parking court;
 - i. A parking court shall be used solely for the parking of operable passenger vehicles.

Response: This application does not include parking courts. The criteria listed above are not applicable.

CHAPTER 17.100 - LAND DIVISION

17.100.20 LAND DIVISION CLASSIFICATION - TYPE I, II OR III PROCEDURES

- E. Type III Land Division (Major Partition or Subdivision). A major partition or subdivision shall be a Type III procedure if unsatisfactory street conditions exist or the resulting parcels/lots do not comply with the standards of the zoning district and this chapter. The Director shall determine if unsatisfactory street conditions exist based on one of the following criteria:



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1. The land division does not link streets that are stubbed to the boundaries of the property.

Response: This application links to and includes the continuation of the existing Melissa Avenue right-of-way street stub, north of the project site as shown on the Preliminary Plans in Exhibit A. Therefore, this criterion does not apply, and future street conditions will be satisfactory.

2. An existing street or a new proposed street will be extended beyond the boundaries of the land division to complete a street system or provide access to adjacent property.

Response: As shown on the Preliminary Plans, planned streets are not extended beyond the boundaries of the subdivision. Therefore, this criterion does not apply, and future street conditions will be satisfactory.

3. The proposed street layout is inconsistent with a street pattern adopted as part of the Comprehensive Plan or officially adopted City street plan.

Response: The Preliminary Plans include information illustrating how the infrastructure is planned to be consistent with City standards. Therefore, the criterion will be met, and future street conditions will be satisfactory.

17.100.60 SUBDIVISIONS

Approval of a subdivision is required for a land division of 4 or more parcels in a calendar year.

A two-step procedure is required for subdivision approval: (1) tentative plat review and approval; and (2) final plat review and approval.

A. **Preapplication Conference.** The applicant for a subdivision shall participate in a preapplication conference with city staff to discuss procedures for approval, applicable state and local requirements, objectives and policies of the Sandy Comprehensive Plan, and the availability of services. The preapplication conference provides the opportunity to discuss the conceptual development of the property in advance of formal submission of the tentative plan in order to save the applicant unnecessary delay and cost.

Response: A pre-application conference was held on November 20, 2018.

B. **Application Requirements for a Tentative Plat.** Subdivision applications shall be made on forms provided by the planning department and shall be accompanied by:

1. 20 copies of the tentative plat;
2. Required fee and technical service deposit;
3. 20 copies of all other supplementary material as may be required to indicate the general program and objectives of the subdivision;
4. Preliminary title search;
5. List of affected property owners.



Response: Exhibit B contains the documents listed above. These submittal requirements are met.

- B. Format. The Tentative Plat shall be drawn on a sheet 18 x 24 inches in size and at a scale of one inch equals one hundred feet unless an alternative format is approved by the Director at the preapplication conference. The application shall include one copy of a scaled drawing of the proposed subdivision, on a sheet 8 1/2 x 11, suitable for reproduction.

Response: Exhibit A contains the Preliminary Subdivision Plat. This submittal requirement is met.

D. Data Requirements for Tentative Plat.

1. Scale of drawing, north arrow, and date.
2. Location of the subdivision by section, township and range, and a legal description sufficient to define the location and boundaries of the proposed tract.
3. A vicinity map, showing adjacent property boundaries and how proposed streets may be extended to connect to existing streets.
4. Names, addresses, and telephone numbers of the owner(s) of the property, the engineer or surveyor, and the date of the survey.
5. Streets: location, names, paved widths, alleys, and right-of-way (existing and proposed) on and within 400 feet of the boundaries of the subdivision tract.
6. Easements: location, widths, purpose of all easements (existing and proposed) on or serving the tract.
7. Utilities: location of storm drainage, sanitary sewers and water lines (existing and proposed) on and abutting the tract. If utilities are not on or abutting the tract, indicate the direction and distance to the nearest locations.
8. Ground elevations shown by contour lines at two-foot vertical intervals for ground slopes of less than 10 percent and at ten-foot vertical intervals for ground slopes exceeding 10 percent. Ground elevation shall be related to an established benchmark or other datum approved by the Director.
9. Natural features such as marshes, rock outcroppings, watercourses on and abutting the property, location of wooded areas.
10. Approximate location of areas subject to periodic inundation or storm sewer overflow, location of any floodplain or flood hazard district.
11. Location, width, and direction of flow of all water courses.
12. Identification of the top of bank and boundary of mandatory setback for any stream or water course.
13. Identification of any associated wetland and boundary of mandatory setback.



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14. Identification of any wetland and boundary of mandatory setback.
 15. Location of at least one temporary bench mark within the tract boundaries.
 16. Existing uses of the property, including location and present use of all existing structures to remain on the property after platting.
 17. Lots and Blocks: approximate dimensions of all lots, minimum lot sizes, and proposed lot and block numbers.
 18. Existing zoning and proposed land use.
 19. Designation of land intended to be dedicated or reserved for public use, with the purpose, conditions, or limitations of such reservations clearly indicated.
 20. Proposed development phases, if applicable.
 21. Any other information determined necessary by the Director at the preapplication conference, such as a soil report or other engineering study, traffic analysis, floodplain or wetland delineation, etc.

Response: The Preliminary Plans and other documentation include the information listed above, as applicable. Therefore, these submittal requirements are met.

E. **Approval Criteria.** The Director or Planning Commission shall review the tentative plat for the subdivision based on the classification procedure (Type II or III) set forth in Section 17.12 and the following approval criteria:

1. The proposed subdivision is consistent with the density, setback and dimensional standards of the base zoning district, unless modified by a Planned Development approval.

Response: As shown on the Preliminary Subdivision Plat in Exhibit A and findings provided in the written document, the planned subdivision is consistent with the density, setback, and dimensional standards of the SFR zoning district. The project is not modified by Planned Development standards of approval. The criterion is met.

3. The proposed subdivision is consistent with the design standards set forth in this chapter.

Response: This subdivision application is consistent with the design standards set forth in SD 17.100.70 and in conformance with the applicable SFR zoning district. Therefore, the criterion is met.

4. The proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy.

Response: As shown on the Preliminary Plans, the intended local street pattern internal to the subdivision is connected and consistent with the Comprehensive Plan. Access from the existing street stub, Melissa Avenue, provides a continuous network through and to the boundaries of the subdivision. Additionally, this standard may not be applied under ORS

197.307(4) because the phrase “connected and consistent” is subjective. Additionally, this standard may not be applied under ORS 197.307(4) because the phrase “City standards” is subjective. Additionally, this standard may not be applied under ORS 197.307(4) because the words “objective” and “necessary” are subjective.

5. Adequate public facilities are available or can be provided to serve the proposed subdivision.

Response: As shown in the Preliminary Plans, public facilities as available will be provided to serve the subdivision, including but not limited to stormwater management, sanitary sewer, municipal water, and franchise utilities. Infrastructure is planned to be completed concurrent with the build out of the associated phase. The criterion is met.

6. All proposed improvements meet City standards.

Response: Sandy Development Code requirements have been reviewed with the intent that all planned improvements meet applicable City standards.

6. The phasing plan, if requested, can be carried out in a manner that meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops.

Response: As shown on the Preliminary Subdivision Plat in the Preliminary Plans, the subdivision is planned to be completed in three phases and provide necessary public improvements concurrently with each phase. The above requirements are satisfied and support the City’s approval of this Subdivision.

- F. Conditions. The Director or Planning Commission may require dedication of land and easements and may specify such conditions or modifications of the tentative plat as deemed necessary.

Response: It is understood the Preliminary Subdivision Plat may have conditions or modifications required as necessary. The Applicant reserves the right to object to the application of standards or conditions other than those that are clear and objective and does not waive its right to assert that the needed housing statutes apply to this application.

- G. Improvements. A detailed list of required improvements for the subdivisions shall be set forth in the approval and conditions for the tentative plat.

Response: This criterion is understood. No additional response is necessary.

- H. Tentative Plat Expiration Date. The final plat shall be delivered to the Director for approval within one year following approval of the tentative plat, and shall incorporate any modification or condition required by approval of the tentative plat. The Director may, upon written request of the subdivider, grant an extension of the tentative plat approval for up to one additional year.

Response: This criterion is understood. No additional response is necessary.

17.100.70 LAND DIVISION DESIGN STANDARDS



All land divisions shall be in conformance with the requirements of the applicable base zoning district and this chapter, as well as with other applicable provisions of this Code. Modifications to these requirements may be accomplished through a Planned Development. The design standards in this section shall be used in conjunction with street design standards included in the City of Sandy Transportation System Plan and standards and construction specifications for public improvements as set forth in adopted Public Facilities Plans and the Sandy Municipal Code.

Response: This application contains the Preliminary Plans, reports, analysis, calculations, and applicable narrative information to validate conformance with the requirements of the Sandy Development Code. The land division design standards of City Code are satisfied.

17.100.80 CHARACTER OF THE LAND

Land which the Director or the Planning Commission finds to be unsuitable for development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the partition or subdivision and the surrounding areas, shall not be developed unless adequate methods are formulated by the subdivider and approved by the Director or the Planning Commission to solve the problems created by the unsuitable land conditions.

Response: As detailed in the Flood and Slope Hazard Analysis (Exhibit H) the project site does not exhibit or contain unsuitable land conditions. This criterion does not apply.

17.100.90 ACCESS CONTROL GUIDELINES AND COORDINATION

- A. Notice and coordination with ODOT required. The city will coordinate and notify ODOT regarding all proposals for new or modified public and private accesses on to Highways 26 and 211.
- B. It is the city policy to, over time, reduce noncompliance with the Oregon Highway Plan Access Management Policy guidelines.
- C. Reduction of compliance with the cited State standards means that all reasonable alternatives to reduce the number of accesses and avoid new non-complying accesses will be explored during the development review. The methods to be explored include, but are not limited to: closure, relocation, and consolidation of access; right-in/right-out driveways; crossover easements; and use of local streets, alleys, and frontage roads.

Response: The above criterion applies to City processes for noticing and coordinating with ODOT, as applicable. This standard is not applicable as the project does not access Highway 26 or 211 and does not require direct action of the Applicant. The criteria do not apply.

17.100.100 STREETS GENERALLY

No subdivision or partition shall be approved unless the development has frontage or approved access to an existing public street. In addition, all streets shall be graded and improved in conformance with the City's construction standards, approved by the City Engineer, in accordance with the construction plans.



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- A. **Street Connectivity Principle.** The pattern of streets established through land divisions should be connected to: (a) provide safe and convenient options for cars, bikes and pedestrians; (b) create a logical, recognizable pattern of circulation; and (c) spread traffic over many streets so that key streets (particularly U.S. 26) are not overburdened.

Response: The Preliminary Plans illustrate the street network internal to the subdivision and establish safe, logical circulation throughout the site. The Street Connectivity Principle is met.

- B. **Transportation Impact Studies.** Transportation impact studies may be required by the city engineer to assist the city to evaluate the impact of development proposals, determine reasonable and prudent transportation facility improvements and justify modifications to the design standards. Such studies will be prepared in accordance with the following:

1. A proposal established with the scope of the transportation impact study shall be coordinated with, and agreed to, by the city engineer. The study requirements shall reflect the magnitude of the project in accordance with accepted transportation planning and engineering practices. A professional civil or traffic engineer registered in the State of Oregon shall prepare such studies.
2. If the study identifies level-of-service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered as part of the land use decision for the proposal.

Response: The Traffic Impact Analysis prepared by a registered professional traffic engineer (Exhibit F) is included in the application materials. The scope of the analysis was confirmed with the City's traffic engineer consultant. The requirements are met.

- C. **Topography and Arrangement.** All streets shall be properly related to special traffic generators such as industries, business districts, schools, and shopping centers and to the pattern of existing and proposed land uses.

- D. **Street Spacing.** Street layout shall generally use a rectangular grid pattern with modifications as appropriate to adapt to topography or natural conditions.

Response: The Preliminary Plans (Exhibit A) include information which meets the criteria above. The streets are arranged in accordance with existing residential activity and a rectangular grid pattern is generally used. The criteria are met.

- E. **Future Street Plan.** Future street plans are conceptual plans, street extensions and connections on acreage adjacent to land divisions. They assure access for future development and promote a logical, connected pattern of streets. It is in the interest of the city to promote a logical, connected pattern of streets. All applications for land divisions shall provide a future street plan that shows the pattern of existing and proposed future streets within the boundaries of the proposed land divisions, proposed connections to abutting



properties, and extension of streets to adjacent parcels within a 400 foot radius of the study area where development may practically occur.

Response: The Preliminary Plans (Exhibit A) include a Conceptual Future Street Plan which meets the criteria above.

- F. Connections. Except as permitted under Exemptions, all streets, alleys and pedestrian walkways shall connect to other streets within the development and to existing and planned streets outside the development and to undeveloped properties which have no future street plan. Streets shall terminate at other streets or at parks, schools or other public land within a neighborhood.

Where practicable, local roads shall align and connect with other roads when crossing collectors and arterials.

Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops, and existing or planned neighborhood activity centers, such as schools, shopping areas and parks.

Response: The Preliminary Plans show local street and pedestrian walkway (sidewalk) connections internal to the subdivision. The local streets do not cross any collector or arterial roads and there are no exemptions necessary for the intended street network.

G. Exemptions.

1. A future street plan is not required for partitions of residentially zoned land when none of the parcels may be redivided under existing minimum density standards.
2. Standards for street connections do not apply to freeways and other highways with full access control.
3. When street connection standards are inconsistent with an adopted street spacing standard for arterials or collectors, a right turn in/right turn out only design including median control may be approved. Where compliance with the standards would result in unacceptable sight distances, an accessway may be approved in place of a street connection.

Response: This application does not seek street design exemptions. The criteria do not apply.

17.100.110 STREET STANDARDS AND CLASSIFICATION

Street standards are illustrated in the figures included at the end of this chapter. Functional definitions of each street type are described in the Transportation System Plan as summarized below.

- A. Major arterials are designed to carry high volumes of through traffic, mixed with some unavoidable local traffic, through or around the city. Major arterials should generally be spaced at 1-mile intervals.
- B. Minor arterials are designed to collect and distribute traffic from major and minor arterials to neighborhood collectors and local streets, or directly to traffic destinations. Minor arterials should generally be spaced at 1-mile intervals.



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- C. Residential minor arterials are a hybrid between minor arterial and collector type streets that allow for moderate to high traffic volumes on streets where over 90% of the fronting lots are residential.
 - D. Collector streets are designed to collect and distribute traffic from higher type arterial streets to local streets or directly to traffic destinations. Collector streets should generally be spaced at 1/2-mile intervals.

Response: The project site does not include major or minor arterials, residential minor arterials, or collector streets. These standards do not apply.

- E. Local streets are designed to provide direct access to abutting property and connect to collector streets. A general spacing of 8-10 local streets per mile is recommended.

Response: The subdivision is accessed via Melissa Avenue, a local street section to the north of the property boundary, and a continuous network of local streets allow transportation throughout the site.

- F. Cul-de-sacs and dead end streets are discouraged. If deemed necessary, cul-de-sacs shall be as short as possible and shall not exceed 400 feet in length.
- G. Public access lanes are designed to provide primary access to a limited number of dwellings when the construction of a local street is unnecessary.
- H. Alleys are designed to provide access to multiple dwellings in areas where lot frontages are narrow and driveway spacing requirements cannot be met.

Response: The project site does not include cul-de-sacs, public access lanes, or alleys. These standards do not apply.

17.100.120 BLOCKS AND ACCESSWAYS

- A. Blocks. Blocks shall have sufficient width to provide for two tiers of lots at appropriate depths. However, exceptions to the block width shall be allowed for blocks that are adjacent to arterial streets or natural features.
- B. Residential Blocks. Blocks fronting local streets shall not exceed 400 feet in length, unless topographic, natural resource, or other similar physical conditions justify longer blocks. Blocks may exceed 400 feet if approved as part of a Planned Development, Specific Area Plan, adjustment or variance.

Response: As shown on the Preliminary Plans, the residential blocks provide two tiers of lots. Blocks front local streets and do not exceed 400 feet in length, except for one instance. The block for Street A along the north property line boundary west of Melissa Avenue is ±475 feet. This block length cannot be reduced due to the existing adjacent residential block length to the north. There is a pedestrian path planned in this northwestern portion of the site to enhance mobility in this area. The standards are met.

- C. Commercial Blocks. Blocks located in commercial districts shall not exceed 400 feet in length.



Response: This application does not involve commercial districts; the criteria does not apply.

- D. **Pedestrian and Bicycle Access Way Requirements.** In any block in a residential or commercial district over 600 feet in length, a pedestrian and bicycle accessway with a minimum improved surface of 10 feet within a 15-foot right-of-way or tract shall be provided through the middle of the block. To enhance public convenience and mobility, such accessways may be required to connect to cul-de-sacs, or between streets and other public or semipublic lands or through greenway systems.

Response: As shown on the Preliminary Plans, this application does not include any blocks greater than 600 feet in length. The standard does not apply.

17.100.130 EASEMENTS

A minimum eight (8) foot public utility easement shall be required along property lines abutting a right-of-way for all lots within a partition or subdivision. Where a partition or subdivision is traversed by a watercourse, drainage way, channel or stream, the land division shall provide a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width as determined needed for water quality and quantity protection.

Response: As shown on the Preliminary Subdivision Plat, easements and dedications required along property lines abutting a right-of-way will be provided as required. The criterion is met.

17.100.140 PUBLIC ALLEYS

- A. Public alleys shall have a minimum width of 20 feet. Structural section and surfacing shall conform to standards set by the City Engineer.
- B. Existing alleys may remain unimproved until redevelopment occurs. When development occurs, each abutting lot shall be responsible for completion of improvements to that portion of the alley abutting the property.
- C. Parking within the alley right-of-way is prohibited except as provided in Section 17.100.140(D) below.
- D. An alley with a minimum width of 28 feet may permit parallel parking on one side of the alley only.

Response: The application does not include public alleys. The criteria do not apply.

17.100.180 INTERSECTIONS

- A. **Intersections.** Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two new streets at an angle of less than 75 degrees shall not be acceptable. No more than two streets shall intersect at any one point unless specifically approved by the City Engineer. The city engineer may require left turn lanes, signals, special crosswalks, curb extensions and other intersection design elements justified by a traffic study or necessary to comply with the Development Code.
- B. **Curve Radius.** All local and neighborhood collector streets shall have a minimum curve radius (at intersections of rights-of-way) of 20 feet,



unless otherwise approved by the City Engineer. When a local or neighborhood collector enters on to a collector or arterial street, the curve radius shall be a minimum of 30 feet, unless otherwise approved by the City Engineer

Response: The Preliminary Plans include information illustrating how the local street system internal to the subdivision meets the design requirements. No more than two streets intersect at any one point and internal streets meet the minimum curve radius at intersections of rights-of-way, as applicable. The criteria are met.

17.100.190 STREET SIGNS

The subdivider shall pay the cost of street signs prior to the issuance of a Certificate of Substantial Completion. The City shall install all street signs and upon completion will bill the developer for costs associated with installation. In addition, the subdivider may be required to pay for any traffic safety devices related to the development. The City Engineer shall specify the type and location of the street signs and/or traffic safety devices.

Response: This statement is understood. No additional response is necessary.

17.100.200 STREET SURFACING

Public streets, including alleys, within the development shall be improved in accordance with the requirements of the City or the standards of the Oregon State Highway Department. An overlay of asphalt concrete, or material approved by the City Engineer, shall be placed on all streets within the development. Where required, speed humps shall be constructed in conformance with the City's standards and specifications.

Response: The statement is understood. No additional response is necessary.

17.100.210 STREET LIGHTING

A complete lighting system (including, but not limited to: conduits, wiring, bases, poles, arms, and fixtures) shall be the financial responsibility of the subdivider on all cul-de-sacs, local streets, and neighborhood collector streets. The subdivider will be responsible for providing the arterial street lighting system in those cases where the subdivider is required to improve an arterial street. Standards and specifications for street lighting shall be coordinated with the utility and any lighting district, as appropriate.

Response: Conceptual locations for street lighting are indicated in the Preliminary Plans. PGE will be contacted, and final lighting design elements will be confirmed during the final design process, as appropriate. The criterion is met.

17.100.220 LOT DESIGN

A. The lot arrangement shall be such that there will be no foreseeable difficulties, for reason of topography or other conditions, in securing building permits to build on all lots in compliance with the Development Code.

Response: The Preliminary Subdivision Plat with Setbacks, included in Exhibit A, demonstrates that all lots in the subdivision can accommodate future homes which meet the minimum setback requirements at the time of future building permit submittal. As shown, each lot meets the 7,500 square-foot minimum lot size requirement. The criteria are met.



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- B. The lot dimensions shall comply with the minimum standards of the Development Code. When lots are more than double the minimum lot size required for the zoning district, the subdivider may be required to arrange such lots to allow further subdivision and the opening of future streets to serve such potential lots.

Response: As shown on the Preliminary Plans, lot dimensions comply with the minimum dimensions and standards of the Development Code. Lots are not larger than twice the minimum lot size. The criterion is met.

- C. The lot or parcel width at the front building line shall meet the requirements of the Development Code and shall abut a public street other than an alley for a width of at least 20 feet. A street frontage of not less than 15 feet is acceptable in the case of a flag lot division resulting from the division of an unusually deep land parcel which is of a size to warrant division into not more than two parcels.

Response: As shown on the Preliminary Plans, each lot complies with the minimum dimensions and standards of the Development Code and have proper frontage on a public street. The criterion is met.

- D. Double frontage lots shall be avoided except where necessary to provide separation of residential developments from arterial streets or to overcome specific disadvantages of topography or orientation.

Response: As shown on the Preliminary Plans, the subdivision does not include double-frontage lots. The criteria do not apply.

- E. Lots shall avoid deriving access from major or minor arterials. When driveway access from major or minor arterials may be necessary for several adjoining lots, the Director or the Planning Commission may require that such lots be served by a common access drive in order to limit possible traffic hazards on such streets. Where possible, driveways should be designed and arranged to avoid requiring vehicles to back into traffic on minor or major arterials.

Response: As shown on the Preliminary Plans, the lot arrangement demonstrates compliance with the requirements of the Development Code. The project site does not contain or connect to major or minor arterial streets. The above criterion is met.

17.100.230 WATER FACILITIES

Water lines and fire hydrants serving the subdivision or partition, and connecting the development to City mains, shall be installed to provide adequate water pressure to serve present and future consumer demand. The materials, sizes, and locations of water mains, valves, service laterals, meter boxes and other required appurtenances shall be in accordance with the standards of the Fire District, the City, and the State.

If the city requires the subdivider to install water lines in excess of eight inches, the city may participate in the oversizing costs. Any oversizing agreements shall be approved by the city manager based upon council policy and dependent on budget constraints. If required water mains will directly serve property outside the subdivision, the city may enter into an agreement



with the subdivider setting forth methods for reimbursement for the proportionate share of the cost.

Response: As shown on the Preliminary Plans, water infrastructure including conveyance mains, lines, and fire hydrants are designed in accordance with applicable standards. This criterion is met.

17.100.240 SANITARY SEWERS

Sanitary sewers shall be installed to serve the subdivision and to connect the subdivision to existing mains. Design of sanitary sewers shall take into account the capacity and grade to allow for desirable extension beyond the subdivision.

If required sewer facilities will directly serve property outside the subdivision, the city may enter into an agreement with the subdivider setting forth methods for reimbursement by nonparticipating landowners for the proportionate share of the cost of construction.

Response: The Preliminary Plans include information illustrating how the project is planned to be serviced with sanitary sewer. This infrastructure is planned in accordance with the standards of the applicable jurisdictions; therefore, the criterion is met.

17.100.250 SURFACE DRAINAGE AND STORM SEWER SYSTEM

A. Drainage facilities shall be provided within the subdivision and to connect with off-site drainage ways or storm sewers. Capacity, grade and materials shall be by a design approved by the city engineer. Design of drainage within the subdivision shall take into account the location, capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas.

B. In addition to normal drainage design and construction, provisions shall be taken to handle any drainage from preexisting subsurface drain tile. It shall be the design engineer's duty to investigate the location of drain tile and its relation to public improvements and building construction.

C. The roof and site drainage from each lot shall be discharged to either curb face outlets (if minor quantity), to a public storm drain or to a natural acceptable drainage way if adjacent to the lot.

Response: The Preliminary Plans (Exhibit A) and Preliminary Stormwater Report (Exhibit G) include information illustrating how stormwater runoff is planned to be managed. The criteria are met.

17.100.260 UNDERGROUND UTILITIES

All subdivisions or major partitions shall be required to install underground utilities (including, but not limited to, electrical and telephone wiring). The utilities shall be installed pursuant to the requirements of the utility company.

Response: The Preliminary Plans include information illustrating how the project is planned to be provided with underground utilities. This infrastructure is planned in accordance with the standards of the applicable jurisdictions; therefore, the criterion is met.

17.100.270 SIDEWALKS



Sidewalks shall be installed on both sides of a public street and in any special pedestrian way within the subdivision.

Response: The Preliminary Plans show compliance with the local street typical sections in City Code. The standard is met.

17.100.280 BICYCLE ROUTES

If appropriate to the extension of a system of bicycle routes, existing or planned, the Director or the Planning Commission may require the installation of bicycle lanes within streets. Separate bicycle access ways may be required to reduce walking or cycling distance when no feasible street connection is available.

Response: The project site does not include any existing or planned bicycle routes. The criterion does not apply.

17.100.290 STREET TREES

Where planting strips are provided in the public right-of-way, a master street tree plan shall be submitted and approved by the Director. The street tree plan shall provide street trees approximately every 30' on center for all lots.

Response: As shown in the Preliminary Plans in Exhibit A, the appropriate number of trees are provided on the Street Tree Plan. The criterion is satisfied.

17.100.300 EROSION CONTROL

Grass seed planting shall take place prior to September 30th on all lots upon which a dwelling has not been started but the ground cover has been disturbed. The seeds shall be of an annual rye grass variety and shall be sown at not less than four pounds to each 1000 square feet of land area.

Response: The requirement is understood. No additional response is necessary.

17.100.310 REQUIRED IMPROVEMENTS

The following improvements shall be installed at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.

- A. Drainage facilities
- B. Lot, street and perimeter monumentation
- C. Mailbox delivery units
- D. Sanitary sewers
- E. Sidewalks
- F. Street lights
- G. Street name signs
- H. Street trees
- I. Streets
- J. Traffic signs



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- K. Underground communication lines, including broadband (fiber), telephone, and cable. Franchise agreements will dictate whether telephone and cable lines are required.
 - L. Underground power lines
 - M. Water distribution lines and fire hydrants

Response: The above listed improvements are planned to be included in the project design as required. The criteria are met.

CHAPTER 17.102 - URBAN FORESTRY

17.102.20 APPLICABILITY

This chapter applies only to properties within the Sandy Urban Growth Boundary that are greater than one acre including contiguous parcels under the same ownership.

- A. **General:** No person shall cut, harvest, or remove trees 11 inches DBH or greater without first obtaining a permit and demonstrating compliance with this chapter.
 1. As a condition of permit issuance, the applicant shall agree to implement required provisions of this chapter and to allow all inspections to be conducted.
 2. Tree removal is subject to the provisions of Chapter 15.44, Erosion Control, Chapter 17.56, Hillside Development, and Chapter 17.60 Flood and Slope Hazard.

Response: As detailed in the Preliminary Plans, the application includes tree removal subject to the exception criteria below. Thus, the application is demonstrating compliance with this chapter. Tree removal is planned to comply with erosion control provisions of Chapter 15.44. As documented in the FSH Analysis (Exhibit H), the provisions of Chapters 17.56 and 17.60 are not relevant to the site and do not apply. The applicable criteria are understood.

- B. **Exceptions:** The following tree removals are exempt from the requirements of this chapter.
 1. Tree removal as required by the city or public utility for the installation or maintenance or repair of roads, utilities, or other structures.

Response: As detailed in the Preliminary Plans, the application includes tree removal for the installation of roads and utilities, including four off-site trees located in the existing public right-of-way for Melissa Avenue. Such tree removal is exempt from the requirements of this chapter as stated above. As shown on the Preliminary Plans, a tree in the existing public right-of-way could potentially be retained upon acceptance of fee-in-lieu for improvements to east SE Ponder Lane.

2. Tree removal to prevent an imminent threat to public health or safety, or prevent imminent threat to public or private property, or prevent an imminent threat of serious environmental degradation. In these circumstances, a Type I tree removal permit shall be applied for within seven days following the date of tree removal.

Response: The application does not involve tree removal subject to the exception criteria above.

IV. Conclusion

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the City of Sandy Development Code. The evidence in the record is substantial and supports approval of the application.

SE Ponder Lane/Future SE Gunderson Road Extension



- 1. Existing Intersection Location
- 2. TSP-Identified Alignment

1. Existing Intersection Location



- Intersection not usable for new development given available width, very flat skew angle of approach, and topography.
- Rebuilding a new street and intersection in this location would involve properties that are not under control of the applicant or the City of Sandy

2. TSP-Identified Alignment



Looking North



Looking South



- Sight distance limited by horizontal and vertical curves in both directions. Sight distance is particularly poor for the future south leg, which would connect to Cascadia Village Drive.
- Superelevation (banking of the roadway around the curve) is very steep and makes this location problematic for an intersection due to difficult turning and crossing movements across the steep curve.

November 25, 2019

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Mr. Kelly O'Neill, Director
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Sandy, OR 97055

RE: City of Sandy File No. 19-203 SUB/VAR/TREE; Application by Allied Homes and Development, LLC for Approval of Bailey Meadows Tentative Subdivision Plan Application

Dear Mr. O'Neill:

This office represents the Applicant. I am sending this letter following my discussion with City Attorney David Doughman on Friday, November 22, 2019.

The purpose of this letter is to confirm the Applicant's intention, if the Sandy Planning Commission, or the Sandy City Council on appeal, approves the Bailey Meadows Tentative Subdivision Plan Application with the condition of approval discussed below, to apply for an amendment to the City of Sandy Urban Growth Boundary (the "UGB") in order to extend Gunderson Road, an Arterial Street shown on the City's Transportation System Plan (the "TSP"), from the termination of Melissa Avenue on the proposed Tentative Subdivision Plan to Oregon Highway 211 in order to provide a second way in and out of the Bailey Meadows Subdivision. While the Applicant's offer is contingent on several occurrences, this letter is intended to demonstrate the Applicant's intention to carry out this plan should the contingencies be fulfilled.

The purpose of these efforts by the City and the Applicant is to provide a second way in and out of the Bailey Meadows Subdivision. While the Applicant's opinion is that a second way in and out is not legally required for approval of the Bailey Meadows Tentative Subdivision Plan Application, the Applicant also recognizes that providing a second way in and out of the Subdivision is a benefit to the public and the community to the north of the proposed subdivision. Further, the Applicant appreciates the City's willingness to attempt to resolve the disagreement over the second way in and out of the Subdivision by cooperatively working with the Applicant on the Gunderson Road extension.

1. **Exhibit 1** is a drawing showing the possible extension of Gunderson Road from the terminus of Melissa Avenue to Oregon Highway 211. **Exhibit 2** is the City's TSP map showing Gunderson Road. In the event the Applicant is able to extend Gunderson Road as explained below, the City will eventually extend Gunderson Road from its connection with the Bailey Meadows Subdivision west as shown on the TSP.

Mr. Kelly O'Neill, Director
November 25, 2019
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The TSP shows Gunderson Road connecting to Oregon Highway 211. However, the Applicant's traffic engineer Todd Mobley of Lancaster Engineering has prepared a memorandum explaining why the location of the connection between Gunderson Road and Oregon Highway 211 as shown on the TSP is not feasible. This is not only Mr. Mobley's conclusion but also the conclusion of the Oregon Department of Transportation ("ODOT") Region 1.

2. The Applicant and the City Attorney will jointly draft a proposed condition of approval to be adopted with the approval of the Bailey Meadows Tentative Subdivision Plan Application providing that the approval is subject to approval of the UGB expansion under certain circumstances allowing the Applicant to construct the Gunderson Road extension. As you know, the Gunderson Road extension is outside of the UGB and requires a UGB amendment for the extension.

3. The Applicant has previously examined whether an exception to Statewide Planning Goals (the "Goals") 3, 12 and 14 to allow the Gunderson Road extension is feasible. It concluded that it is not for several reasons, most importantly, that a Goal exception begins with an application with Clackamas County ("County") rather than the City. However, in consultation with the City Attorney and City staff, the Applicant believes that it is feasible to have approved a UGB expansion because it begins with the City's approval even though the Joint Management Agreement (the "UGMA") requires the Board of County Commissioners to approve the City's UGB approval. Based on my discussions with the City Attorney, we believe that this is feasible.

4. The City and the Applicant have met with ODOT, the Oregon Department of Land Conservation and Development ("DLCD") and Clackamas County. DLCD is not opposed to the UGB expansion application and believes that it is feasible to be achieved, subject to demonstration of compliance with the applicable approval criteria. ODOT had no substantive comments on the UGB expansion but reminded the City and the Applicant of the necessity to obtain ODOT approval for the Gunderson Road connection with Oregon Highway 211. This is why the Applicant believes that the Gunderson Road extension is possible only in the event the City takes jurisdiction of Oregon Highway 211. Finally, the County noted several procedural issues that need to be addressed but did not indicate that the UGB expansion was infeasible.

I hope this information is helpful to you in demonstrating the Applicant's good faith intent to proceed with the UGB expansion assuming that the conditions precedent can be satisfied. As you know, the City and the Applicant have expended considerable time and effort to come this far.

Thank you again for your efforts to work with the Applicant on this matter. Please place this letter in the official Planning Department file for this Application and before the Sandy Planning Commission at the initial evidentiary hearing on December 17, 2019.

schwabe.com

Mr. Kelly O'Neill, Director
November 25, 2019
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Very truly yours,



Michael C. Robinson

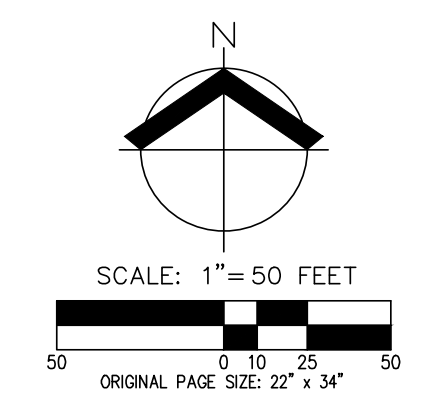
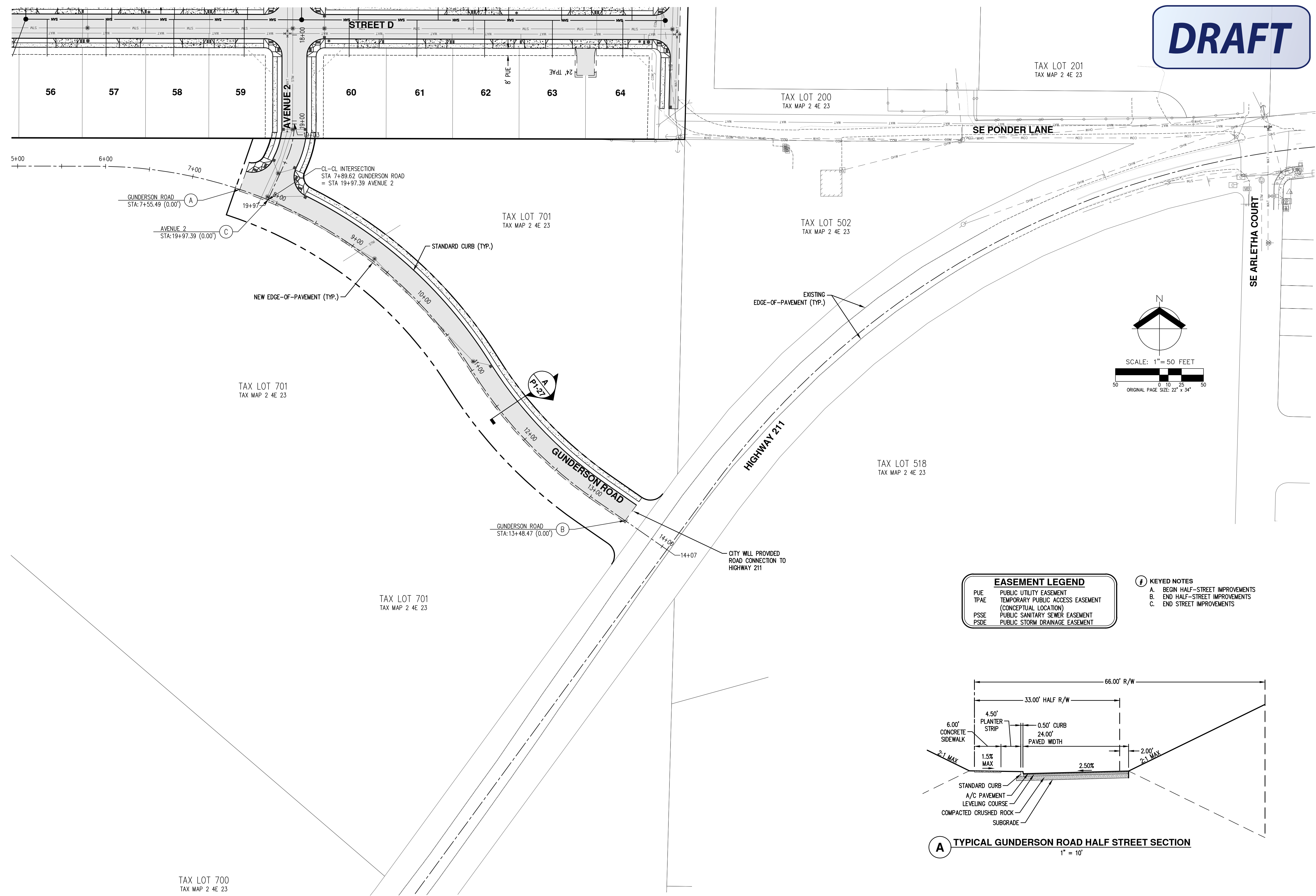
MCR:jmhi
Enclosures

cc: Ms. Emily Meharg (*via email*) (*w/enclosures*)
Mr. Cody Bjugan (*via email*) (*w/enclosures*)
Mr. Monty Hurley (*via email*) (*w/enclosures*)
Mr. Chris Goodell (*via email*) (*w/enclosures*)
Mr. Todd Mobley (*via email*) (*w/enclosures*)
Mr. David Doughman (*via email*) (*w/enclosures*)

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DRAFT

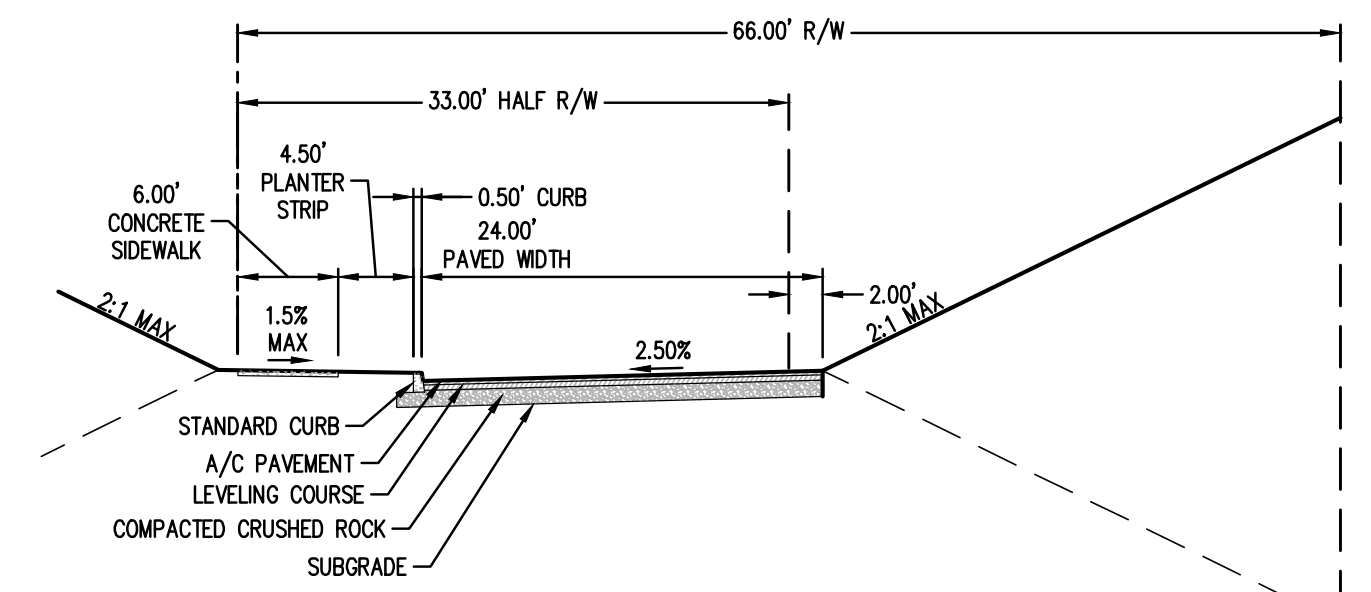
AKS
 AKS ENGINEERING & FORESTRY, LLC
 12985 SW HERMAN RD, STE. 100
 TUALATIN, OR 97062
 503.563.6151
 WWW.AKS-ENG.COM
 ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE



EASEMENT LEGEND

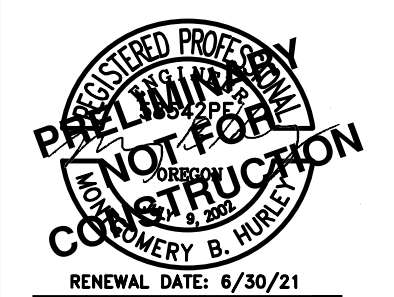
PUE	PUBLIC UTILITY EASEMENT
TP&E	TEMPORARY PUBLIC ACCESS EASEMENT (CONCEPTUAL LOCATION)
PSSE	PUBLIC SANITARY SEWER EASEMENT
PSDE	PUBLIC STORM DRAINAGE EASEMENT

- KEYED NOTES**
- A. BEGIN HALF-STREET IMPROVEMENTS
 - B. END HALF-STREET IMPROVEMENTS
 - C. END STREET IMPROVEMENTS



A TYPICAL GUNDERSON ROAD HALF STREET SECTION
 1" = 10'

PRELIMINARY OFFSITE STREET IMPROVEMENTS BAILEY MEADOWS SANDY, OREGON



JOB NUMBER: 7107
 DATE: 10/15/2019
 DESIGNED BY: VN
 DRAWN BY: CL
 CHECKED BY: RSW

P1-27

Exhibit 1
 Page 1 of 1

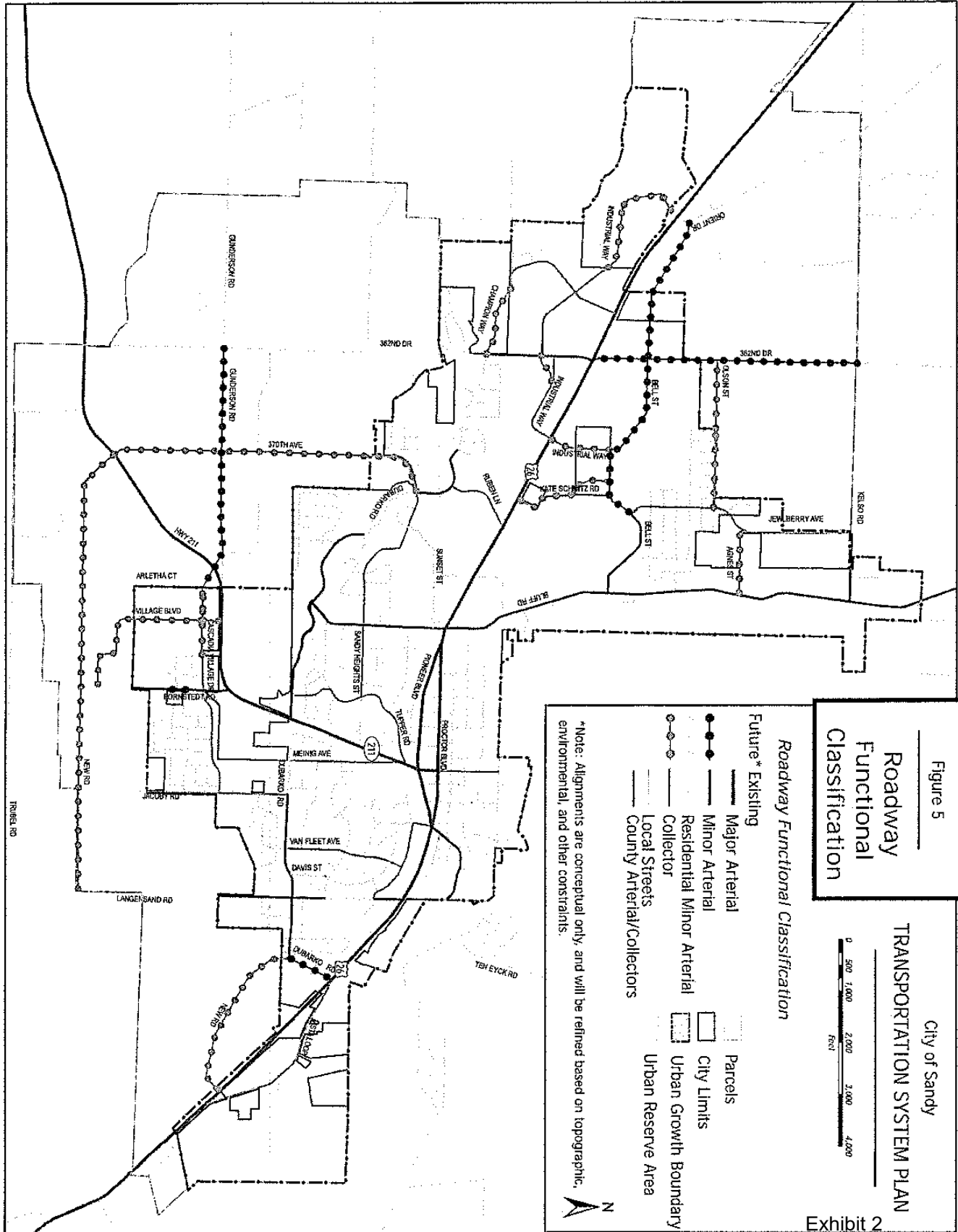


EXHIBIT X



Todd Mobley <todd@lancastermobley.com>

Bailey Meadows - Trip Distribution w/ Gunderson Connection

Todd Mobley <todd@lancastermobley.com>

Thu, Dec 5, 2019 at 10:10 AM

To: "Robinson, Michael C." <MRobinson@schwabe.com>

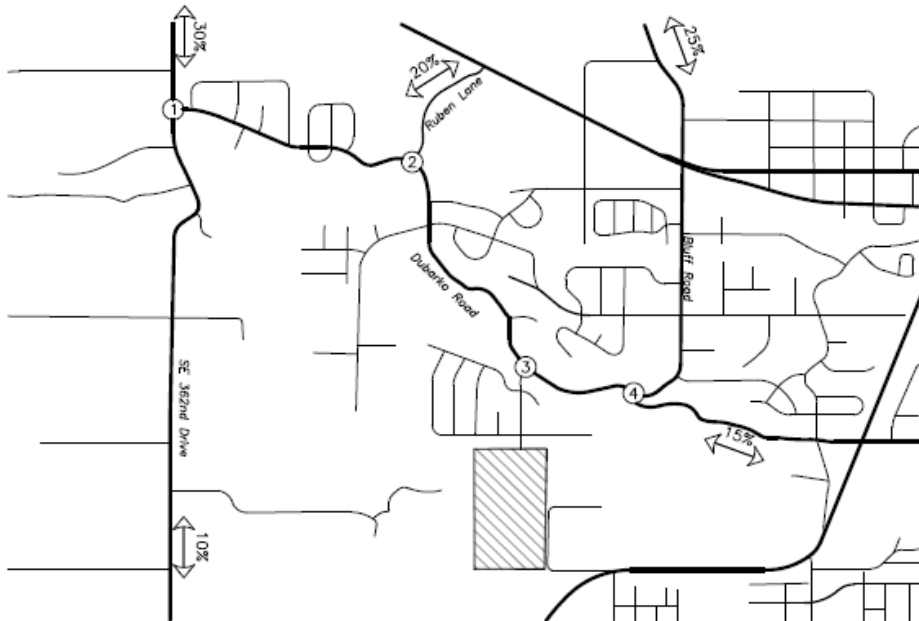
Cc: Cody Bjugan <cody@investpdx.com>, Monty Hurley <monty@aks-eng.com>, Chris Goodell <chrisg@aks-eng.com>, Marie Holladay <holladaym@aks-eng.com>

Mike,

This email is to explain the changes in trip distribution that we expect to see as a result of the Gunderson connection. A full TIS addendum is currently being prepared and will be submitted as part of the UGB expansion application.

The Gunderson connection to Highway 211 is expected to serve trips to and from the east, south, and west. Trips to and from the north are not likely to use the new connection. In addition, some of the existing neighborhood traffic from Melissa will divert to the south, through the Bailey Meadows site, to Highway 211.

Below is an excerpt from Figure 2 of the TIS, which is already in the record for the subdivision application. It shows the overall trip overall distribution pattern and is referenced in the sections below:



To & From the East

It is expected that the 15% of site trips previously assigned to Dubarko Road to the east will all use the Gunderson connection. Turning left onto Highway 211 at the new intersection will have significantly lower delay than turning left or crossing Highway 211 at Dubarko.

Contribution: 15% via Gunderson

To & From the South

A total of 10% of the trips are expected to be to and from the south, and all of these trips will use the Gunderson connection to Highway 211, since that will be a much more direct route.

Contribution: 10% via Gunderson

To & From the West

Trips to and from the west (30%) were assigned primarily to 362nd, as this is the quickest route to shopping destinations as well as Highway 26 west of Sandy. Travel time studies show that the route using Dubarko Road to 362nd Avenue is identical in time to the route using Highway 211 to 362nd Avenue. Therefore, the 30% is split evenly via Melissa to the north and Gunderson to the south.

Contribution: 15% via Gunderson

Total percentage of site trips using Gunderson = 40%, or 378 of the site's 944 trips per day

Rerouted Existing Trips

Since 40% of the Bailey Meadows trips are expected to use the Gunderson connection to Highway 211, it is expected that a similar, although slightly lower percentage of the existing neighborhood traffic would also use Gunderson. Since the existing neighborhood is north of the project site, the use of Gunderson could decrease from 40% to approximately 30%.

30% of the existing 1160 ADT on Melissa would reroute via Gunderson, or 348 trips per day.

In summary, the table below shows the total daily traffic volumes to the north (via Melissa Avenue) and to the south (via Gunderson Road) with the new street connection in place.

	Daily Traffic Volumes	
	Melissa Avenue	Gunderson Road
Existing neighborhood traffic	1160	0
Existing neighborhood traffic w/ Gunderson	812	348
Bailey Meadows site trips with Gunderson	566	378
<i>Total Daily Volume with Gunderson</i>	<i>1378</i>	<i>726</i>

It should also be noted that we know from traffic count data, that the existing neighborhood served by Melissa Avenue generates 27% fewer trips than the standard ITE trip rates. It is expected that Bailey Meadows will have similar trip characteristics, but for a worst-case analysis, it was assumed that Bailey Meadows trips would be generated at the higher ITE rate.

-Todd

Todd E. Mobley, PE

Principal



We have a new name and a new look, but we are still the most *effective* consulting team you've ever worked with.

321 SW 4th Avenue, Suite 400 | Portland, OR 97204

P: 503-248-0313 C: 503-319-9811

Website: lancastermobley.com

Offices: Portland, OR | Bend, OR

EXHIBIT Y

**CURRAN-McLEOD, INC.
CONSULTING ENGINEERS**

6655 S.W. HAMPTON STREET, SUITE 210
PORTLAND, OREGON 97223

September 27, 2019

Ms. Emily Meharg
City of Sandy
39250 Pioneer Blvd.
Sandy, OR 97055

**RE: CITY OF SANDY
BAILEY MEADOWS SUBDIVISION (FILE NO. 19-023 SUB/VAR/TREE)
PRELIMINARY REVIEW**

Dear Emily:

We have reviewed the submittal preliminary plans and supporting documents for the above noted development and have the following comments:

1. We have briefly reviewed the "Geotechnical Engineering Report" prepared by Geopacific Engineering, Inc., dated June 18, 2019 and recommend that the developer retains appropriate professional geotechnical services for observation of construction of earthwork and grading activities. The grading setbacks, drainage and terracing should comply with the Oregon Structural Specialty Code (OSSC) requirements and the geotechnical report recommendations and conclusions as indicated in the report. When the grading is completed, a final report should be submitted to the City by the Geotechnical Engineer stating that adequate inspections and testing have been performed on the lots and all of the work is in compliance with the above noted report and the OSSC.
2. We have reviewed the preliminary stormwater calculations that was provided with this submittal. The calculations are found to meet the water quality/quantity criteria as stated in the City of Sandy Development Code (SDC) 13.18 Standards and the City of Portland Stormwater Management Manual (SWMM) Standards, that were adopted by reference into the Sandy Development Code. However, a detailed final report stamped by a licensed professional shall be submitted for review with the final construction plans.
3. We have reviewed the "Traffic Impact Analysis" prepared by Lancaster Engineering dated June 20, 2019. The study doesn't identify any concerns as a result of this development.

PHONE: (503) 684-3478

E-MAIL: cmi@curran-mcleod.com

FAX: (503) 624-8247

Mr. Emily Meharg
September 27, 2019
Page 2

4. 3/4 Improvements should be required on Ponder Street north-south between Gunderson Road and the most northerly east-west street to include 28-foot wide paved surface, curbs on both sides, 5-foot planter strip with street trees, street lighting and 5-foot wide sidewalks on the west side of the roadway.
5. All interior streets to include the east-west Ponder lane should be constructed to local street standards (28-foot wide paved surface, curbs on both sides, 5-foot planter strips and 5-foot wide sidewalks) in compliance with the City of Sandy Transportation System Plan (TSP), figure 12. The proposed 50-foot right of way is adequate.
6. Gunderson Road is classified in the City of Sandy Transportation System Plan (TSP), figure 5 as a minor arterial street. A minimum of 34 feet of right of way dedication will be required along the entire site frontage as per City of Sandy Development Code, chapter 17.84. This roadway will be extended in the future as the surrounding properties develop around this site.

A half Improvements would be required on Gunderson Road to include 22-foot wide paved surface, curbs on one side, 5-foot planter strips and 6-foot wide sidewalks along the south plat boundary line as per the TSP. At the request of the City, we have developed a layout of this site and came up with 98 lots including a 34-foot of right of way dedication along Gunderson Road.

7. Melissa Avenue is classified in the City of Sandy Transportation System Plan (TSP), figure 5 as a local street and is proposed to be the only access to this development. Currently, the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glen No. 2 is 2,490 trips. The traffic volumes increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1,000 ADT. The projected capacity exceeds the preferred capacity limitations.

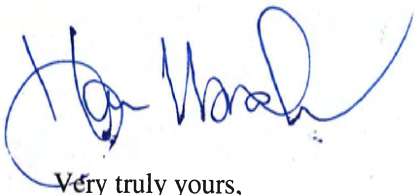
We are also concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case an evacuation is needed. A review by the Fire Department is needed to confirm whether an additional emergency access is needed or not. However, we recommend as a minimum a temporary/ emergency access to Hwy 211.

8. The developer's engineer should provide a profile design for a minimum of 200 feet for all future street extensions stubbed streets past the project boundary to ensure future grades can be met.

Mr. Emily Meharg
September 27, 2019
Page 3

9. All ADA ramps shall be designed, inspected by the design engineer and constructed by the contractor to meet the most current PROWAG requirements.
10. All public sanitary sewer, waterline mains to be a minimum of 8-inches in diameter and a minimum of 12-inches in diameter for storm drains and be extended to the plat boundaries where practical to provide future connections to adjoining properties. All utilities are extended to the plat boundary for future connections.
11. The new site layout eliminated the detention pond and a detention tank can be used in lieu of a pond meeting the requirements of the 2016 City of Portland StormWater Management Manual (SWWM).

We have no concerns about the proceedings with this project subject to the above stated comments.

A handwritten signature in blue ink, appearing to read "H. Ibrahim", is written over the typed name "Hassan A. Ibrahim, PE".

Very truly yours,

CURRAN-McLEOD, INC.

Hassan A. Ibrahim, PE

cc: Mr. Mike Walker, City of Sandy



EXHIBIT Z

Emily Meharg <emeharg@ci.sandy.or.us>

Re: Bailey Meadows Subdivision (File No. 19-023 Sub/Var/Tree)

1 message

Kristine Hendrix <Kristine.Hendrix@pgn.com>
To: "emeharg@ci.sandy.or.us" <emeharg@ci.sandy.or.us>

Wed, Sep 18, 2019 at 7:43 AM

Dear Emily,

We haven't found any conflicts related to your project. There is a PGE project located on SE Ponder Ln. When the developer is ready to start the project please have them call PGE Service Coordinators at 503.323.6700.

Thank you,


Kristine Hendrix | Sr. Design Coordinator

Work Hours 6:30 am to 4:00 pm M – TH & 6:30 am to 10:30 am Fri

Portland General Electric

1705 NE Burnside, Gresham, OR 97030

| 📞: (503) 669-5214 | 📠: (503) 669-5229 | ✉️ kristine.hendrix@pgn.com

 **Bailey Meadows Subdivision (File No 19-023 Sub-Var-Tree - City of Sandy).pdf**
356K





Oregon

Kate Brown, Governor

EXHIBIT AA

Department of Transportation

Region 1 Headquarters
123 NW Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

October 4th, 2019

ODOT #8702

ODOT Response

Project Name: Bailey Meadows Subdivision - Ponder Lane	Applicant: Allied Homes & Development
Jurisdiction: City of Sandy	Jurisdiction Case #: 19-023 SUB/VAR/TREE
Site Address: No situs SE Ponder Lane, Hwy 211, Sandy, OR	Legal Description: 02S 04E 23 Tax Lot(s): 00800
State Highway: OR 211 and US 26	

The site of this proposed land use action is in the vicinity of OR 211 and US 26. ODOT has permitting authority for these facilities and an interest in ensuring that this proposed land use is compatible with their safe and efficient operation.

COMMENTS/FINDINGS

The application is for a 100 lot subdivision just west of the Ponder Ln intersection with OR 211. The applicant proposes to gain emergency access to Ponder Ln with gates located at the access points. ODOT recommends that the city require emergency vehicle turning templates for the Ponder Ln/OR 211 intersection. Based on ODOT review of the turning templates, there may need to be modifications to the intersection to accommodate emergency vehicles.

ODOT anticipates that traffic from the development may have an impact on the following intersections: OR 211/Dubarko Rd, US 26/Rueben Ln and US 26/362nd Ave. The traffic analysis for the subdivision did not include these intersections, so ODOT is unable to evaluate the impact the development would have on the state highway system. In order to determine if state highway facilities are adequate to serve the proposed development, ODOT recommends the city require the applicant to update the traffic analysis to include the above referenced intersections.

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

- The applicant shall submit a traffic impact analysis to assess the impacts of the proposed use on the State highway system. The analysis must be conducted by a Professional Engineer registered in Oregon. **Contact the ODOT Traffic representative identified below for scoping.**
- The applicant shall provide emergency vehicle turning templates for the OR 211/Ponder Ln intersection. Improvements to the intersection will be required if necessary as determined by ODOT.

Please send a copy of the Notice of Decision including conditions of approval to:

ODOT_R1_DevRev@odot.state.or.us

Development Review Planner: Marah Danielson	503.731.8258, marah.b.danielson@odot.state.or.us
Traffic Contact: Avi Tayar, P.E.	503.731.8221 Abraham.tayar@odot.state.or.us

EXHIBIT BB

CITY OF SANDY PARKS AND TRAILS BOARD MEETING MINUTES OCTOBER 9, 2019

Present: Susan Drew, Don Robertson, Michael Weinberg, Kathleen Walker. Makoto Lane – park board member - to be.

Staff: Sarah Richardson, James Cramer

No public comment

Review of Meeting Minutes:

Correction: Don Robertson's comment regarding "national" parks should be "Ashland" Parks.

Noxious "weed" instead of "week".

Mike moved to approve the minutes as corrected and Don seconded. Minutes approved unanimously.

Bailey Meadows Presentation – James Cramer

Need a recommendation from Parks Board on park land dedication verses fee-in-lieu of land dedication. This plan is being presented to Planning Commission November 14th. We reviewed this development preliminarily last year and recommended that they incorporate the park land that was identified in the 1997 Master Plan. The development proposes to construct 100 single family homes. If we were to accept the in-lieu fee, it would be \$310,000. Land dedication would be 1.29 acres.

The board discussed the existence of community park in the area in the 1997 Parks Master Plan. A community park land is intended to have things like ball fields and this parcel has relatively flat ground that would meet this need. A walk to the closest park for most of the development property is over ½ mile (Knollwood) which does not meet our Master Plan intent of providing a park within ¼ to ½ mile of developments. Access to Bornstedt requires crossing a highway and is about ½ mile away. There is also concern that we do not have a nearby willing seller to acquire park land for this development. In addition, land acquisition is generally a 10 year undertaking, assuming we can find a willing seller.

Don moved to remain with the Board's original position of land dedication of 1.29 acres because we are deficient in parkland in this area. 100 houses would put undue strain on existing facilities and create unsafe routes to Bornstedt Park. We don't have a willing seller to use the fee in lieu of, to buy land for the park. Mike seconded the motion. Unanimous vote yes.

Discussion about the proposed development on existing trees. Most of the trees on the north and south side would remain except for Melissa access and some R/W for Gunderson where trees would have to be taken.

Park SDC fees are \$3,717 per house. \$2500 per apartment unit.

This development has no immediate connections to Tickle Creek – those would come off of end of Rachael and off of Solso.

Sandy Crest Presentation: This is a preliminary proposal stage for a Planned Unit Development (PUD). A PUD requires 25% open space. James explained that the land is zoned for single family (7500 ft² lots) and instead they are proposing much smaller lots. One option is for them to provide inlieu fee rather than dedicate the land. Criteria for park or open space land dedication like slope exist. Developers can do an HOA that maintains the park property, dedicate the park and open space to the City, or the developer can take care of it or deed restricted private easement for the homeowner. Lots of discussion about PUDs as it related to parks and open space. Discussed concerns about HOA's folding after awhile

and the City having to acquire the property. Also concerned that private easements for homeowners can get fenced off, or get developed with outdoor facilities, gardens, sheds, gazebos, etc. instead of being public open space.

- Propose they give us developable park property.
- Need to have trail development and trail access to the Tickle Creek Area.
- Consider giving land on east end adjacent to undevelopable open space along Tickle Creek.

Motion made by Don to move the three points forward to planning in pre-app process. Susan seconded motion. Motion carried unanimous.

Proposed Jewelberry Meadows

Proposed 20 units along Jewelberry east of Penny Avenue. The development would have access from Agnes. Park would be at Sandy Bluff which is less than ½ mile away. This would give us \$62,600 of fee in lieu of or 0.26 acres parkland dedication. Conceptual future park location is further north. Don motioned to accept fee in lieu of and Michael seconded it. Motion carried unanimous.

Old Business: No old business.

Staff Updates: Parks Master Plan was signed by both parties and next stage is gathering documents. There will be a technical advisory board formed. The Parks Board will be involved as stakeholders. Nancy is asking for two park board members to be part of the Technical Advisory Committee. Mike moved that Kathleen and Don be the two members. Susan seconded it. Motion carried unanimous.

Shade Structure Update: Bids for shade structures came in. Bid for two covered shade structures at Bornstedt Park is \$60,591. Need input on stain colors, roof color and stone type. Propose using similar materials to the Meinig Park project same rock and same wood stain – if they used forest green roof, instead use hunter green.

Bids for dog park \$25,000 for larger and \$23,000 for smaller one. Still need engineering costs. Sarah will meet with contractor for next meeting. We have about \$21,000 in the donation account. Suggest we consider using interest funds from Parks SDC and fee in-lieu of accounts. Sarah will check with Kelly, Jordan and Tyler on that. If we cannot do both, the consensus was to do the larger one where we already have seating.

To Do: Sarah will ensure Makota’s assignment is on the Council agenda.

We need to clarify that planning proposals are going directly to Sarah (in addition to Tanya) to ensure timely communication.

9 pm end of meeting.



Exhibit CC

Emily Meharg <emeharg@ci.sandy.or.us>

Bailey's Meadows Possible Gunderson Rd Connection to OR 211

DANIELSON Marah B <Marah.B.DANIELSON@odot.state.or.us>

Tue, Nov 19, 2019 at 11:13 AM

To: "Emily Meharg (emeharg@ci.sandy.or.us)" <emeharg@ci.sandy.or.us>, "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, "monty@aks-eng.com" <monty@aks-eng.com>

Cc: TAYAR Abraham * Avi <Abraham.TAYAR@odot.state.or.us>, BOLEN Glen A <Glen.A.BOLEN@odot.state.or.us>, RODRIGUEZ Myriam * Marcela <Marcela.RODRIGUEZ@odot.state.or.us>, LAM Canh T <Canh.T.LAM@odot.state.or.us>, ODOT_R1_DevRev <ODOT_R1_DevRev@odot.state.or.us>

Hi Emily, Kelly and Monte,

I wanted to follow up on our meeting last month regarding to possible Gunderson Rd connection to OR 211 for the proposed Bailey's subdivision. After following up with the ODOT R1 Technical Center, ODOT has determined that the applicant can use 50mph as the design speed. At our meeting, ODOT may have given the impression that we would be willing to process design exceptions prior to the land use application being submitted to provide the city with some confidence that the highway improvements would be able to be permitted by ODOT. Given the amount of effort and time the design exception will take for the applicant as well as ODOT staff, ODOT will not be able to process the design exceptions before a land use application has been submitted to the city. Instead, the applicant can work with ODOT staff to obtain "design concept acceptance" for the proposed highway improvements. As Avi and I will be on vacation from November 20th to December 5th, please contact Marcela Rodriguez if you have any technical questions for ODOT staff. I don't anticipate that the land use application will be submitted during this time, but if it does as part of our regular land use review process the land use application should be sent to odot_r1_devrev@odot.state.or.us.

Thank you,

Marah Danielson, Senior Planner
ODOT R1 Development Review Program
(503) 731-8258
marah.b.danielson@odot.state.or.us



EXHIBIT DD

Emily Meharg <emeharg@ci.sandy.or.us>

File Number - 19-023 SUB/VAR/TREE

Paul Owen <paul.owen@vanport-intl.com>

Sat, Sep 14, 2019 at 7:16 PM

To: "planning@ci.sandy.or.us" <planning@ci.sandy.or.us>

Cc: "jandpowen@yahoo.com" <jandpowen@yahoo.com>, "pauldownen65@outlook.com" <pauldownen65@outlook.com>

Comments on File Number – 19-023 SUB/VAR/TREE

Comments:

1. Pleased with the lot size of 7500' or larger.
2. Pleased with road size of 50' and set backs.

Concerns:

1. Only 1 access point on Melissa Avenue.
 - a. Melissa is already a busy street, steep, and limited sightlines at Dubarko due to trees and parked cars.
 - b. Melissa should be considered a secondary access.
 - c. A primary access to Hwy 211 is needed, for emergency vehicles and access during imclement weather.
 - d. Melissa is steep with limited sightlines and dangerous during bad weather. Adding 1000 cars per day is asking for multiple accidents per day.
 - e. If the city is to approve this without concern for our comments we suggest connecting Solso drive to add another access point, and put a 3 way stop at the bottom of Melissa and Dubarko. Otherwise you will see car and pedestrian accidents increase.
2. With the addition of 100 homes plus the existing Nicholas Glen homes, where are the community parks.
 - a. The city has required Sandy Bluff, Idleman, and other developments to add parks. I see nothing here.
 - b. Highly recommend a park be added in some form.

Without a secondary access road and additional park land we are not in agreement of this development.

If the solution is to reduce lot size, we against this as well.

Sandy has to much high density housing at this time.

Cordially,

Paul and Jolette Owen

37189 Rachael Drive

EXHIBIT EE

City of Sandy
Planning Division
Sandy, OR

Re: Proposed Bailey Meadows Subdivision

City of Sandy,

I own the home located at 37506 Rachael Drive (re: tax lot 6100). I purchased the home in early 2018 knowing full well someday there would be homes built on the property behind my home. The proposed Bailey Meadows appears to be an ill-conceived subdivision created with no regard to the impact of the surrounding existing homes or community. I did attend the AKS meeting held on September 18, 2018. I have the following concerns.

Melissa Avenue the only access in or out of the development

As proposed the development is an island of approximately 100 homes to be built with only a single existing residential street (Melissa Ave) to access the subdivision. This means approximately 200 automobiles enter/leave the subdivision using an existing residential street not designed for additional traffic. With automobiles parked in front of the homes on Melissa Ave, the street is not wide enough to safely allow 2 way traffic. When two opposite direction automobiles meet one moves over to allow the other auto to proceed. The street is marginally designed to accommodate the traffic of the current homes it was built to support, again it is the only access in or out of our neighborhood.

A major additional safety concern is all construction vehicles will only have access the subdivision using Melissa Ave.

Sandy is a bedroom community with a large percentage of its working population commuting out of the town to work. Not only will Melissa Ave be impacted with the additional traffic, Dubarko will be significantly impacted by the additional traffic. Melissa or Dubarko are not designed to accommodate more than the current traffic they support.

Plans to extend the Melissa Avenue into the subdivision

This impacts me personally. My property is at the corner of Melissa Ave and Rachael Dr. The person I talked to at the AKS meeting, could not provide me with a concept plan of how Mellissa Ave will be "punched" through into the development. He said the construction and plans would be by the City of Sandy.

My home/property (and the home across from me on Mellissa) is on a hill as is where Mellissa Ave will go into the subdivision. The subdivision property is substantially drops lower just at my home's property line, hence when Melissa Ave goes into the subdivision it will be considerably lower than my property. I would like to see a concept plan of the extension of Melissa into the subdivision to understand its impact to my property. This includes where my property line actually is on Melissa Ave as it appears this was not a concern of AKS.

Thank you,
Paul Savage

EXHIBIT FF

September 25, 2019

City of Sandy Planning Division
ATTN: Emily Meharg
39250 Pioneer Blvd
Sandy OR 97055

RECEIVED
SEP 26 2019
CITY OF SANDY

RE: File Number 19-023 SUB/VAR/TREE

My name is Sarah Bettey and my husband and I are homeowners in the Nicholas Glen neighborhood off Melissa Ave and Dubarko Rd. As a member of the community, I am writing to you to express my apprehension about the potential planned project for the Bailey Meadows subdivision. We hope you will keep our concerns in mind when it comes time for you to review the proposal.

As a life long resident in this area, I oppose the building of the subdivision without serious changes to the developer's plans. In particular, I was stunned by the proposal that the new subdivision would only have access through our existing Nicholas Glen neighborhood via Melissa Ave. This suggestion would have a severely negative and likely dangerous impact upon this area. The traffic on Melissa and Dubarko are already a safety concern. Cars speed up and down the hill on Melissa Ave too fast for a residential street. Dubarko has become a fairly heavily traveled bypass and the number of cars going through our area has increased over the years due to the major traffic problems in the downtown portion of Sandy.

If the new subdivision is given access to enter and exit only using Melissa Ave, this will increase traffic flow significantly. The addition of 90+ homes will add nearly 1000 car trips per weekday on our quiet neighborhood streets. Increased traffic flow coming from this development causes a higher risk for safety of drivers and pedestrians as well as delays and backups along the surrounding residential streets (i.e. Bluff, Sandy Heights, Ruben). This inevitable increase of traffic by at least a third also brings forward the obvious concern with the value of the residential property surrounding the development and affected streets dropping dramatically.

I feel a reasonable and safer alternative would be to also require direct access to Hwy 211 via Ponder Road to the south. That the applicant has rejected this suggestion from the city staff as part of their planning just goes to show how they do not have the existing neighborhood's best interest at heart. This would decrease the need for cars in Bailey Meadows to head through Nicholas Glen at all. It also will give both Bailey Meadows and Nicholas Glen a 2nd access point, which is safer in case of emergencies and inclement winter weather. I would also highly recommend speed bumps be installed on the Melissa Ave hill to help keep speed down and discourage drivers from cutting through the neighborhoods from Hwy 211 to Dubarko.

In addition, according to information given during the September meeting, if this proposal is approved Melissa Ave will be torn apart to run additional sewer, electricity, etc. instead of accessing these and other utilities via Hwy 211. Melissa Ave is currently the only access point for the entire existing Nicholas Glen neighborhood. Also taking into consideration the burden that months or years of large trucks and other machinery needed to complete the building project driving through to access the property location, the disregard for the current residents of the area is totally unacceptable.

Myself and my family have a vested interest in our community and hope that its quiet character and charm will remain intact. I am sure I do not need to mention in this letter the need for a bypass around town and concerns about overcrowded schools as the city is well aware that these problems continue to grow with the addition of more residents to our city population. My husband and I chose to raise our young son here in my hometown of Sandy and selected the Nicholas Glen neighborhood specifically because of its beauty, its quiet, its safety, and its proximity to the woods and the mountain. Sandy residents like us want the community to grow and thrive; we just want it to be done in a way that protects the small town feel and our quality of life. This project as it stands does not have the best interests of the adjoining neighborhoods in mind. It threatens to bring a slew of negative side effects to Nicholas Glen and our Tickle Creek area/Dubarko Road neighbors.

I hope you will hear my concerns and take them into consideration as you make decisions on this matter in the future.

Thank you for your time,

Sarah Bettey
18195 Melissa Ave
Sandy OR 97055
Sarahbettey2978@hotmail.com
971-246-2974



EXHIBIT GG

Emily Meharg <emeharg@ci.sandy.or.us>

Bailey meadows

1 message

Tiffany Harris <tiffyann18@gmail.com>
To: emeharg@cityofsandy.com

Fri, Sep 27, 2019 at 8:43 AM

Good morning. I just wanted to reach out and be heard like a lot of my neighbors. I live off of Melissa road, on Rachael drive. I have a major concern with all the traffic coming up Melissa road. My family and I love to go for walks and bike rides almost daily. With all that extra traffic on Melissa, I won't feel safe having my kids and myself doing these walks anymore. This project is a safety issue for my family. On another note my kids play out front of our home. If the entrance to your project is blocking one way out of Rachael, the cars will have to go the other way on Rachael. More traffic on my road. Still putting my kids at risk of getting hit, by unhappy neighbors, angry, late to work. Anger makes people speed more. So please reconsider this project or find a different route. The safety of children is truly the most important thing.
THANK YOU FOR LISTENING
HAVE A GREAT DAY.



EXHIBIT HH

Emily Meharg <emeharg@ci.sandy.or.us>

MELISSA AVENUE

Todd Cooper <OREGONTCS@live.com>
To: "emeharg@cityofsandy.com" <emeharg@cityofsandy.com>

Fri, Sep 27, 2019 at 1:36 PM

Dear Ms. Meharg,

I am writing to you as a concerned home owner located at [18190 Melissa Avenue](#), in Sandy Oregon. I am extremely concerned for what will certainly be a public traffic safety issue on the road here.

Currently there are many speeding vehicles that fly up and down the road here....as there is a steep hill.

I have been employed in the business of Traffic Control for what is now 23 years. Melissa Avenue is a very steeply inclined roadway, and sadly many current residents put their feet to the floor and speed UP the hill to get to their homes---and they are in violation of posted speeds as it is. I have seen and experienced this since residing here about ten years now. There are currently several young families with children and pets residing on Melissa Avenue currently. Many drivers race down the hill as well....and the cross street of Solso exists as well.

I am hoping that the proposal to make Melissa Avenue the ONLY access point to a new subdivision will be reconsidered and summarily dismissed. Perhaps other access points to this new subdivision could be more safely utilized? I will suggest either a "LOOP" onto and off of 211, or on out to 362nd; thereby maintaining public safety.

Has anyone used any traffic engineering volume studies onto Dubarko? There might well be a need to install a traffic light on Dubarko if the current proposal is allowed to go through. I'm sure there is a better solution to use other than Melissa Avenue. Adding 1,000 vehicles daily on Melissa Avenue is simply a very bad idea.

Thank you for your time and attention in this matter.

Sincerely,

Todd Cooper

oregontcs@live.com

[18190 Melissa Avenue](#)

[Sandy, Oregon 97055](#)

Sent from [Mail](#) for Windows 10



EXHIBIT II

Emily Meharg <emeharg@ci.sandy.or.us>

Bailey Meadows Subdivision

1 message

Tom Newell <tom.newell@live.com>

Fri, Sep 27, 2019 at 4:17 PM

To: "emeharg@cityofsandy.com" <emeharg@cityofsandy.com>

Hi Emily.....

I would like to add my concern regarding the above proposed project.

WOW, I had no idea that Melissa Avenue would be the main arterial street used by these (? 100 ?) homes. I thought for sure Ponder would be developed for that load.

Also, is it correct that Solso Drive will also be 'punched' through to provide emergency services access ? And would it then become a through-street ?

I could not attend the 9/18 meeting, but hope to be at the 10/28th.

Is there a way for me to formally file my objections to this proposed subdivision ?

Thank You,

Tom Newell

[18007 Rachael Dr](#)

[Sandy](#)

503-477-2911

tom.newell@live.com

Sent from [Mail](#) for Windows 10



EXHIBIT JJ

Emily Meharg <emeharg@ci.sandy.or.us>

Proposed "Bailey Meadows" development

1 message

Cary Mallon <cary.mallon@gmail.com>
To: emeharg@cityofsandy.com

Sat, Sep 28, 2019 at 10:06 AM

Hello Emily,

My name is Cary Mallon and am writing in opposition to the proposal of the Bailey Meadows development. I have lived at the corner of Melissa and Rachael since 2007. While we have recognized that the future might mean development to the south of us, we have never imagined the specifics proposed in this project.

Mainly, my objection is adding 100 homes to be served by a road system that is already (by city standards) overloaded. The plans here basically call for the world's biggest cul de sac, which is a design now disdained by many planners because of it's dead end nature. The only conduit to reach this area for cars, school buses, emergency vehicles, and construction equipment is Melissa Ave. Melissa Ave, which I know the city would say is wide enough for two way traffic, really functions like a one lane logging road with turnouts. Drivers do not feel comfortable passing each other there when there are cars parked on both sides of the road. We routinely wait for each other to pass through the spots with cars on both sides.

It is my opinion that the property in question should be denied development approval without access to Hwy 211. Really, the 'emergency' access should be Melissa ave, and the main access should be Hwy 211. I understand that there are complications making that access difficult, but the project should not be approved until that way is cleared. AND, then it is on. the city to improve access to other residential areas along 211 for travelers who are not in cars!

A secondary objection is allowing the project to go forward without park space included. The city should not allow any project to 'buy off' the park requirement.

To conclude, I am vehemently opposed to Bailey Meadows.

Thanks for reading,

Cary



EXHIBIT KK

Emily Meharg <emeharg@ci.sandy.or.us>

extension of melissa ave to proposed sudivision

1 message

Lonnie McVey <lonniemcvey@gmail.com>
To: emeharg@cityofsandy.com

Sat, Sep 28, 2019 at 10:48 AM

This is unacceptable for many reasons. As a resident of this neighborhood for over 15 yrs I believe this is not safe. Melissa is closed due to weather occasionally. Should we add more homes and traffic that would be impacted by this. No police or fire access during slick conditions? Does this sound like proper planning. The safety of kids walking up, down and across our streets with 900 more car trips per day to deal with. Picture dump trucks, equipment , paving contractors etc using Melissa to access this development causing congestion, road damage [etc.as](#) well as safety problems. Please access this site from the hiway only. An extension of Melissa will be used as a bypass as well as access to the site.
thanks Lonnie Mcvey



EXHIBIT LL

Emily Meharg <emeharg@ci.sandy.or.us>

RE: New proposed Bailey Meadows Subdivision

1 message

john.caroldick <john.caroldick@gmail.com>
To: emeharg@cityofsandy.com

Sun, Sep 29, 2019 at 5:45 PM

Hello Emily ,

We are among many neighbors in the Nicholas Glen Subdivision that are very concerned about the new proposed subdivision Bailey Meadows. Nicholas Glen has only one access in and out of the area, which is Melissa ave. If this new subdivision goes in, the developers plan to use Melissa for entering and exiting. This will add approximately 944 additional car trips a day . We feel that adding any traffic to Melissa ave will be too much. It will need to handle cars from 170 homes in Nicholas Glen and 100 homes in Bailey Meadows. This arrangement would be very unsafe for children living on Melissa and impossible for all residences to leave the area in an emergency. We are very upset that Nicholas Glen has only had one access in and out of our area as long as we have lived here (12years). This may be a good time to look into this problem also.

John and Carol Dick

[18255 Grey Ave](#)

[Sandy or 97055](#)

503-449-0927

Email- john.caroldick@yahoo.com

Sent from my Verizon, Samsung Galaxy smartphone



EXHIBIT MM

Emily Meharg <emeharg@ci.sandy.or.us>

Use of Melissa Street in Nicholas Glen neighborhood.

1 message

Marilyn Siewell <oreborn36@gmail.com>
To: emeharg@cityofsandy.com

Tue, Oct 1, 2019 at 1:53 AM

Dear Emily Meharg:

I am very concerned as is my daughter, who recently moved in with me, on go do not want this to happen. Our neighbors are a mixture of young children who ride their bikes , parents with baby strollers and elderly who go for walks each day, feeling safe when doing so. This lifestyle would be gone for us, who are home owners and love our space, peace, and quiet and safety factors. If used for your proposal, the street would only go to Debarko and then you would have to turn West or East , through two more neighborhoods before getting to town. Please rethink this plan. There must be a better solution suich as via 211.

Thankyou,

Marilyn Siewell
Treena Siewell

COMMENT SHEET for File No. 19-023 SUB/VAR/TREE:

Our City is big enough
 We DO NOT need
 any more homes!
 The traffic is B.D enough!!
 we do not need more
 cars going through our
 Beautiful City!!

Marguerite Wadkins 503-668-6763
 Your Name Phone Number
 18791 Myra Ct - Sandy, OR 97055
 Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.66 Adjustments and Variances; 17.80 Additional Setbacks on Collector and Arterial Streets; 17.82 Special Setbacks on Transit Streets; 17.84 Improvements Required with Development; 17.86 Parkland and Open Space; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access; 17.100 Land Division; 17.102 Urban Forestry; and 15.30 Dark Sky Ordinance.

EXHIBIT OO

COMMENT SHEET for File No. 19-023 SUB/VAR/TREE:

"To Whom it may Concern"
I live up off of Melissa Ave.
Rachael Dr.

With 944 vehicle's going on
Melissa ave. It will be too much,
for this new home development.

When the cold weather comes with
all that snow, it will be bad.

The buses and parents meet
down below Melissa hill. Just not
safe for the kids.

Definitely should be another
way out of this development.

It will be a mess for
Bailey Meadows and Nicholas Glen.

Doris E Rooney 503 804 4542
Your Name Phone Number
37214 Rachael Dr Sandy, OR 97055
Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.66 Adjustments and Variances; 17.80 Additional Setbacks on Collector and Arterial Streets; 17.82 Special Setbacks on Transit Streets; 17.84 Improvements Required with Development; 17.86 Parkland and Open Space; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access; 17.100 Land Division; 17.102 Urban Forestry; and 15.30 Dark Sky Ordinance.

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OCT 01 2019
CITY OF SANDY



EXHIBIT PP

Emily Meharg <emeharg@ci.sandy.or.us>

New Subdivision Concerns

1 message

Susan Hebb <susan.hebb@yahoo.com>
To: emeharg@cityofsandy.com

Tue, Oct 1, 2019 at 7:27 PM

Hello - my name is Susan Hebb and I am a homeowner on Reich Ct., off Dubarko in Sandy. I recently became aware of the proposed new subdivision of 100 homes being built nearby. I wanted to share some concerns that I have in regards to this new development.

While the development itself is probably not up for approval or debate with the public, I want to share my concerns about the size of a new subdivision being built. Sandy is a wonderful small city and I'd like to keep it that way. There has already been a tremendous amount of growth and change that has occurred with housing as well as businesses over the last few years in Sandy. While I realize it's not in the best interest of cities to remain stagnant, it's critical to look at the growth carefully so the City of Sandy does not lose it's special small town feel. I specifically do not live in Gresham because it's become way to big. In addition, I'm concerned about the impact this development will have on our already stretched infrastructure of water and sewer services, schools, and fire and police departments.

It's my understanding that the entrance and exit to this subdivision has been proposed to be solely through Melissa Avenue. This is not a safe or satisfactory consideration. It's been estimated that an additional 944 car trips per day will be created from this new subdivision. Dubarko is already a busy street. Many Sandy citizens walk, run, bike, hike and enjoy the quiet beauty of this neighborhood. I'm very concerned about the safety of individuals, families, pets, and wildlife with the proposed amount of additional cars going by every day. Additionally, that amount of traffic would create pollution and health concerns for those walking and enjoying the Tickle Creek Trail.

It makes much more sense for cars to enter this new subdivision off Highway 211. Using Highway 211 would allow cars to get to the subdivision quickly since the speed limit is higher than it would be using Dubarko and Melissa. If Melissa Avenue is the main access, I'm concerned about individuals being frustrated with how long it takes to get to the new subdivision and the low speed limit. This may cause some to speed on Dubarko and up Melissa. In addition, having cars use Highway 211 would create less pollution for those enjoying walking and The Tickle Creek Trail. Also citizens would feel safer continuing to walk and exercise along Dubarko and off Melissa with the cars using Highway 211 instead of Melissa as the entry point.

I plan to attend the planning meeting on October 28th to continue to share my concerns over the proposal of using Melissa Avenue as the access point for this new subdivision. Please consider using Highway 211 as the entry for this new development.

Thank you for your consideration.



EXHIBIT QQ

Emily Meharg <emeharg@ci.sandy.or.us>

Proposed Subdivision off Melissa Ave

1 message

Dawn Allen <wunderwuman1022@gmail.com>
To: emeharg@cityofsandy.com

Tue, Oct 1, 2019 at 8:06 PM

To Whom it May Concern:

We currently live on Melissa Ave and have concerns with the addition of the new homes while only having Melissa Ave as the only access point into both the current neighborhood as well as the proposed additional neighborhood. With the current neighborhood population, each day we hear and witness multiple vehicles driving at high speeds both up and down Melissa Ave and an increase of homes and drivers would only make this worse. We have witnessed multiple near collisions at Melissa Ave and the stop sign at Solso Dr. Additionally, our house has already been hit several times by out of control drivers. We are also concerned about an increase of traffic noise that would be caused by an increased number of vehicles driving up and down Melissa Ave each day and by the decrease in home value, for those of us that live on Melissa Ave, that is likely to follow the building of the new neighborhood.

We are also concerned about the neighborhood children. When it snows or is icy and school buses are on Snow Routes they do not drive up the hill on Melissa Ave, which means children would be required to walk up/down Melissa Ave to the snow route bus stop on Dubarko or their parents would have to risk the drive. This is dangerous for the children as well as the drivers that are already on a treacherous hill. Another dangerous issue is each year when it snows or is icy we witness many abandoned cars at the bottom of the hill being left on Dubarko. With more traffic means the likelihood of more cars being abandoned and risk being hit.

In the last decade in the City of Sandy we have seen the congestion increase exponentially as our roads have become overwhelmed with traffic. An increase of homes and no new additional roads is only going to compound this issue.

If this new development does go forward we would suggest a minimum of one more road in to and out of the neighborhood be added to account for the increase in traffic. In addition to this, installing speed bumps on Melissa Ave to slow down speeding traffic.

Thank you for your time and consideration.

Dawn and Jordan Allen



EXHIBIT RR

Emily Meharg <emeharg@ci.sandy.or.us>

Baily Meadows Subdivision concern

1 message

Dave Meeker <meekerd1@hotmail.com>

Tue, Oct 1, 2019 at 8:35 PM

To: "emeharg@cityofsandy.com" <emeharg@cityofsandy.com>

As a 20 year resident in Nicolas Glen neighbor hood I think this new subdivision on Ponder lane should in no way come through Melissa Ave. I think all traffic for this new 100 home subdivision should only inter and exit on Highway 211. I also think if they had both Melissa and 211 access that most people in the new subdivision would use Melissa as the shortest way to highway 26. This would overload our neighbor hood. I could not imagine the construction trucks (Cement trucks as worst case) going up and down Melissa (Very steep road) to begin with, then the traffic would double the capacity that the local neighbor hood roads they were designed for. Is that developer going to come back in 10-15 years and maintain our overloaded streets.....I don't think they care! What about the traffic on Dubarko Rd, going right past the play ground every day, with the kids playing there. Our neighbor hood is fairly quiet and the Tickle creek trail system extremely pleasant to walk our dog and for others to walk, jog, kids ride bikes on the trail. I don't want to lose the small town feel that we have in our neighbor hood. All the extra traffic will ruin our neighbor hood. I strongly say NO Melissa Ave access.

Dave Meeker
18198 Grey Ave
Sandy OR

Sent from [Outlook](#)



EXHIBIT SS

Emily Meharg <emeharg@ci.sandy.or.us>

Bailey Meadows subdivision

1 message

Carol Hassebroek <kingfritz1@live.com>

Tue, Oct 1, 2019 at 10:53 PM

To: "emeharg@cityofsandy.com" <emeharg@cityofsandy.com>

Letter of concern,

Please dont let this subdivision go forward.

The traffic impact will make this side of Sandy miserable. I live further south on Trubel rd, & traffic is already terrible. 211 has backups almost to Dubarko now at peak times, holiday weekends etc.. It is not uncommon to wait thru 3 or 4 light cycles at 26 & 211 from the south.

Many people bypass the 211 hill into town,& drive thru 25 mph neighborhoods on Dubarko. Tupper, Sandy Heights, Bluff. Your making my hometown dangerous, & unattractive to spend time in. I'm only 2 miles from Town,& prefer to drive 10 to Estacada , for dining, shopping, & entertainment . It's a much nicer drive, not sitting at backups.

There needs to be a bypass installed or 4 lane roads with turn lanes, to keep drivers from using neighborhoods as detours around 211, 26, Bluff, Kelso, Trubel, etc..

Come up with a solution BEFORE anymore homes, townhouses, apts,are built . Fix the infrastructure , widen 211.

I went to high school in Sandy in the 70s. Same roads as now. The population has more then doubled. Recreational traffic is heavy from Thurs. - Sunday. Fix the flow, stop the backups, then add more developments. If developers had to fix the current problem before 1 more dwelling is built, the city would be better off.

Sincerely,

Carol Hassebroek
39400 SE TRUBEL RD
Sandy,Or.

Sent via the Samsung Galaxy S8+, an AT&T 5G Evolution capable smartphone



EXHIBIT TT

Emily Meharg <emeharg@ci.sandy.or.us>

Objection to proposed residential subdivision plans-Ponder Lane and Melissa Ave.

1 message

karen higgins <khiggins.chwb@hotmail.com>
To: "emeharg@cityofsandy.com" <emeharg@cityofsandy.com>

Wed, Oct 2, 2019 at 10:16 AM

Dear City of Sandy Planners,

I am writing to voice my objections to the proposed plans for the residential subdivision and the developers proposition to use only Melissa Ave as a mean of entrance and exit for the additional 100 households with the estimate of 944 car trips per day.

My house is located one house off Melissa Ave and I have lived here for 15years. The traffic both on Melissa Ave. and on Debarko streets have increased dramatically. These streets are not designed for mass amounts of traffic, nor the effects on the safety of children, school bus stops and parking. Having lived here through many winters, the icy roads , especially the steep Melissa Ave. would cause ridiculous traffic jams and possible accidents. This is an absurd plan! In the case of snow or emergency,these households would be unable to exit!

The plans for stormwater detention tract are ridiculous without any thought given for the rights of the Nicholas Glen residents and their safety, ability to exit their neighborhood, along with the accomodation for construction vehicles rights-of-way!

Along with many of my neighbors, we plan on attending the meeting Oct 28th to adamantly voice our opposition to this plan. Realizing the fact, that Sandy is a growing community with need for expansion, I believe the Planning Commission needs to take the present homeowner's concern for safety, for the ongoing natural beauty of living in a rural community, and the honest look at the effects of corporate greed into account in making the correct decisions regarding this proposition.

Sincerely,

Karen Higgins
37487 Rachael Dr.
Sandy, Or.



EXHIBIT UU

Emily Meharg <emeharg@ci.sandy.or.us>

Nicholas Glen/Letter of Concern

1 message

Brian molcany <bmolcany@gmail.com>
To: emeharg@cityofsandy.com

Wed, Oct 2, 2019 at 10:37 AM

Ms. Meharg,

My wife and I would like to voice our concerns regarding the proposed residential subdivision, and Melissa Ave. being the sole point of access.

First off, we find it odd that the letter regarding the proposed project did not go out to all residents of the neighborhood, and that, from what I understand, the letter eluded to this project already being approved.

Doubling the amount of traffic on Melissa will have a negative impact on the entire neighborhood, especially in the winter as Melissa is very steep. We also have deep concerns in the event of an emergency or disaster that exiting the neighborhood will be a safety hazard.

Additionally, the construction process will effect everyone as the needed utilities upgrades will presumably make travel on Melissa a challenge during the construction process.

We also have concerns over what this will do to home values and property taxes. Also, it is our understanding that this project will affect property lines on Rachel Dr., which would be unfair to the current residents.

The general consensus is that, if approved, this subdivision will have a negative impact on the residents of Nicholas Glenn and we ask the city to stand by it's residents and not allow the developer to proceed.

Sincerely,

The Molcany Family
Wewer Ave

COMMENT SHEET for File No. 19-023 SUB/VAR/TREE:

9/29/2018

This is my response + concern re. the Bailey Meadows proposed development. My main concern is that Melissa Ave is the only access planned for the new development as well as ^{the} Nicholas Glen neighborhood. In addition, it came to our attention that some of the residents of the Nicholas Glen neighborhood had not been notified of the proposed Bailey Meadows development. While notifying residents within 500 ft. of a possible new development may meet the minimum "requirements" of notification, it ~~does~~ does not meet the requirement that all residents of Nicholas Glen need to use Melissa as the only access to their homes & should have notification also.

Esther Naomi Quick

Your Name

503-482-0255

Phone Number

18214 Grey Ave, Sandy, OR 97055

Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.66 Adjustments and Variances; 17.80 Additional Setbacks on Collector and Arterial Streets; 17.82 Special Setbacks on Transit Streets; 17.84 Improvements Required with Development; 17.86 Parkland and Open Space; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access; 17.100 Land Division; 17.102 Urban Forestry; and 15.30 Dark Sky Ordinance.

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OCT 02 2019

CITY OF SANDY

I hope you read what we send you.

EXHIBIT WW

COMMENT SHEET for File No. 19-023 SUB/VAR/TREE:

I am disappointed with the City of Sandy! First the apartments at Bluff Rd and Dubarke. I think it was unfair to the people already living there with the apartments so close and so high.

Now adding a 100 home subdivision behind our neighborhood, Nicholas Glen, with only one way in and out of them. If there was some kind of catastrophe and we need to get out or help was needed in but Melissa wasn't usable, what then??

I am amazed that this has progressed as far as it has. Why didn't you say "NO" until there is another road in and out??

It seems to me those of you making these decisions care nothing for People, only for money!

RECEIVED

OCT 02 2019

CITY OF SANDY

Edith Newton

503-668-3429

Your Name

Phone Number

18246 Grey Ave. Sandy, OR. 97055

Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.66 Adjustments and Variances; 17.80 Additional Setbacks on Collector and Arterial Streets; 17.82 Special Setbacks on Transit Streets; 17.84 Improvements Required with Development; 17.86 Parkland and Open Space; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access; 17.100 Land Division; 17.102 Urban Forestry, and 15.30 Dark Sky Ordinance.

EXHIBIT XX

COMMENT SHEET for File No. 19-023 SUB/VAR/TREE:

For the new residents to use Melissa as their only access ~~to~~ would be hazardous to the Children of the Nicholas Glen neighborhood.

The traffic would be horrible for this neighborhood & also on Dubanko. If ~~were~~ we were to have an emergency + in need of evacuation, it would be impossible to get everyone out of here. The narrow streets as of now are hard to travel during adverse weather conditions.

At the meeting ~~our~~ it was mentioned about our sewer system and how it is lacking. This needs a new system before anymore homes are added. Some neighbors have complained of low water pressure what will another 100 homes do to our pressure? I also believe that in addition to the homes there should be a park.

Lori Graham

Your Name

503 819-5202

Phone Number

31322 Rachael Dr

Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.66 Adjustments and Variances; 17.80 Additional Setbacks on Collector and Arterial Streets; 17.82 Special Setbacks on Transit Streets; 17.84 Improvements Required with Development; 17.86 Parkland and Open Space; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access; 17.100 Land Division; 17.102 Urban Forestry; and 15.30 Dark Sky Ordinance.

RECEIVED

OCT 03 2019

CITY OF SANDY



EXHIBIT YY

Emily Meharg <emeharg@ci.sandy.or.us>

Proposed Bailey Meadows Subdivision Concerns

Jeff Conder <conder100@gmail.com>
To: emeharg@cityofsandy.com

Thu, Oct 3, 2019 at 9:15 AM

Hi Emily,

I've lived in Sandy since 2002. We've seen Fred Meyers come to our community and watched as Dubarko has become a major thoroughfare. We live near 362nd on Dubarko and now see that Dubarko is used by a large number of people to avoid hwy 26.

I can get from Bluff to 362nd with only one stop sign in between. This makes Dubarko a better choice over hwy 26 to get through town for many residents.

It's dangerous to cross 26 from side roads without a stop light. I could go on about 26 but my focus here is about having an additional ~1000 cars on Dubarko. A high percentage of those will use Dubarko to reach 362nd ave.

I recall many years ago after Dubarko opened up between Bluff and 362nd that the city stated it was capable of handling ~10,000 cars a day. I call BS on that capability, but the point is that another ~10% increase in traffic is going to have a significant impact on the safety of residents.

This could be alleviated by 1) not adding a new subdivision or 2) make west bound Dubarko exit to hwy 26 at Ruben Lane.

It's not in my best interest to add the subdivision without additional actions to lower the traffic impact in our neighborhood. Let's come up with a win-win proposal.

Best Regards,

Jeff Conder
36345 Dubarko Rd.



EXHIBIT ZZ

Emily Meharg <emeharg@ci.sandy.or.us>

Bailey Meadows Subdivision

1 message

Bj Schonek <bjschonek@yahoo.com>

Thu, Oct 3, 2019 at 6:27 PM

To: "emeharg@cityofsandy.com" <emeharg@cityofsandy.com>

RE: Bailey Meadows Subdivision

We believe the proposed entrance being only Melissa Ave would create too much traffic for the one steep entrance.

The proposed Bailey Meadows Subdivision we believe should have its own ingress and egress. As does the Nicolas Glen Subdivision.

Concerned Neighbors,

Belus and Juanita Schonek
18102 Wewer Ave
Sandy OR 97055
bjschonek@yahoo.com



EXHIBIT AAA

Emily Meharg <emeharg@ci.sandy.or.us>

Proposed residential subdivision Bailey meadows

1 message

Danielle Raines <drainesrun@yahoo.com>
To: emeharg@cityofsandy.com

Thu, Oct 3, 2019 at 6:49 PM

Comment sheet for File no. 19-023 sub/var/tree

Hello Emily Meharg,

I am writing you to let you know my thoughts on the new proposed subdivision. My family and I live off Myra ct, so when we heard about this new subdivision, we didn't mind. However, when we found out more information on this subdivision, we quickly changed our minds and now DO NOT WANT IT TO GET BUILT! I am not one of those people from sandy who just don't want people moving in, I want sandy to expand. With more people means more opportunities for local businesses and more groups or activities for families. I just hope sandy is thinking long term and planning on changing the roads and adding more schools.

First of all, Melissa being the only entrance is going to change traffic. And not for the good, it is going to be absolutely horrible. Melissa cannot be the only entrance to this neighborhood. When it's icy, one car goes up and one car goes down. Having 800-1000 more cars driving up and down that street is going to be a disaster. It also changes the whole feel of our perfect little neighborhood. I worry for the safety of our kids in our neighborhood because of all these hundred of cars going up and down that huge hill (Melissa st.).

-Find a way to create a main entrance off 211!

Second, with every new subdivision that moves in, they build an awesome new park. So me being a mom of 2 kids under 4, I was really excited for a park that's within walkable distance, that's not on a huge hill or busy road like Dubarko. Something with some play equipment, or a pump track. However, I was informed that there will not be a park and that the contractor will instead give money to the city of sandy to build a park elsewhere. This really upsets me, we have no walkable parks, the one on Dubarko is terrible and you constantly have to hawk eye your children so they don't run into the road. With all these new houses being built (most people buying them will be families with young children) WE NEED A PARK OR OUTDOOR AREA FOR THE KIDS TO PLAY. We don't need it somewhere else in sandy we need it in our area.

-So the contractor needs to incorporate a park into this new subdivision.

And last, the city of sandy needs to think about all this growth and new traffic and start building new schools. The schools we have are already starting to get crowded. I want my children to actually get a good education with smaller numbers per classroom. I just don't think the city of sandy is thinking long term here.

We bought our house almost 3 years ago, and have put so much time, love and money remodeling it ourselves, while raising our sons and if this proposed subdivision gets approved. You can definitely expect us to be putting our house on the market and moving. So please, figure out another way to make a main entrance off of 211, think long term about schooling for our children and please put in a walkable, decent park (preferably with a pump track) in.

Thank you

-Danielle Mullan
Off of Myra ct.



Emily Meharg <emeharg@ci.sandy.or.us>

neighborhood expansion

1 message

Oliver Mullan <chipsandsalsa1416@gmail.com>
To: emeharg@cityofsandy.com

Thu, Oct 3, 2019 at 6:57 PM

Hello Emily Meharg,

I am writing you to let you know my thoughts on the new proposed subdivision. My family and I live off Myra ct, so when we heard about this new subdivision, we didn't mind. However, when we found out more information on this subdivision, we quickly changed our minds and now DO NOT WANT IT TO GET BUILT! I am not one of those people from sandy who just don't want people moving in, I want sandy to expand. With more people means more opportunities for local businesses and more groups or activities for families. I just hope sandy is thinking long term and planning on changing the roads and adding more schools.

First of all, Melissa being the only entrance is going to change traffic. And not for the good, it is going to be absolutely horrible. Melissa cannot be the only entrance to this neighborhood. When it's icy, one car goes up and one car goes down. Having 800-1000 more cars driving up and down that street is going to be a disaster. It also changes the whole feel of our perfect little neighborhood. I worry for the safety of our kids in our neighborhood because of all these hundred of cars going up and down that huge hill (Melissa st.).

-Find a way to create a main entrance off 211!

Second, with every new subdivision that moves in, they build an awesome new park. So me being a mom of 2 kids under 4, I was really excited for a park that's within walkable distance, that's not on a huge hill or busy road like Dubarko. Something with some play equipment, or a pump track. However, I was informed that there will not be a park and that the contractor will instead give money to the city of sandy to build a park elsewhere. This really upsets me, we have no walkable parks, the one on Dubarko is terrible and you constantly have to hawk eye your children so they don't run into the road. With all these new houses being built (most people buying them will be families with young children) WE NEED A PARK OR OUTDOOR AREA FOR THE KIDS TO PLAY. We don't need it somewhere else in sandy we need it in our area.

-So the contractor needs to incorporate a park into this new subdivision.

And last, the city of sandy needs to think about all this growth and new traffic and start building new schools. The schools we have are already starting to get crowded. I want my children to actually get a good education with smaller numbers per classroom. I just don't think the city of sandy is thinking long term here.

We bought our house almost 3 years ago, and have put so much time, love and money remodeling it ourselves, while raising our sons and if this proposed subdivision gets approved. You can definitely expect us to be putting our house on the market and moving. So please, figure out another way to make a main entrance off of 211, think long term about schooling for our children and please put in a walkable, decent park (preferably with a pump track) in.

Thank you

-Oliver Mullan



EXHIBIT BBB

Emily Meharg <emeharg@ci.sandy.or.us>

Concerns regarding Nicholas Glen neighborhood and proposed new development

1 message

Corri Baldwin <corri.baldwin@gmail.com>
To: emeharg@cityofsandy.com

Thu, Oct 3, 2019 at 7:06 PM

Corri Baldwin
37524 Rachael Drive
Sandy, OR 97055
503-860-9398
corri.baldwin@gmail.com
10/3/2019

Emily Meharg
Associate Planner
City of Sandy
emeharg@cityofsandy.com

Dear Emily Meharg:

I am a resident of the Nicholas Glen Neighborhood and have some concerns regarding the potential new development that would be located off ponder lane north of 211.

My first concern with the proposal is that Melissa Ave would be the only road that would be connected to the new subdivision. I live on top of Melissa and see the traffic that is already there, it is concerning that the residents of a hundred more houses will be using this street as well. There is only one stop sign currently for a three way, to be four way intersection. There was no plan to make any traffic changes when I attended the meeting with the developers. I do not see how that would be a safe intersection with the addition of 944 car trips a day.

My second concern regarding Melissa Ave being the only road is weather conditions. Winters in Sandy can be icy/snowy. Melissa Ave is a good size hill, which is already a concern with the amount of traffic that is present now, adding more car trips during hazardous driving conditions is a major safety concern. I am also concerned that the road is not wide enough to accommodate the additional 944 car trips. Residents of Melissa park on the side of the street and depending on vehicle size, a car going up the hill the same time as one going down the hill cannot pass each other. Adding more traffic on Melissa would be a nightmare for all residents.

Another concern that I have is the fact that in case of an emergency, or natural disaster, it would be unsafe to evacuate or have emergency personnel safely get to where they need to go.

Another concern that I have is that there have been inconsistencies with property line surveys. The two that were marked are varied in where it says our property line is behind our house. We are Also worried that the sewer system in place would not be able to handle to new development as well, without an upgrade.

Sincerely,

Corri Baldwin



EXHIBIT CCC

Emily Meharg <emeharg@ci.sandy.or.us>

Safety Concerns about possible new housing development

1 message

Michael S. <mschell78@hotmail.com>
To: "emeharg@cityofsandy.com" <emeharg@cityofsandy.com>

Thu, Oct 3, 2019 at 7:31 PM

Mike Schell
37524 Rachael Drive
Sandy, OR 97055
503-200-9230
mschell78@hotmail.com
10/3/2019

Emily Meharg
Associate Planner
City of Sandy
emeharg@cityofsandy.com

Dear Emily Meharg:

I am a resident of the Nicholas Glen Neighborhood and have some concerns regarding the potential new development that would be located off ponder lane north of 211.

My first concern with the proposal is that Melissa Ave would be the only road that would be connected to the new subdivision. I live on top of Melissa and see the traffic that is already there, it is concerning that the residents of a hundred more houses will be using this street as well. There is only one stop sign currently for a three way, to be four way intersection. There was no plan to make any traffic changes when I attended the meeting with the developers. I do not see how that would be a safe intersection with the addition of 944 car trips a day.

My second concern regarding Melissa Ave being the only road is weather conditions. Winters in Sandy can be icy/snowy. Melissa Ave is a good size hill, which is already a concern with the amount of traffic that is present now, adding more car trips during hazardous driving conditions is a major safety concern. I am also concerned that the road is not wide enough to accommodate the additional 944 car trips. Residents of Melissa park on the side of the street and depending on vehicle size, a car going up the hill the same time as one going down the hill cannot pass each other. Adding more traffic on Melissa would be a nightmare for all residents.

Another concern that I have is the fact that in case of an emergency, or natural disaster, it would be unsafe to evacuate or have emergency personnel safely get to where they need to go.

Another concern that I have is that there have been inconsistencies with property line surveys. The two that were marked are varied in where it says our property line is behind our house. We are Also worried that the sewer system in place would not be able to handle to new development as well, without an upgrade.

Last but not least there was no mention of trees being cut down at the meeting, but yet the developer had people come out to do "a tree health inspection" of all the trees that border our property. In the event the other trees are cut to make room for a new walk way and road. We have one giant tree in our back yard that even if left would be affected by this action, and pose a very large safety hazard for our selves and neighbors if the other trees are taken near it.

Sincerely,

Mike Schell

EXHIBIT DDD

Ashley Parrish
37356 Rachael Drive
Sandy, Or 97055
503-440-5496
Ashleyparrish22@gmail.com

October 3, 2019

Emily Meharg (via email: emeharg@cityofsandy.com)
City of Sandy, Planning Division
39250 Pioneer Blvd. Sandy, OR 97055

To Ms. Meharg,

I am writing you to express my concern about the proposed Bailey Meadows development behind my neighborhood, Nicholas Glen. I have been receiving information about the Bailey Meadows subdivision, and I do not think it is safe or appropriate to have access to the new development solely through Melissa Ave.

We moved to this neighborhood in 2018, and although we fell in love with our house because of the beautiful view from the back yard, we knew it would someday be developed. I am not opposed to the new development behind my home. It is only a matter of time before the city keeps expanding and new developments are built, but to have all the new homes accessed only through a steep hill that is already overcrowded is poor planning and unsafe. Cars already go one at a time in the ice and snow, and I can't imagine what it would be like if the traffic is doubled.

My son is in Kindergarten at Kelso Elementary school, where I would assume the students of the new subdivision would attend as well. The classrooms and school are already at capacity, which is another reason I cannot support a new subdivision knowing it would cause our current students' experience to suffer. Until the city can support new growth, Sandy should not allow more developments to happen.

Sandy is an incredible city. It has so much to offer, and if we fight for proper growth, it will continue to thrive. More people will want to move here for the right reasons, not just because it is "cheaper" to live. That will create a positive community culture, with residents proud and desiring to take care of Sandy.

I know there are many concerned neighbors, and I hope that the city and its current residents can partner together to keep our neighborhood safe and make the inevitable future growth of Sandy reasonable and appropriate.

Thank you,
Ashley Parrish



EXHIBIT EEE

Emily Meharg <emeharg@ci.sandy.or.us>

Proposed neighborhood

1 message

Guimar D.D. <gddevaere@gmail.com>
To: emeharg@cityofsandy.com

Thu, Oct 3, 2019 at 11:38 PM

City of Sandy Planning Commission,

Hello

I live in the Nicholas Glen neighborhood next to the proposed development off of Ponder lane and Hwy 211. I am concerned for my family my home and my neighborhood with this proposal. This development would drastically change our quiet close knit neighborhood.

Right now we have minimal traffic because we only have one road in and out. Our kids are able to play outside without having to worry about the traffic racing down our streets. The new neighborhood would add another 100+homes with all that traffic coming through our neighborhood. The developers want to use Melissa Ave as the only road in and out of the new development. This would also add extra traffic to Dubarko Rd. Since the only road Connecting through our neighborhood to the proposed neighborhood will be Melissa Ave
Our Children will no longer be safe playing outside with all the extra traffic.

Our home values will go down. We would be connected to this large development by just one access road. The developers have stated that they will not be adding a park to this subdivision. Instead they want to pay a fee to the city of Sandy. This will be adding to the decline of our property values. When buying our home we were told that we had farm land behind our neighborhood so there would be no developments.

We are opposed to the building of this new development.

Thank you,

Guimar and James DeVare
18176 Rachael Drive
P.O. Box 331
Sandy, OR 97033.

EXHIBIT FFF

Erin Findlay

37616 Rachael Drive
Sandy, OR 97055
(503) 312-2608
stewstac@hotmail.com

October 3rd, 2019

Emily Meharg (via email: emeharg@cityofsandy.com)

City of Sandy, Planning Division
39250 Pioneer Blvd.
Sandy, OR 97055

Dear Ms. Meharg,

I am writing this letter as a concerned resident of the Nicholas Glen Neighborhood in Sandy, Oregon.

When we chose our home in Sandy, we very much expected growth and development. It was one of the reasons we chose Sandy. We knew that we could enjoy a rural landscape within a city that was guaranteed to grow and thrive -- rather than grow stagnant. Our downtown is truly thriving. Our infrastructure, however, can not keep up.

Having researched information about our current mayor (at that time), we felt certain that any new growth would be supported with careful planning for city infrastructure. Linda Malone understood "sprawl" on a personal level. She was born and raised in that environment. She knew what to look for in advance of problems developing. When cities outgrow their infrastructure and fall victim to private development, "city planning" becomes an obsolete term.

I believe that this proposed development provides us with an excellent opportunity. We can stand as neighbors and as a city, to bring the term "city planning" back to its true intent. I ask that until necessary infrastructure is in place, we as a city adamantly oppose new construction.

Bailey Meadows gives us an opportunity to set a precedent in our city.

Of greatest concern and specific to Bailey Meadows:

- We are ignoring the spirit and intent of our existing motor vehicle system plan if we allow Melissa Avenue to be the only vehicle access for this new development. 944 additional car trips per day is not acceptable.
- We are disregarding the safety of Nicholas Glen residents and future residents of Bailey Meadows if we allow this development be built with only one access point through Melissa. This shows complete disregard for public safety as it pertains to emergency response and evacuation. In consulting with our local fire and police entities, we know that they share this concern.

Of course, there are so many concerns to list -- both in regards to this specific subdivision and our general approach to new development in Sandy, OR.

When we met with the developers and their lawyer, I was enlightened. It occurred to me that the residents of Sandy are not being properly represented in this situation. Developers have a great deal of money, the ability to “lawyer up”, and for lack of a better term, they will typically “steamroll” your average voter/tax-payer. The lawyer representing this developer is well-known in land use. His ability to pick apart the intent of our city codes and change the purpose in which they were written -- is simply appalling.

We can not stand for this.

Our family is consulting with a land use lawyer who specializes in opposition work. We will be writing additional letters under his advisement. You can expect those letters to arrive after October 4th. We understand that it is our right to continue opposition in the form of writing and in person through October 28th, 2019.

We intend to do so.

Sincerely,

Erin Findlay

EXHIBIT GGG

Krista and Gabriel Stone
18111 Rachael Dr.
Sandy, OR 97055
503-312-0669/ 503-970-3037
mumbuns@yahoo.com/gpstone@acm.org
10/4/2019

Emily Meharg
City of Sandy, Planning Division
City of Sandy
39250 Pioneer Blvd.
Sandy, OR 97055
emeharg@cityofsandy.com

Dear Emily Meharg:

This letter is to show my concern for the proposal of a new subdivision Bailey Meadows. I have read the proposal and the intent of where the subdivision is proposed to be located, as well as the entrance to the subdivision. My husband and I own and reside in the house 18111 Rachael Dr. which is in the subdivision Nicholas Glen.

The concerns I am about to address, concern not only my family, but all the families who reside in our neighborhood. I first would like to explain why 4 years ago, to this month, my husband and I decided to purchase our house in this neighborhood. We were a newlywed couple, and a blended family. I grew up in Brightwood, and after 12 years of being away from Oregon due to the military and previous marriage, myself and my two children moved back to Sandy, to be close to family and have a fresh start in the safe small town that I knew well. When I met my husband, I told him that in order to be with me and my kids, he would need to realize that I will not move out of Sandy. I felt that is the best for my kids and the best way for them to grow up surrounded by family and friends, safety of a small town, and good up bringing by being raised in such town. He agreed right away, which started our relationship off well, and ended up getting married at Timberline Lodge. As you can see, I have an extensive history and love of our area. We search and search for the right neighborhood that all of us could feel safe in. I at the time lived in the Cascadia Village subdivision, which did not have the safe feeling to it, as when I first moved into that area. So we were really looking for a quiet neighborhood with kids and low traffic. When we found the house, it was perfect. Low traffic, so much that most don't realize we have a whole subdivision there. Since my cousin also lived in the same neighborhood, I already knew what traffic was like and also was Melissa was like during the winter months. Being a born and raised Oregonian and resident of the area since birth, I felt I could handle Melissa just fine, and we have. For four years, we have enjoyed our neighbors, the children, and the feeling of letting our kids go to their friend's house, playing in the

Emily Meharg
10/4/2019
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streets with their trikes, scooters, and more. We have neighborhood block parties where our children can run and play in safety. Cars drive slowly and everyone knows to watch out for our little ones. We now have 4 children, one of which is a 3 year old. He loves playing with his friends on the street and riding bikes. Only traffic really we have, is those who live in our neighborhood. There is no through street, and this is one of the main reasons, why we purchased the home we did. Now, the uneasy feeling of thinking of Melissa becoming a through street, adding almost another thousand vehicles of just people who live there, plus visitors, more mail trucks, construction, and more, is just too much to handle. It is taking away the way of life we who live in our neighborhood have come to love and embrace. Below, I would like to take a few specifics of my concerns, and talk about them more in detail. These are in no particular order, but safety for our families is always the main priority.

1. Way of life:

- a. Our way of life is calm, comfortable, and untouched by passing traffic and strangers. I do not have to worry about someone breaking into my car if I left something in it, packages being stolen off of my porch, my dog being struck by a fast moving car because she ran out the front door, kids riding bikes and always having to get off the street because of so many cars or that those cars are driving so fast, that they can no longer play on the street, or random people checking to see if my front door is unlocked and wanting to break in. Our way of life is what we are trying to preserve. By introducing a new subdivision so close to our own, and having the main/only access through our ONLY access in and out of our own subdivision, will drastically change our way of life. I also live on a street at the very side of our neighborhood which people might think that it won't affect us over there. That's where they'd be wrong. More traffic, means more people. It draws attention to where it doesn't need to be drawn too. Strangers who have no business in either places, will now know about it and will turn our quiet safe neighborhood into a new crime streak. Fast moving cars who want to cause havoc because they can, people trying to go around Melissa when it is icy, and more. That would be the end of the way of life as we know it, thus our quality of life. It will become more stressful, neighbors will not know each as well if at all, because everyone will have to remain in their homes or backyards, because of the traffic, they cannot hear nor feel safe to venture out, and so on. Noise levels decrease value to our homes, because the quality of life for that much noise pollution, is not attractive to buyers. Not to mention to the residents there. Just because I'm on Rachael drive, doesn't mean I will not hear it. I hear the traffic now, even on Dubarko, which is at a minimal. I cannot imagine what Dubarko will be like with such an increase of traffic, and how those residents feel about it.

2. Melissa Ave.

- a. Winter Months are not easy for our single street in and out of our neighborhood. It becomes icy, no matter the attempts of the city to help it. It can be quite dangerous, so much that most neighbors do not attempt to go up or down this road until it starts to melt, unless they have 4x4, AWD, or studs on their vehicles. Those who are moving to Sandy, most likely from the PDX area, or out of state, will not understand how to drive on it, and they will be definitely starting on the top of Melissa. If they then figure out that other streets are less steep, then we will now increase dangerous traffic on smaller side streets where kids are playing in the snow. Stationary vehicle damage will increase, safety for family will decrease, and once again, our quality of life, things that we treasure in our neighborhood will cease to exist.
- b. There is a grassy hill towards the bottom of Melissa, off of Solso. This hill has traditionally been the “sledding hill” for kids of all ages, even adults. It has always been a fun family activity that is safe and brings our entire neighborhood together. It is such joy watching my children sled down the hill laughing and cheering on their siblings and neighbors. Not only will the uneasy feeling of an additional 900 cars trying to get up and down this icy road of Melissa, the accidents it will cause, and the pure fact that our kids will not feel safe either, destroys our tradition and brings sadness to our community. The amount of added children to this hill, will make it so that the current resident children may no longer to enjoy the hill they’ve come to love and is such an integral part of their childhood. Forced to leave the hill by hundreds of other children. They will just have to go back home and remember the days that they go have fun on their “sledding hill”.
- c. My children and I have a tradition of walking in the snow when the first snow starts to stick. We walk down the street and enjoy the quiet and falling snow. We have done this for years before even moving to our area, and continue to do so. That tradition will not exist anymore will the increase of traffic and people. We won’t feel safe being able to walk and enjoy the falling snow. Another quality of destroyed because Sandy no longer wants to be a small town.
- d. The residents on Melissa deal with minimal traffic as is. Most traffic is on Solso to reach the other streets to their home. Most residents who drive up Melissa either live on Melissa, or are doing to the homes up the street. I can’t imagine how unsafe these families feel knowing that 900+ vehicles will be traveling up their street, where their children, pets, and families are. Especially during the winter. That must be very scary for them. If they want to sell their home, they will have more difficulty because they will now be on a primary busy street. When I was looking for our home, I refused to look at any on a main street, like what Melissa will be. They prices for their homes will drastically decrease and will be harder to sell. All because of the quality of life will decrease and noise pollution will increase.

- e. Vehicle pollution. Why is this an issue you may ask? Because tires are made of rubber and oil, they end of up the streets, which is why it is always the most slippery with the first rain after summer. We add 900+ vehicles through our neighborhood, you are adding more pollution that will end up in the beloved Trickle Creek. This will also cause it to be slippery which will make it hard for vehicles to stop at the bottom of the hill, which could cause cars to slide across Dubarko and if not hit or hitting another car, end up on Tickle Creek Trail on the other side of the road. More accidents with more vehicles in inedible. Making to be nearly 2000 cars combined, on a single street, connected two neighborhoods, is not only just a bad idea, it is a safety issue and irresponsible idea by not only the developers, but also the City of Sandy if they grant this subdivision. The solution other than denying a development in its entirety, is to have the road connect with highway 211. It is already set up for more traffic and will also decrease the traffic coming into town. Residents of the new subdivision have multiple options to reach their homes via Hwy 211, which has connecting roads to it. Bringing that many vehicles into side roads, like the way I typically go home, Hwy 26, Ruben Ln, Dubarko, then to Melissa, is all side roads. Connecting the new subdivision, does not use side roads that are neighborhoods in itself, but uses only one highway which is equipped to take on the increase of traffic. Thus creating a new safe entrance and exit for the new subdivision. Families who purchase those home will thank the City of Sandy to ensure their children's safety by not having them travel down a steep hill onto more side neighborhood roads. They also will have a sense of being close to town, without having the town traffic.
3. Hwy 211 and a site distance issue. This is absolutely ridiculous. There are so many ways to solve this tiny issue. On Melissa, I have an issue seeing around parked cars on Dubarko. The City didn't seem to have a problem with that when approving to have our subdivision there. The issue so much that I have had to stop in the middle of the road because I could not see an oncoming car. To think that this is safer then adjusting where the road will connect to Hwy 211, is extremely irresponsible. There will be an added almost 1000 vehicles blocking Dubarko because they will not be able to see around the parked cars, causing more accidents. Developers can design a way to where the road connects Hwy 211 at an appropriate angle to solve this issue. The City can slow the speed limit there to allow more time for distance with cars, so those can turn safely. There are other Subdivisions that are along 211 that have had the same issue and has successfully solved them.
- a. If the purchase of property to the south is purchased and granted an access from the City to create a road, that allows the developers multiple options for the Hwy entrance and exit. If they push through Melissa Ave now, and wait for the allowance to be granted to Hwy 211, the City has now accepted that Melissa will be turned into a new through street from Hwy 211, down to Melissa Ave, and dumping on to Dubarko. Thus increasing traffic into the thousands, on to a single road, through a neighborhood that

was quiet and peaceful. Increasing the accidents, safety concerns, crimes, and more. At the expense of the residents. The entire neighborhoods home values will drop. Quality of life, will be horrible. The feeling of being forced to move, is greater than ever.

4. Schools. Where would the increase of children go? Our children, who live within the City of Sandy limits, are having to go to Boring Schools. They are over capacity as is, and the proposal of this subdivision will overrun those school. If the zones are re drawn, will those children be in the Sandy area schools along with our own? So then we overrun the schools in Sandy? This again would be an irresponsible decision on the City of Sandy if they were to consider this, and push the subdivision anyway. What confidence will the residents of Sandy have in its leaders? What about the new developments already that have yet to sell those homes? Those children will be over running the schools, and the City is proposing yet another development without building new schools to support the influx of children, fixing up the old ones, or even the traffic of parents driving their children to school. This will decrease the good scores that our OTSD has been receiving recently. We would not be able to provide that amount of classrooms and teachers to facilitate the amount of children in them.
5. Where is the parks? Our city was known at the "Gateway to Mt. Hood". Since the Mayor or City itself, has changed our town into "Where innovation meets elevation". What a stupid thing to say about our town. We are not that at all. The City changed this without discussing it with over half the population. I come home one day to find the sign changed to that. It broke my heart. Everything our town stood for, for so long, has changed into yet, another Portland mindset. Tree City, we were known for our trees. Well, we are quickly cutting them down for row housing, and housing that you can touch your neighbor's house while touching your own. Change can be good, but not at a growth that not only our roads and neighborhoods cannot handle, but the city itself cannot handle. The amount of fatal accidents on Hwy 26, is astounding. To propose 250 more homes, that fatality rate will increase considerably. Their deaths will not be on my hands, but on the hands of those we appointed to run our small City, who desperately want to become a large city.
 - a. Wildlife will decrease, but welcome more dangerous wildlife. They will be pushed out of their habitats and moved into the neighborhoods. Domestic animals will be hunted as the wildlife try to survive. Farms and ranches will be threatened by the influx of wildlife as well. Our ecosystem will not be as good as it was, it already has effected the town.
6. I feel the need to sell my house and move out of the town I grew up with. I grew up 15 minutes east, but my family and church was in this town. Sandy High School is where we all came to go to school. I played Volleyball for Sandy when I was kid, many of my cousins, and even my aunt went to Sandy. I have roughly 30 family members in this community, friends I grew up with still live here. Sandy was my second home and it is a shame where it has evolved. I would like to take a piece out of page 19 of the Sandy, OR BrandPrint Creative Report and Implementation Plan and quote it for you at this time. "... Staying small is a big deal to our community." With all these new developments, why is the City of Sandy ignoring their own quote? Staying small IS a

Emily Meharg

10/4/2019

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huge deal to our community. I absolutely love going to the Oregon Coast. I however, am not moving there nor would I expect their residents wanting me to build a whole subdivision so that "others may enjoy the same beauty as they do". As I've heard so many tell me. In order to keep our town the small down we all love. We have to stop developing. I work in transportation in the City of Portland. The main public transportation resource Portland has. Portland is growing at a rate that we cannot keep up. It is causing a break down in our system and our own growth system. It is an uncontrolled grows and increasing violence that is not controlled. Portland has brought in homeless from all over the country. That is uncontrolled. When things are out of control, chaos exists. I live in Sandy for the peace of mind that my family is safe. I desire the small town feeling. I dream of walking down the main streets and knowing the business owners and residents. Sandy is not that anymore. Not like when I was a kid. Growth was bound to happen yes, but the rate it is happening and the uncontrolled ways the City is allowing, what comes next is crime. I see it every day. The time is now to take control. To lead our "small town" into the future of still being a "small town" that is loved and desired. People are moving out of Sandy all the time. Those who want to live here, can buy those homes. Thus, keeping our town, the desirable town we all love.

7. Small businesses. I am also a small business owner here in Sandy. I own BarcStone Photography. I have found out that I am running out of outdoor locations to take photos. Our downtown area is small and has not changed much which is great. But these neighborhoods are taking away our forests and fields. I am now competing with more "photographers" moving into the area. I am finding that I am having to find my clients elsewhere than in the same town I reside in. This is taking revenue out of Sandy. I am having to rent studios in Portland so that I can have a studio near where my clients are. I am spending money out of our town, so that I can keep my small business going. The new residents here are not spending money in Sandy either. They are going back to Portland to get what they need because that is closer to their work and what they are familiar with. Why spend money with small business that have to increase their prices due to the fact that residents do not spend money in town, when they can purchase their products and services elsewhere and bring it to our town. My son plays football for Sandy High School. When he played youth football, I learned a lot of sandy residents have their children playing for other areas instead of our own. If our own residents are not spending money in our own town, why would we think that new subdivisions will create more work and more revenue for the City and the business owners here? The City allowed a new chain of farm equipment into the town, Tractor Supply Co. which is taking revenue from Garens Feed, Dolly's Pet Shoppe, even the local chain of Bi-Mart. The new residents are not farmers, and most likely not want to purchase clothing from this store, so they will take their money into Gresham and Portland and purchase their items there. A short term influx of income from development does not secure long term revenue.

Emily Meharg
10/4/2019
Page 7

In conclusion, the proposed subdivision has so many negatives to it, that this proposal should never have gone as far as it has. The City of Sandy should care more about its current residents and put more restrictions to keep such developments from our small town. The urban growth in our town, is substantial, so much that our town cannot handle it. The traffic during the tourist months is extreme and unpleasant. In non-tourist months, the traffic is still way to high for our town to handle. My teenage kids walk around town and visit the small shops. They cannot even cross the street without feeling scares because our own police do not have enough resources to keep vehicles from speeding, running red lights, or driving unsafely. Even with our traffic lights, they are unsafe. Our community first responders are not large enough to handle the size of the town as is, let alone increasing the size. I have talked with the Supervisor of the Police Department, and he said they are extremely understaffed and they cannot respond to every call. When I had an emergency, an officer had to call me on the phone, instead of coming to their citizen's home to respond to it, they called me. This is not how a city is ran. I pay high property tax, and pay City taxes, and I am considering leaving my own town, because I feel that the City of Sandy would rather make money from development and could care less about our historical town. That is not a City I want to live in. It is a horrible feeling and to uproot my children from their friends and school is not a good thing. But I need to preserve our quality of life and have to take it into my own hands, since our leaders of our town, do not care about preserving it.

I ask that the City of Sandy carefully reads each and every letter it receives from not only out subdivision, but those that are presented from any current resident in Sandy. If any Council member grew up in Sandy and remembers what it used to be, please remember it. Please don't let the temptation of money skew your beliefs of what our town should be. It should be a small town, and not a City. It should be a town where people recognize each other and say hi. A town where we love to call home and feel safe. A town where neighborhoods are kept and not destroyed and made unsafe. A town that is loved by its leaders who control the growth and understand why the citizens live here, and preserve that. I ask that you consider keeping our town a family town and consider our children, and our children's, children.

Sincerely,

Krista and Gabriel Stone
10/04/2019

EXHIBIT HHH

October 4, 2019

Emily Meharg

City of Sandy

Planning Division

39250 Pioneer Boulevard

Sandy, OR 97055

RE: 19-023 SUB/V AR/TREE (Bailey Meadows)

Dear Emily Meharg,

I live at 37708 Rachael DR. I attended the Nicolas Glen Neighborhood meeting on September 18, 2019 regarding the new subdivision, (hereinafter) Bailey Meadows. It was informative and upsetting. I understand the Sandy area is going to continue to grow as people want to move out of the "City" life and into the "country", that's just the reality of our growing world. I feel like the City of Sandy should properly prepare for this growth, by expanding our water/sewer treatment, our grade schools, and our traffic control prior to allowing/approval of the multiple subdivisions being added to our city. I understand we need to have the growth to have our city continue to be a thriving community but, the city planning division is already aware of what constraints and over capacity our utilities, grade schools, and roads have as of this moment without adding in any other developments or finishing uncompleted developments.

My concern for the approval/development of Bailey Meadows is safety for the Nicolas Glen Neighborhood. I have many other concerns for Bailey Meadows development but, I am only going to focus on my main concern. Our neighborhood has one main entrance, Melissa AVE, and the amount of traffic traveling through our neighborhood at its current state is over the projected safe amount of traffic. Bailey Meadows is projected to add 100 homes. If approved its going to add more cars to travel up/down Melissa. That is if the developer projects households having 1 car per household. Most household have multiple cars and that does not include visitors. Melissa at its current state is narrow. If the residents who live on Melissa have parked on the street or parked on both sides of the street, you need to wait and let one car down/up at a time. Melissa in inclement weather is not safe traveling up or down with more than one car at a time, many people park along Debrako in inclement weather to avoid traveling up/down the hill of Melissa. The developer plans to add more cars to this road in inclement weather.

What if there was a disaster or emergency and the Nicolas Glen neighborhood and Bailey Meadows needed to be evacuated, Melissa being our only exit, how will all the residents get out safely? I know Ponder Lane is available for "emergency" use per the developer, but Ponder Lane has not been properly

maintained by the county or city to handle the potential “emergency” traffic. This is very poor emergency planning for both residents and first responders.

I understand development is going to happen as our community continues to grow. I have lived in the Sandy community for 40 years and watched it grow at an exponential rate that has been too fast, unsafe, and ill prepared by the city. Please consider not allowing this development to continue until there has been better planning on safety. I feel like the developer is rushing to make this happen at the cost of both current and future residents’ safety. As I have stated above, I have many other concerns with Bailey Meadows, but I feel safety is of the utmost importances.

Thank You

Faith Egli

503-804-9214

Faihy30@hotmail.com



EXHIBIT III

Emily Meharg <emeharg@ci.sandy.or.us>

Bailey Meadows Subdivision File No. 19-023 SUB/VAR/TREE - Letter of Concern

1 message

Tim Sellin <tim.sellin@gmail.com>
To: emeharg@cityofsandy.com

Fri, Oct 4, 2019 at 4:57 PM

Dear Mrs. Meharg,

I'm a resident at [18256 Melissa Ave, Sandy, OR 97055](#)... on the 'main feeder' street into the proposed Bailey Meadows Subdivision. My wife Nicole, has spent numerous hours organizing our neighborhood and researching the project, herself. I echo each and every one of her written concerns. We've done our best to not 'stoke the fire', but instead... organize and inform those in our neighborhood that cannot attend the information meeting or haven't received the information we've been provided.

Though neither of us is inherently against the growth of the City of Sandy, in this case... it seems the 'cart is before the horse' on three key features of infrastructure build-out [schools, streets and safety].

Schools - in this expected development of 100 homes, I believe it's fair to assume that the vast majority of the homes will be purchased by young families. I'm certainly no census-worker, but if 100 more children were to join the community... that would equate to between three or five classrooms-worth of attendance at local schools. I know that ages will vary, but the fact is... at Kelso Elementary and Boring Middle, classes are already at capacity. It seems prudent to staff and have classroom space for the growth versus packing in more children to already taxed facilities.

On top of 'weather-related' street and safety concerns mentioned herein... on 'snow route' days for school buses... are the new families' children of Bailey Meadows supposed to congregate at the base of Melissa and Dubarko as is standard now? Channeling future home-owning parents' minds, "No thank you".

Streets - possibly our greatest concern is how new residents would enter/exit the neighborhood. Again, I'm no transportation researcher, but I see the speed and rate of vehicular egress on a daily basis. Honestly, it's not horrendous right now, but I can only imagine another 800-1000 trips a day. It will become a highway. The three-way intersection at the top of the hill will become a four-way and likely require a light. I'd imagine a light at the bottom of Melissa and Dubarko would be required. All that to be said, I can't imagine the developer or the City is going to put in a light at either spot.

The fact that no other access into the development is being proposed and/or explored seems a bit ludicrous to me. Or maybe it is, but it is being presented as an impossibility to us residents. I know there are future transportation projects that may remedy this... but to my above point in 'Schools', maybe we wait... get the new vehicular infrastructure in place... THEN build the development.

Another curiosity of ours is how we're expected to access our property when/if development were to commence? As we understand it, a 22 foot [deep or wide, I'm not sure] trench will be dug down the middle of Melissa Avenue for sewer connection, power, water, etc. Are the 35 homes that either dwell on Melissa, or use Melissa exclusively for access to their homes [the dead-end of Rachel Drive to the East] supposed to park at the bottom of the hill and walk home? No.

Safety - Off the top of my head, since we moved into our residence in the Summer of 2011... we've had a handful of snow/ice events that affected our neighborhood. Knowing that the Public Works Department at the City is limited, I've personally shoveled the hill myself, a multiple occasions. Though it seems to be in vain a bit... as cars still slide through the stop at the bottom of the hill on a regular basis. A former neighbor actually snapped their axle of their Subaru on the curb at the bottom of the hill, not being able to stop. When roads are plowed in such weather events, Melissa Avenue is significantly 'narrowed' by the plowed snow. I cannot fathom how another 100 homes [800-1000 trips per day] would be able to get into and out of the neighborhood as such.

I also worry for the safety of the children of the neighborhood. Currently, they congregate at any 'level section' and ride their bikes, throw a ball, etc. The most popular of sections seems to be the top of Melissa Ave. where Rachel Drive bisects.

There are also about 1/3 of the homes in the current Nicolas Glen neighborhood that collect their mail at the same Melissa/Rachel intersection. I'm sure tensions will rise when the 'dead end' area where the proposed road would be punched through to Bailey Meadows... as it's a fantastic temporary parking area for neighbors looking to retrieve their mail on a rainy day.

Though my individual concerns are not exhaustive... again, I echo my wife, Nicole Sellin, and her much-better-written letter. There are code compliance concerns, common-sense red flags and the like that beg the question, "Why not wait, address the infrastructure [schools, streets, safety] issues first... THEN build?"

Thank you for taking the time in reading my email,

Tim Sellin

503.799.7195

tim.sellin@gmail.com

[Facebook](#) | [Twitter](#) | [LinkedIn](#)

EXHIBIT JJJ

Nicole Sellin
18256 Melissa Ave
Sandy, Oregon 97055
503.887.6284
nicole.sellin@gmail.com
October 4th, 2019

Emily Meharg
City of Sandy, Planning Division
39250 Pioneer Blvd.
Sandy, OR 97055
emeharg@cityofsandy.com

Re: Bailey Meadows Subdivision File No. 19-023 SUB/VAR/TREE

Dear Mrs. Meharg,

I am writing this letter in regards to the newly proposed subdivision, Bailey Meadows, and its possible impact on our Nicholas Glen community, as well as the city of Sandy. As a resident of Nicholas Glen, and specifically a resident on Melissa Avenue, I am quite concerned with the proposal.

Nicholas Glen has been my home for over 8 years and it is truly a great place to live. My husband and I carefully chose Sandy to raise our family because of the small town atmosphere where neighbors are like family and community is important. We picked our home in Nicholas Glen because it is a small, quiet neighborhood that is nestled on the outskirts of several other neighborhoods, rural farm land, and natural areas (Tickle Creek.) My husband and I knew that growth would happen, especially when looking at neighboring communities like Happy Valley, where growth is exploding. However, we are concerned with the growth in the city of Sandy and its lack of infrastructure to not only accommodate such growth, but to thrive with the growth. We are concerned with the city's lack of ability to meet the needs of its residents in terms of safety and education with the increase in population. We are concerned with the city losing its unique, coveted, small town atmosphere as a place where neighbors are like family because of the idea that growth is the way to progress (i.e. the branding "where innovation meets elevation.").

When I first received a letter from the City of Sandy Planning Department about the proposal, I was in shock. How could another 100 homes (with 944 additional car trips per day) use Melissa Avenue as the only access in and out? Fortunately, I was able to attend the Neighborhood Meeting with AKS, the developer, and his lawyer on September 18th, 2019. I went into the meeting with the purpose to hear and understand what their plan is, then relay the information to neighbors who could not make it. The meeting was an eye-opening experience, to say the least. I knew our neighborhood would be upset about the proposal, but I did not expect the amount of people and the level of frustration that I saw; there was standing room only. I knew that the developer and his crew are interested in this neighborhood for one purpose, to make money, but I was appalled by the lack of care and concern they had. Even when asked, there was no regard to what impact this new subdivision will have on our neighborhood, our schools, or our city. I left that meeting more concerned than before it started.

These are my specific concerns with regard to the proposal of the Bailey Meadows subdivision:

- Traffic: One way in and one way out, using only Melissa Avenue, is going to cause a huge increase in traffic for our neighborhood, the surrounding neighborhoods, and the entire city.
 - According to the City of Sandy's Transportation plan, local streets have the typical capacity of 800-1000 average daily car trips. The new development of 100 proposed homes would add approximately 944 additional car trips on Melissa Avenue. Since the current Nicholas Glen neighborhood has over 100 homes already, it is safe to say that the traffic on Melissa Avenue will be double the typical capacity of a local street. Double the traffic is not conducive to a safe, enjoyable neighborhood. City Code 17.100.100 states the pattern of streets should be connected in such a way will spread traffic over many streets so that key streets are not overburdened. With only one access point Melissa Avenue will be overburdened and this overburden will sprawl onto Dubarko and the other arterial streets with major connections to US 26.
 - An additional 944 car trips per day will increase drive time not only on Melissa Avenue, but also on Dubarko, Bluff, Ruben, and 362nd. The intersections of Dubarko/OR 211, Dubarko/362nd, 362nd/US 26, Ruben/US 26, and Bluff/US 26 are currently rated as a C or D for their level of service according to our transportation plan mobility standard. With added development that has no other alternative route, those intersections will become much more overwhelmed and their level of service will decrease, most likely reaching the point of failing mobility according to the city standard. More drive time means wasted time and wasted fuel while stuck in congestion.
 - More cars brings the possibility of more accidents. Cars already drive with excessive speed up and down the hill of Melissa Avenue. Children will no longer be safe enough to walk, ride their bikes, and play in the streets of our community, as there is a possibility of more pedestrian-involved accidents with increased car traffic. Increased traffic leads to frustrated drivers, who take more risks and drive faster. According to the city's traffic plan, there was a study that stated two accidents happened on Melissa Avenue between 2005 to 2007, one occurring at the intersection of Melissa/Rachael and the second occurring at the intersection of Melissa/Solso. The same study also mentioned that the intersection of Dubarko and OR 211 had a crash rate of 1.08 MEV, which is a relatively high crash rating, and it said that the intersection is in the top 10% of hazardous ODOT SPIS locations. The new development proposal's traffic study did not include the intersection Dubarko and OR 211 in their study, which raises the concern on how the new development would affect that already questionable area.
 - More traffic will cause an increased noise level in our quiet neighborhood. Increased noise will change the quality of life in our neighborhood because it affects the ability to sleep, causes anxiety, and decreases overall health.
 - As traffic volume increases, air quality will diminish and more pollution could enter Tickle Creek, contaminating it.
 - Extra noise and traffic will lower property value, especially to those homes on Melissa.
 - Developers were requested to have a second access connecting the new neighborhood to OR 211. However, they fully intend to continue their proposal of only one access. This shows a disregard for our city's planning division in terms of the transportation system. It shows a disregard for the quality of life for the residents of both Bailey Meadows and Nicholas Glen. It shows a disregard for the congestion for the entire city of Sandy including its residents and tourism traffic. The reasoning behind not having a second access point, in my opinion, is mediocre at best and shows a lack of care for the immediate future in our city.

- Developers claim there are site distance problems and the existing road, Ponder, hits OR 211 at an oblique angle. This seems to be illogical, considering that at the exact same spot where Ponder meets OR 211, on the eastern side of OR 211, there is already a new development with access using Arletha Court. If site distance and the oblique angle are an issue for the Bailey Meadows development, why would another development, using that exact same spot of intersection, be allowed a point of access?
 - Developers mentioned that they have an agreement with the landowner to the south of the newly proposed development to purchase their property, with the purpose of future access to OR 211. However, that property is outside the Urban Growth Boundary currently. Because of this, even if that property were to be entered into the Urban Growth Boundary (which takes time), it will be years down the road that their idea of accessing OR 211 will even be feasible. According to these developers, they would need to an exception from the county to put a road through rural property to access OR 211 and from their talks with county planning, the staff would most likely not support that needed exception.
 - Kelly O'Neill mentioned in the September meeting that Gunderson Road connects to 362nd and is a possible second access point to the neighborhood. It is also a part of the future city transportation plan. According to Kelly, the developer's application did not touch on this. In the meeting, developers said that it is not a possibility because Gunderson would have to cut through rural land.
- Safety: A cluster of 250+ homes in a small area, with one way in and one way out, will decrease the safety and security of our neighborhood.
 - Police, Fire, and Ambulance response time will be prolonged with only one main, well kept access street. The second access off Ponder will be available, but it is not ideal and probably not as safe for a quick response.
 - In the event of a natural disaster, Melissa Avenue would be an evacuation nightmare because it is the only way out for over 250 families.
 - Crime rates may increase with more people; even if the rate does not change, the amount of incidents will increase because of the population increase, which puts us more at risk for being the victim of a crime. Also, according the website (<https://www.neighborhoodscout.com/or/sandy/crime>), Sandy is only safer than 27% of U.S. cities; meaning 73% of US cities are safer than we are. It also mentions that our city already has a high rate of crimes per square mile (80.) Comparatively, we are higher than the State of Oregon (60) and the National Median (31.1). When compared with cities the same size, Sandy's crime rate is quite a bit higher. Increased development could increase this rate even higher.
- Education: Adding more homes in the city of Sandy would cause a decrease in educational effectiveness within our school district.
 - Kelso Elementary, Boring Middle, and Sandy High School are the three schools affected by this proposed new development, as the new neighborhood would be in their school boundaries as it is currently drawn. Kelso Elementary and Boring Middle are already over 100% capacity. In a meeting with school parent groups, the Superintendent of Oregon Trail School District stated that Kelso is at 134% capacity. Even if boundaries change, Sandy Grade and Naas are over 100% capacity, and Firwood is at 98%. Our children will suffer.

- There are currently new homes already being built within the boundary of these schools and several others that are tentative. If we add yet another development, it would cause a catastrophe as far as classroom size, space for classrooms, effectiveness in the classroom, mental health of students, safety of students and staff, and teacher burnout due to increased capacity and lack of resources.
- Parks: Developers, as I understand the city code 17.86, should have a parkland dedication of 1.29 acres (using the formula given $100 \times 3 \times 0.0043$.) In the meeting, they made it perfectly clear that they will not dedicate any land for parks; it is not negotiable for them. They will simply just pay a fee instead. To me, this again shows the lack of care and regard for our city planning and for the future of the area.
- Wildlife: With the development of rural land, wildlife will be threatened. They will be pushed out of their homes. Vehicle collisions with wildlife might increase as these animals venture through neighborhoods as they move south. Increased amounts of pollution could harm remaining wildlife.
- Construction: A new development will cause a long-term disturbance on our neighborhood community, though the plan for construction has yet to be discussed.
 - When asked at the September meeting, developers would not explain their plan for construction because “it was not part of this step in the process.” As a resident of the adjoining neighborhood, and a resident on Melissa Avenue, the plan for construction is a major concern and something that should be shared at this step because it will impact our quality of living as the developer completes each phase.
 - One part of the construction mentioned was that the new development would tie into our neighborhood wastewater system. To do this, the developer would have to tear up Melissa Avenue, putting in a 20+ foot trench down the middle of Melissa Avenue. Since Melissa is the only access into the neighborhood, and part of the neighborhood can only access their homes at the top of Melissa Avenue, this trench is a major concern. Of course, no plan was shared on how access will be given to residents on Melissa Avenue, nor to the residents on Rachael, east of Melissa.
 - Sandy’s wastewater system capability is another concern. Despite improvements to the 20 year old system, it is consistently failing to meet permit requirements. According to the city’s website (<https://www.ci.sandy.or.us/wastewater-system-improvements>), our wastewater treatment system does not have the capacity to service our current population. Increasing the population will further tax this system until it can be remedied, which will take time and money. Of course, the cost is being passed on to current residents by raising our bills almost \$23 a month, which is a significant amount for families. Even though the plan is almost finished, it will still take time and it sounds like this development may start as early as next fall, which is probably much sooner than we can fix our wastewater system.

Our city has the opportunity to show its residents and the state of Oregon where our priorities are with the decision on this proposed development. Our city branding is, “Where Innovation Meets Elevation.” How does this new development show innovation? The answer is, IT DOES NOT. There is nothing innovative about creating more traffic within a limited infrastructure that is already taxed. There is nothing innovative with increasing class sizes in our schools, decreasing classroom effectiveness, risking the safety and health of our students and staff, and putting more classrooms in portable buildings because we cannot afford to fix our current schools, let alone build another. There is nothing innovative with taking away the safety of our

families by only having one main road in and out for over 250 homes, a road that is dangerous in ice and snow because of the slope and would have poor access for police, fire, and ambulance. Is our priority growth above all else, no matter the cost it has on our safety, our city infrastructure, our schools, our Sandy way of Life? Is another new development good for Sandy right now, as our city currently exists? Do we have the infrastructure, the schools, the first responders to effectively serve more people at the current moment, or even in the near future? Myself, and many others, do not believe we are ready for this new development in our city right now. You can simply look on Facebook, in the Sandy Neighborhood Watch and Sandy Community Information groups, where you will see several posts and hundreds of comments not in favor of more development.

I love Sandy and the Nicholas Glen neighborhood. Our community is like no other that I have lived in. People actually care about each other. On page 19 of the Sandy, Or BrandPrint Creative Report and Implementation Plan, it states,

“...an intuitive few made Sandy their home. They heard the call of the mountain. They wanted to build their town, their way. More than a century later, people with that same vision and grit come in search of The Sandy Way. They see a forward-thinking infrastructure to support their life and business. They see that majestic, snow-capped mountain in the distance. They want to be where innovation meets elevation. Innovation. Elevation. Location. Sandy is perfectly positioned between two Oregon icons. Right next door, Mt. Hood National Forest puts 50-foot trees in our backyard and postcard views of the region's tallest mountain at every turn. Just 25 miles to the west is Portland, a city close enough to share its culture and conveniences —restaurants, shopping and higher education —and far enough away to keep the sprawl at bay. Staying small is a big deal to our community. We make the most of our notable neighbors, but have an identity all our own. I guess you could say that in Sandy, we're worth more than a peak.”

Some key points that we are failing at, if we were to approve this proposal, are “They see a forward-thinking infrastructure to support their life and business” and “Staying small is a big deal to our community.” We have a transportation plan to update and build infrastructure for growth, but no time frame for that plan to start. We are facing limits due to the Urban Growth Boundary and rural land. Our school district is working on a plan to meet the growth, but time and money are factors. By allowing yet another new development, we will just overburden our current transportation system and educational systems. Sandy is simply not ready for the proposed new Bailey Meadows development yet. It may be feasible years down the road, once we fix the current issues, but it just does not make sense in the present time, with the present conditions, for the current residents of our city.

I ask you to carefully consider my concerns, and the many others that will be presented to you. I ask you to think about our city brand and if this new development will be innovative, or destructive. I ask you to imagine that you lived on Melissa Avenue and how it would affect your way of life, others, and the city.

Thank you for your consideration.

Sincerely,

Nicole Sellin



EXHIBIT KKK

Emily Meharg <emeharg@ci.sandy.or.us>

Concern regarding over use of Melissa Ave.

1 message

Barbara Coutts <lostdimond@aol.com>
To: emeharg@cityofsandy.com

Fri, Oct 4, 2019 at 5:19 PM

~ Hope this letter of concern isn't too late....I thought the deadline was today, not before today...my mistake. □
~ So, briefly, not only the estimated 944 ADDITIONAL vehicles traveling through our family oriented streets, but the COLLATERAL vehicles (friends, relatives, FEDEX, UPS, Maintenance workers, buses, etc....) MUST also be taken into account.... !!
~ Please take these concerns into account; there is no reason, another one or two solution roads cannot be built . Safety and sensibility must rule.

Thank you ~~~~
barb coutts.....37265 Solso Drive.

Sent from my iPad



EXHIBIT LLL

Emily Meharg <emeharg@ci.sandy.or.us>

Letter of Concern

1 message

Shelly Evett <shelly.evett@gmail.com>
To: emeharg@cityofsandy.com

Fri, Oct 4, 2019 at 8:05 PM

Emily,

I was out of town, so I was unable to attend the meeting on the 18th of October about the new development going in behind my neighborhood, and just saw the flyer on our mail box the other day about voicing my concerns related to the increase in traffic related to the new neighborhood, so I am hoping this email will be included with others. I have lived in the Nicholas Glen neighborhood for 17 years and am the original owner of my home. This neighborhood is a quiet neighborhood, has block parties, everyone watches out for each other, and has the right amount of traffic in the neighborhood to keep it safe for all. I am concerned about the proposal of using Melissa as the only access point in and out for the new community. Melissa is a neighborhood road that was not built to be a main thoroughfare for traffic. There are families that live on Melissa, kids play in the street, and families also park cars on that street. Adding more cars will increase the risk for accidents because cars often have to pull to the side to let cars pass before continuing on, and as we know when a road becomes a thoroughfare drivers often drive faster than the posted speed limit and I feel this will put kids playing at risk.

One of my main concerns is the fact that there is only one way in and out of the neighborhood. If there is an emergency how would all these people get out safely and in a timely manner, in addition how would emergency people get in. Another concern is that the increase in traffic will hinder getting on to Melissa from the side streets Rachel and Solso.

I am not opposed to developers wanting to develop a new neighborhood, that is how our neighborhood was started, I just feel that the new neighborhood should have its own access roads to maintain livability for both neighborhoods.

Thank you,
Roberta (Shelly) Evett
18192 Rachel Dr.



EXHIBIT MMM

Emily Meharg <emeharg@ci.sandy.or.us>

Letter of concern about the proposed new development on Ponder

1 message

Laura Kvamme <notellk@yahoo.com>

Fri, Oct 11, 2019 at 12:39 PM

Reply-To: "notellk@yahoo.com" <notellk@yahoo.com>

To: "emeharg@cityofsandy.com" <emeharg@cityofsandy.com>

I Have deep concerns about the proposed development on Ponder Lane North of 211.

Chief among those concerns are the desire by the developer to use Melissa Avenue as the only entrance or exit to that development. I also have concern about the construction vehicles that will be going up through Melissa during the process of development and the closure or partial closure of Melissa to increase the water and sewer capacity going to that development.

I want to know when the next city meeting will be held.

Thank you for your attention,

Laura Kvamme

37438 Rachael Dr

Sandy Or

Sent from Yahoo Mail on Android





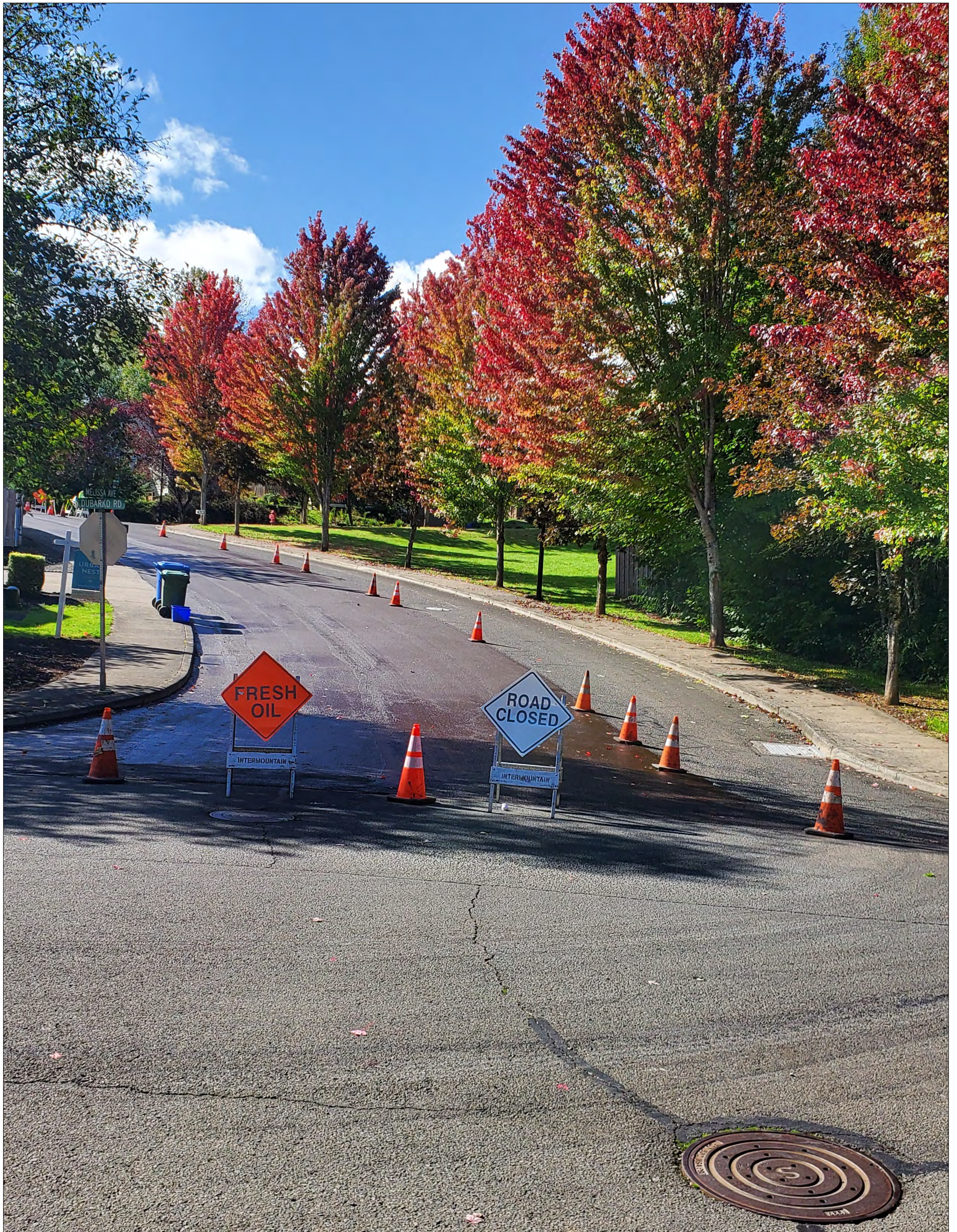








EXHIBIT NNN

Emily Meharg <emeharg@ci.sandy.or.us>

Bailey Meadows Subdivision

1 message

Kelli Acord <kacord@ridesta.com>
To: "emeharg@ci.sandy.or.us" <emeharg@ci.sandy.or.us>
Cc: Kevin Moody <kmoody@ci.sandy.or.us>

Fri, Oct 18, 2019 at 9:26 AM

Good morning Emily,

I just received notice about the proposed subdivision addition for 100 potential homes in the Baily Meadows Subdivision. I wanted to reach out and give you feed back from the bus transportation side, in hopes that you can take this into consideration.

We currently pickup nearly 20-30 students for elementary and then another 20-30 for high school and middle school. By adding an additional 100 homes, that adds the possibility of 200 students. That would mean that a bus need would be greater and would need to be able to go down the proposed 25 foot road (Melissa Ave). Our buses are 11 ft wide plus 1 ft on each side for mirrors (13 ft), that's more than half the street width. Melissa Ave wouldn't be connected without having a jog in the road and that space is only 24 ft wide on one side and 26 ft wide on the other side of the intersection. Another concern would be that the city typically allows cars to park on both sides of the road and at the stop signs. If this is the case, a bus (small or large) would not be able to safely maneuver through the neighborhood. If the buses cannot maneuver, a firetruck or ambulance would have the same concern.

Approving this neighborhood as it is currently platted would be absurd for the safety of everyone.

If you have any further questions, please do not hesitate to contact me.

Kelli Acord

Operations Manager

36366 Industrial Way Ste B

Sandy, OR 97055

503-668-8855

503-662-7290 (Fax)

EXHIBIT OOO

Elizabeth A. (Libby) Burke
37412 Rachael Drive
Sandy, OR 97055
503-668-8553 (home)
808-756-3066 (mobile)
Email: libby@briodzn.com

City of Sandy
Development Services
39250 Pioneer Blvd
Sandy, OR 97055-8001
Attn: Kelly O'Neil, Planning and Building Director

October 20, 2019

Dear Kelly,

I am a homeowner on Rachael Drive in the Nicolas Glen subdivision along the boundary of the proposed Bailey Meadows subdivision inside the new UGB. Having attended the public meeting held by the developers at the Sandy Library in September (which you also attended), I would like to voice my concerns about the proposed opening of Melissa Avenue to the new subdivision, and state some impacts I see in this matter.

There are several reasons I feel this is a very bad solution to the 90+ home development, starting with the use of Melissa Avenue, our subdivision's only egress, for land-moving heavy equipment and construction materials coming up that steep hill where we have many children playing, waiting for the school buses, riding their bikes, and where our community members walk their dogs and stroll with their babies. The traffic that would ensue for this use would greatly disturb the quiet neighborhood and endanger our community members, pets and others. And the later impact is just as bad.

Melissa Avenue is only two blocks long and ends at the bottom of the hill where the other road, Dubarko, runs along the bottom of our hill. Dubarko has traffic-routing curved sidewalks to encourage slow driving. I am concerned that if that road has a lot of large trucks bringing in equipment and materials as stated above, this would endanger not only our quiet road's sidewalks but also those living there who walk, run and play safely on Dubarko now. We have a children's playground on that street as well as many entrances to Tickle Creek Trail.

Another concern is that this hill is very slippery in cold weather; we all have to drive out of our roads and on to Melissa Avenue to get down the hill. When I drive down the hill during icy conditions, I wait until the car in front of me has cleared the intersection of Dubarko and Melissa, before continuing down myself, with concern for slipping. Adding the cars from the 90+ new homes will greatly impact the ability for everyone in both subdivisions to drive safely.

I would like Development Services and the Planning Commission to review the plan for this subdivision and consider the impact these new homes will have on our small, quiet, middle-income community. Also, I understand that the new sewer lines that will have to be laid will be also going down Melissa, which obviously will be dug up for that project. Again I would like to remind you that tearing up the one road that is the egress for Nicolas Glen would greatly

inconvenience those of us who have lived here for many years. I have lived here for 9 years and have come to love our quiet neighborhood. With all these new proposed vehicle trips daily both in the construction and residential phases, our quality of life will be damaged beyond what we can do anything about. We have lived here and paid our taxes all these years, and although I know that the subdivision itself will likely go ahead, I would really like you to consider creating egress to Highway 211.

Other subdivisions have been built recently across from where this one is planned: Arletha Court, the Cascadia Village Annex and before that the larger Cascadia Village. Bornstedt Road had to be routed on to the highway. Those others also enter and exit by the highway. I would like to have the egress for Bailey Meadows considered as Highway 211, with perhaps a gated emergency access down Melissa if need be. The impact to the highway would be much less than Melissa Drive. The highway can be slowed down a bit at that point, and it wouldn't hurt to have it slowed down right before it gets to the slowdown past Bornstedt anyway. I know that you are the City of Sandy and not ODOT, but all the agencies have to work together to make sure that our Oregon, Clackamas and Sandy citizens are safe and that this very large subdivision does not negatively impact our community in Nicolas Glen. Am I wrong?

I was very surprised to learn that the residents of Nicolas Glen did not all receive invitations to attend that Library meeting, but only those on Rachael Drive who are directly on the property line and whose properties had been surveyed. The whole subdivision would be impacted if the egress on Melissa were allowed to go through, so everyone should have been notified and informed, not just Rachael Drive residents. I feel like the Bailey Meadows developers are acting inconsiderately, only doing the minimum rather than taking our subdivision's community into consideration. These people do not live in Sandy; they just want to make money here. The water system is already under duress and rates will soon double, the school system is already impacted by the growth that has taken place in the last two years including our new high school already out of room and elementary classes having to be combined, and it doesn't seem like planning is really being done to consider all these impacts that new subdivisions will create in our once live-able city. To go from under 10,000 to over 12,000 in such a short time is a lot of growth, and this new 90+ houses will only serve to increase the stress on all our systems.

Also I want to put in a word for the trees and wildlife living in the trees (owls and many other birds) that will be impacted by disturbance of their habitat. No one can speak for them, but they are part of our community too and they may be driven out or their habitats damaged.

I will be attending the next Planning meeting on Oct. 28th in hopes that you will be discussing the Bailey Meadows/Nicolas Glen situation then. Please keep me informed, and thank you for your attention and consideration in all these matters of concern to the tax-paying resident citizens of Sandy.

Sincerely,

/s//Libby Burke

Elizabeth A. Burke

EXHIBIT PPP

October 20, 2019

Brad Robison
37412 Rachael Drive
Sandy, OR 97055
808.756.3444 (mobile)

Kelly O'Neill, Jr.
Planning & Building Director
City of Sandy

Regarding: BAILEY MEADOWS SUBDIVISION
TAX MAP/LOTS T2S R4E SECTION 23 TAX LOTS 800, 801, 802, 803, 804
aka: STURM ANNEXATION - ORDINANCE NO. 2017-11
17.78.60 ANNEXATION CRITERIA

Comment:

The proposed development plan for the BAILEY MEADOWS SUBDIVISION fails to take into consideration several issues that will have a detrimental impacts on the existing NICHOLAS GLEN SUBDIVISION.

- The current AKS Engineering & Forestry plan states that all residential traffic will be routed through the Melissa Avenue and will, by estimate, be nearly 1000 trips per day.
- To connect the new subdivision to the existing sewer system will require that a trench over 20 feet deep by cut into Melissa Avenue to reach the proper elevation for sewage flow. This will have an impact on over half of the population of the existing Nicholas Glen subdivision. School busses will need to be re-routed, and the trench work will need to be covered every day at the end of work for safety. Vehicle access to residents with homes on Melissa will be restricted. Emergency vehicle access will be hampered as well.
- Melissa Avenue is a steep hill and during winter months can become very slippery. An additional 1000 trips per day during icy conditions will only increase the probability of severe accidents and possible blockage of Debarko Road as cars or truck slide through the intersection unable to stop.
- Traffic impact studies were limited to what was required by law. This did not take into account traffic impacts to exit the residential community to Highway 26. Ruben Lane access to Highway 26 currently allows 5-6 vehicles (max) for the duration of the green signal light. Additional traffic will increase the wait at this light to 2 or 3 signal changes. This will also impact traffic at 362nd and Highway 26.

In a previous letter submitted by myself and Libby Burke (attached), the problem of construction traffic and general traffic control for safety through the Nicholas Glen subdivision was addressed. The original STURM ANNEXATION documents stated that he proposed

subdivision would also connect to Highway 211. The current AKS Engineering & Forestry plan stated that all access would be via Melissa Avenue only with emergency access only gates to be provided at for access to Highway 211. There issue of construction traffic routing via any route other than Melissa Avenue as not addressed.

The general impression to most of the attendees of the September 18, 2019 AKS Engineering & Forestry “meeting” was that this was a presentation of subdivision plan that was already decided and that any changes to that plan, as explained by their lawyer, would not be possible. In short, they knew what they were doing within the letter of the law, and as far as they were concerned there would be no changes. Traffic studies were limited to what was required by law.

Development is inevitable, population keeps growing and the City of Sandy needs to grow to remain a vital community. However, growth without consideration of impact on the greater community as a whole is short sighted. The additional population will impact not only basic infrastructures such as water and sewage, but schools (already overcrowded), roads, and the general quality of life.

The ordinances that allow for the developer to pay into a “park fund” as opposed to developing community parks is the construction industry’s version of NIMBY.

The city of Sandy needs to weigh carefully the need for growth versus the impact on existing communities. Furthermore, recognizing that growth without quality is essentially cancer and will eventually decrease the quality of life for all residents.



EXHIBIT QQQ

Emily Meharg <emeharg@ci.sandy.or.us>

19-023 SUB/VAR/TREE BAILEY MEADOWS SUBDIVISION HEARING INPUT

1 message

Laurie Gilbert <g.lauriegilbert@gmail.com>
To: emeharg@ci.sandy.or.us
Cc: Laurie Gilbert <g.lauriegilbert@gmail.com>

Mon, Nov 4, 2019 at 4:00 PM

CITY OF SANDY
PLANNING COMMISSION

EMILY MEHARG
emeharg@ci.sandy.or.us

RE: 19-023 SUB/VAR/TREE BAILEY MEADOWS SUBDIVISION

I'm writing to ask The Planning Commission to intercede on behalf of the current and future residence of Sandy regarding the decrease in safety and livability that will result from the current plans for Bailey Meadows. Though I realize change and growth is inevitable, the lack of an emergency evacuation route other than Melissa Avenue from the proposed Bailey Meadows subdivision is a disaster waiting to happen. With the ever increasing fire danger there needs to be a second exit from this new subdivision directly to Hwy 211 via Ponder Lane. Anything else is an unacceptable risk to our community.

After visiting the developers website I learned that they have shown much greater care and respect to the communities of Happy Valley and Hillsboro in their developments of Pleasant Valley and Butternut Creek respectively. Not only did they provide more than one entry and exit road, but included parks and green spaces(images below). We are all counting on our Planning Commission to protect us from those who want only short-term profit at the expense of our communities' safety and livability.



Pleasant Valley Villages is a 13-phase, 1,155-unit residential development on 187 acres in Happy Valley, Oregon. Over the next 10 years, single-family homes, multifamily buildings, 35 acres of parks and open space, trails, and amenities will be built. AKS has addressed zoning challenges, land use approvals, transportation connectivity, wetlands and natural resources, and utilities, and is working on the final design of infrastructure, including streets, utilities, and parks.

OWNER
The Holt Group, Inc.

LOCATION
Happy Valley, OR

SERVICES PROVIDED
Civil Engineering
Surveying
Planning
Landscape Architecture
Natural Resources
Consulting Arborist



AKS' design of this 576-lot Hillsboro community incorporated 40 acres of open space; a central mixed-use village; a community center; a transportation network to connect existing and planned features; and a community park, all tied to trails and sidewalks that link the community to a regional trail system. One project challenge was adding the Banneville Power Administration corridor, located next to the park, into the village and residential layout. AKS successfully met this challenge and played a key role in obtaining land use approvals and zone changes, all of which helped to make this project a success.

OWNER
Hagg Lane LLC
Lennar Corporation
Pahlsh Homes
Quadrant Homes

LOCATION
Hillsboro, OR

SERVICES PROVIDED
Civil Engineering
Planning
Landscape Architecture
Natural Resources
Consulting Arborist

Thank you very much.

G. Laurie Gilbert

18392 SE 370TH Ave.

Sandy, OR 97055

g.lauriegilbert@gmail.com



Oregon

Kate Brown, Governor

Department of Transportation

Region 1 Headquarters
123 NW Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

Exhibit RRR

December 17, 2019

ODOT Case No: 8702

To: Emily Meharg, City of Sandy Planner
From: Marah Danielson, ODOT Planner
Subject: 19-023 SUB/VAR/TREE: Bailey Meadows Subdivision - Ponder Lane

We have reviewed the applicant's proposal to subdivide 23.42 acres into a 100-lot residential subdivision with a new proposed public road connection to OR 211 at Gunderson Rd. At this time, OR 211 through the City of Sandy is under ODOT jurisdiction. As such, the connection of Gunderson Rd to OR 211 requires approval from ODOT. ODOT requests that the City add a condition of approval stating that the applicant be required to obtain all ODOT permits prior to issuance of a building permit.

In a letter dated November 25th, 2019, from the applicant's attorney, it is stated that "the Applicant believes that the Gunderson Road extension is possible only in the event the City takes jurisdiction of Oregon Highway 211."

ODOT and the City of Sandy have discussed the potential jurisdictional transfer of OR 211 in the past. There is a meeting scheduled in January between the two jurisdictions to discuss the possibility of a jurisdictional transfer. While ODOT is committed to working with the City as it strives to reach its community goals, we also want to share that in past experience with other jurisdictional transfers, this legal process requires substantial effort and time. If the subdivision is conditioned to make the Gunderson Rd connection to OR 211 via a jurisdictional transfer, it may create uncertainty relating to the timing of the proposed subdivision.

The original land use submittal did not have a Gunderson Rd connection to OR 211 and the Traffic Impact Analysis (TIA) does not reflect the new street connection. It is our understanding that the applicant is preparing an updated TIA with the Gunderson Rd connection. ODOT has not received an updated analysis for review. Additionally, in previous comments submitted on October 4th, 2019, ODOT requested that the following intersections be included in the analysis: OR 211/Dubarko Rd, US 26/Rueben Ln and US 26/362nd Ave.

ODOT requests the Planning Commission refrain from making a decision at the December 17th, 2019 hearing, providing time for ODOT and City staff to evaluate the requested Traffic Impact Analysis and craft conditions of approval to be included with the decision relating to the Gunderson Rd connection to OR 211.



Oregon

Kate Brown, Governor

Department of Transportation

Region 1 Headquarters
123 NW Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

Exhibit SSS

January 15th, 2020

ODOT Case No: 8702

To: Emily Meharg, City of Sandy Planner

From: Marah Danielson, ODOT Planner

Subject: 19-023 SUB/VAR/TREE: Bailey Meadows Subdivision - Ponder Lane

Since the first Planning Commission hearing last month on the land use application for the Bailey Meadows Subvision, ODOT and the City of Sandy have met to discuss the jurisdictional transfer of OR 211. ODOT supports the jurisdictional transfer and is working with the city to transfer the highway. It is our understanding that as part of the subdivision approval, the Gunderson Rd connection to OR 211 will only occur under the circumstance that the highway has been transferred to the city. In our December 17th, 2019 comment letter, ODOT had requested a condition of approval that the applicant be required to obtain all ODOT permits prior to issuance of a building permit for the Gunderson Rd connection. This request is no longer applicable since the applicant will only be constructing the Gunderson Rd connect to OR 211 if the highway is transferred to the city.

We appreciate the city's efforts to work towards the jurisdictional transfer of OR 211 and implementing the transportation network improvements identified in the Sandy Transportation System Plan.

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January 20, 2020

Mr. Kelly O'Neill
City of Sandy
39250 Pioneer Blvd.
Sandy, OR 97055

**SUBJECT: REVIEW OF TRANSPORTATION IMPACT ANALYSIS – BAILEY MEADOWS
SUBDIVISION**

Dear Kelly:

In response to your request, I have reviewed materials submitted in support of the Bailey Meadows Subdivision. The materials consisted of the Transportation Impact Analysis (TIA) for the Bailey Meadows Subdivision and TIA Addendum #1. The TIA is dated June 20, 2019 and Addendum #1 is dated January 6, 2020. Both were prepared under the direction of Todd Mobley, PE of Lancaster Engineering.

The TIA and Addendum describe a proposal to construct a 100-lot subdivision of single-family dwellings. The site is in the southwest part of Sandy, south of Dubarko Road and north of Highway 211. The proposed accesses are Melissa Avenue to the north and a new extension of Gunderson Road to the south. The original TIA evaluated access to the north only; the Addendum provides additional information including an analysis dependent on an extension of Gunderson Road and a new intersection with Highway 211.

The comments below focus on the revised proposal with the new extension of Gunderson Road and the connection with Highway 211 as described in the Addendum.

Overall

I find the TIA and Addendum address the city's requirements and provide an adequate basis to evaluate impacts of the proposed development.

Comments

1. Study Area. The study addresses the appropriate intersections. It includes analyses of:

- SE 362nd Drive at Dubarko Road
- Ruben Lane at Dubarko Road
- Melissa Avenue at Dubarko Road
- Bluff Road at Dubarko Road
- Gunderson Road at Highway 211

- 2. Traffic Counts.** The AM and PM peak hour traffic counts for the first four intersections listed above were conducted on April and May 2019. The counts for Highway 211 were conducted in December 2018. The engineer adjusted the December traffic counts on Highway 211 to account for seasonal variations according to the procedures defined by the Oregon Department of Transportation (ODOT). The Highway 211 counts were also adjusted to reflect 2019 base conditions by applying an annual growth factor of 2.8 percent. The counts and adjustments appear reasonable.
- 3. Trip Generation.** The TIA uses trip generation for single-family houses from the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*. The calculations of trip generation were based on 100 single-family dwellings. The engineer calculates that the 100-unit subdivision would produce 74 new AM peak hour trips; 99 PM new peak hour trips; and 994 new daily trips. The calculation of trips generated by the subdivision appears reasonable.
- 4. Trip Distribution.** The TIA and Addendum provide information about trip distribution from the site. As described above, the original proposal relied upon Melissa Avenue for the exclusive access to the site; the Addendum describes the subdivision with both a north and south access. As described in the Addendum, the engineer assumed 30 percent of the traffic would travel to and from the north on 362nd Drive via Dubarko Road; 20 percent would travel to and from the north on Ruben Lane via Dubarko Road; 25 percent would travel to and from the north on Bluff Road via Dubarko Road; 15 percent would travel to and from the east on Dubarko Road; and 10 percent would travel to and from the southwest on Highway 211.

As described in detail in the Addendum, the engineer also accounted for changes in travel patterns because of the new connection provided using Melissa Avenue and Gunderson Road through the subdivision. Traffic generated by existing developments north of the new subdivision would have the option of connecting with Highway 211 via Melissa Avenue and the new Gunderson Road extension. Likewise, traffic traveling into Sandy from the southwest on Highway 211 could use the new Gunderson Road extension to access Dubarko Road, Ruben Lane and other destinations to the north. The engineer specifically accounts for the rerouting of existing traffic due to the new connections as well as the traffic from the proposed development and use of Melissa Avenue and the new Gunderson Road extension.

The trip distribution and rerouting due to new connections seem reasonable.

- 5. Traffic Growth.** The TIA uses a 2 percent annual increase for facilities under the jurisdiction of the City of Sandy. For Highway 211, the engineer used a 2.8 percent annual growth rate based on ODOT's Future Volume Tables. In addition, the TIA specifically accounts for the recently approved Sandyplace apartment complex on Dubarko Road. Background volumes

were prepared for 2022, the year in which the development is expected to be completed. These assumptions account for future traffic and appear reasonable.

- 6. Analysis.** Traffic volumes were calculated for the intersections cited in #1, above. Intersection level-of-service (LOS) and the volume-to-capacity (v/c) ratio were provided. ODOT uses the v/c ratio for its standard of intersection performance. Performance of the intersections was calculated for existing 2019 conditions; 2022 background conditions; and 2022 conditions with the proposed subdivision.

All five study area intersections are calculated to meet applicable City and ODOT performance standards. The intersections are calculated to operate at level of service (LOS) "C" or better during both the AM and PM peak hours. The new intersection of Gunderson Road at Highway 211 is calculated to operate at LOS "B" with a volume to capacity (v/c) ratio of 0.08 during the AM and PM peak hours. This easily meets ODOT's performance standard.

The engineer recommends no mitigation for traffic from this proposal. I concur.

- 7. Crash Information.** The TIA provides information on crashes for the most recent available five-year period (2012 through 2016). For the five-year period, 1 crash was reported at the SE 362nd Drive/Dubarko Road intersection. Two crashes were reported at the Melissa Avenue /Dubarko Road intersection. The calculated crash rate at both intersections is low and the engineer determined that the crash rates are not indicative of safety deficiencies or design flaws. He did not recommend mitigation for safety issues. I concur.

- 8. Subdivision Access.** The site plan provides for two access points: Melissa Avenue to the north and an extension of Gunderson Road connecting to Highway 211 to the south.

The Addendum provides a detailed discussion of the concept described in the Transportation System Plan (TSP) that provides for an extension of Gunderson Road an intersection with Highway 211 and an extension to the east to connect with Cascadia Village Drive. As described in the Addendum, the TSP "shows a planning-level depiction of the Gunderson Road extension." The Addendum further explains that "upon closer investigation and engineering analysis, it was determined that the alignment shown on the TSP was not feasible for construction of an intersection with Highway 211, primarily due to poor sight distance, the need for a perpendicular intersection, and a very steep super-elevated roadway section."

The Addendum describes the selection of a suitable location for a new intersection on Highway 211 to the southwest that was far enough from the curves on Highway 211 to provide adequate sight distance and avoid the super-elevated roadway section. As noted in the Addendum, the selected location is outside the current City of Sandy urban growth boundary (UGB). The Addendum further describes the proposal to expand the UGB to

Mr. Kelly O'Neill
January 20, 2020
Page 4

include the proposed roadway. The Addendum notes that a remnant parcel of approximately 2.38 acres would thus be included in the UGB. The applicant proposed this remnant be utilized as a neighborhood park with no parking facilities. As such, it would produce no new traffic, but would be accessed by walking and bicycling.

9. Left-Turn Lane and Signal Warrants. The engineer analyzed the subject intersections for left-turn lanes using standard methods based on traffic volumes, travel speeds, and lanes.

For the new, proposed intersection Highway 211 and Gunderson Road, the engineer concludes that a left turn lane was warranted. He notes that a left-turn lane is a safety consideration because it removes left-turning vehicles from the through traffic lane. He recommends that a left-turn lane be constructed in connection with the Gunderson Road/Highway 211 intersection. I concur.

He also analyzed traffic signal warrants at the study area intersections. Traffic signal warrants are not met at any locations including the new, proposed Gunderson Road/Highway 211 intersection.

10. OAR 660-12-0060 Transportation Planning Rule (TPR). The engineer provides a detailed response to the criteria specified in the TPR. He explains that the proposed amendment to expand the UGB does not change the functional classification of any transportation facility and does not increase developable property that will increase trip generation. He concludes that the proposal helps to implement a project specified in the TSP. I think his argument is sound and supported by the analysis.

11. OAR 660-024-0065 Establishment of Study Area to Evaluate Land for Inclusion in the UGB. The Addendum provides a detailed analysis of this section of the OAR's. The engineer argues that the location proposed for the new intersection is "dictated by engineering standards that must be satisfied for a safe and efficient intersection location." I think the engineer provides a reasonable explanation and justification for the UGB expansion.

12. Conclusions and Recommendations. The engineer concludes that traffic operations will be acceptable at all study area intersections. The southern access to the subdivision is dependent on constructing a segment of Gunderson Road, which is specified in the TSP. The engineering analysis described in the Addendum explains why the location for the proposed Gunderson Road/Highway 211 intersection was selected. The Addendum provides justification for an expansion of the UGB and explains that the proposal complies with the TPR. The engineer recommends the installation of a left-turn lane on Highway 211 for the new intersection of Gunderson Road and Highway 211. I concur with these conclusions and the engineer's recommendations.

Mr. Kelly O'Neill
January 20, 2020
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Conclusion and Recommendations

I find the TIA and Addendum meet City requirements. The TIA and Addendum demonstrate that the development can be accommodated with a north access using Melissa Avenue and a south access using a new extension of Gunderson Road with an intersection with Highway 211.

I recommend approval of the subdivision with conditions that assure the dedication of all appropriate rights-of-way and the construction of the Gunderson Road extension and the intersection of Gunderson Road and Highway 211, with a left-turn lane on Highway 211. Furthermore, all construction involving facilities under the jurisdiction of the Oregon Department of Transportation shall be performed to ODOT standards and specifications.

If you have any questions or need any further information concerning this review, please contact me at replinger-associates@comcast.net.

Sincerely,

A handwritten signature in blue ink that reads "John Replinger". The signature is written in a cursive style.

John Replinger, PE
Principal

BaileyMeadowsSubdTIA012020

December 11, 2019

Exhibit VVV

City of Sandy Planning Division
ATTN: Emily Meharg
39250 Pioneer Blvd
Sandy OR 97055

RE: File # 19-023 SUB/VAR/TREE

My name is Sarah Bettey and my husband and I are homeowners in the Nicholas Glen neighborhood off Melissa Ave and Dubarko Rd. As a member of the community, I am writing to you to express my apprehension about the potential planned project for the Bailey Meadows subdivision. We hope you will keep our concerns in mind when it comes time for you to review the updated proposal.

I appreciate the developer has modified their plan to include a 2nd point of entry into the new subdivision via Hwy 211. It would give both Bailey Meadows and Nicholas Glen a 2nd access point, which is safer in case of emergencies and inclement winter weather. However, I have deep concerns that the new road will expand the urban growth boundary, making even more development possible than what is currently proposed. Also, if the road is punched through, it is likely that this new route will become a thoroughfare for traffic coming to and from the busy highway to Dubarko. In approving the road, I would highly recommend speed bumps be installed on the Melissa Ave hill to help keep speed down. I would also hope that it is required that stop signs be installed at most intersections throughout Bailey Meadows and Nicholas Glen to decrease speed and discourage drivers from cutting through the neighborhoods.

In addition, if this proposal is approved Melissa Ave will be torn apart to run additional sewer, electricity, etc. instead of accessing these and other utilities via Hwy 211. Melissa Ave is currently the only access point for the entire existing Nicholas Glen neighborhood and will remain so until an additional road off Hwy 211 is finished. Recently we had slurry seal applied the streets of Nicholas Glen and it was just a taste of what it will be like having construction on the only way in and out of the neighborhood. Taking into consideration the burden that months or years of large trucks and other machinery needed to complete the building project driving through to access the property location, the plan to dig a deep utility trench down the entirety of Melissa Ave is totally unacceptable. I do hope that the majority of the construction traffic and utilities can be run off the highway instead of interrupting our quiet neighborhood and making Melissa Ave unpassable.

The Nicholas Glen children primarily attend Kelso Elementary and Boring Middle School. Both schools are grossly in need of upgrades. They are outdated and already above capacity. This year alone Kelso School had to add teachers and take away classrooms from secondary classes such as music and other arts programs. My child is currently in the 2nd grade at Kelso. His classroom is in an unattached modular unit located out back near the sports fields due to lack of classrooms in the actual school building. The addition of 90+ homes worth of children – likely hundreds of additional students - to schools that are already overwhelmed is not in the best interests of our children's future. The overcrowding and expansion of our district schools needs to be addressed before another development of new homes are added to the community or the UGB is expanded further.

Sandy has been talking about the pre-planning stages of a bypass around town for many years now. This bypass plan needs to be approved prior to continuing to add more residences within the city limits or expanding the UGB further to allow this growth. Traffic backs up at nearly every intersection through the center of town, impacting safety, local business and small town feel negatively every single day. This is even more prevalent with travelers heading to and from the mountain and Central Oregon on weekends. There have been no significant improvements to the road system despite the huge increase in our city population. It is irresponsible and dangerous to continue to approve large scale development and expanding the UGB without making drastic advances in our road systems.

Myself and my family have a vested interest in our community and hope that its quiet character and charm will remain intact. My husband and I chose to raise our young son here in my hometown of Sandy and selected the Nicholas Glen neighborhood specifically because of its beauty, its quiet, its safety, and its proximity to the woods and the mountain. Sandy residents like us want the community to grow and thrive; we just want it to be done in a way that protects the small town feel and our quality of life. This project as it stands does not have the best interests of the adjoining neighborhoods in mind. It threatens to bring a slew of negative side effects to Nicholas Glen and our Tickle Creek area/Dubarko Road neighbors, as well as the entire Sandy community as a whole.

I hope you will hear my concerns and take them into consideration as you make decisions on this matter in the future.

Thank you for your time,

Sarah Bettey
18195 Melissa Ave
Sandy OR 97055
Sarahbettey2978@hotmail.com
971-246-2974

Exhibit WWW

To Whom it may Concern,

We wanted to share some of our concerns with the proposed development west of Ponder Lane. We are including some pictures to help show how it is used.

We own the adjacent property at 37721 SE Ponder Lane, and have a 100x100 barn that we access weekly for our business, Geren's Farm Supply. In one of the pictures with the flatbed truck you can see the barn in the background. We have trucks and semi's and some are doubles, deliver straw, local hay, eastern oregon hay, grass/alfalfa mix and alfalfa, which we store. Weekly, our employees access the barn to retrieve what we need to keep the business in supply. We are concerned about maintaining truck access to our barn and continuing our business.

Additional questions are if you are planning on using bolsters like they have on Arletha for emergency access. And if so, how are you going to keep people from using Ponder Lane and from parking along side of the development and walking to their homes? This what we see currently on Arletha.

We bought our property in 1974 and our driveway which is called Ponder Lane is where it was then. Because of our business which we bought in 1981, we hired Jim Turin and Sons in 2006 to pave it. They recommended we pave it 4" deep and have the wide corners because of the semis. We paid for 2" from Hwy 211 to the first corner and our neighbors paid for the other 2". We paid from the corner up to our home for the 4" the rest of the way.

Thank you for taking our concerns into consideration.

Les and Kathy Geren















Exhibit XXX

Emily Meharg <emeharg@ci.sandy.or.us>

RE: Bailey Meadows Subdivision file # 19-023 SUB/VAR/TREE

Gigi Duncan <gigiduncanhome@gmail.com>
To: emeharg@cityofsandy.com

Sat, Dec 14, 2019 at 8:09 AM

Hi City of Sandy,

I want to express my concerns about the proposed subdivision that will effect our neighborhood and the areas around us. After hearing the developer speak and after asking some questions, I came away with a pretty overwhelming sense that these people are just looking to make their quick buck and move on, leaving us with the consequences of their short vision. I feel that the way the subdivision is proposed is unsafe and unnecessarily taxing on our resources at the moment.

These are my specific concerns with regard to the proposal of the Bailey Meadows subdivision:

- Traffic: One way in and one way out, using only Melissa Avenue, is going to cause a huge

increase in traffic for our neighborhood, the surrounding neighborhoods, and the entire city.

- According to the City of Sandy's Transportation plan, local streets have the typical

capacity of 800-1000 average daily car trips. The new development of 100 proposed homes would add approximately 944 additional car trips on Melissa Avenue. Since the current Nicholas Glen neighborhood has over 100 homes already, it is safe to say that the traffic on Melissa Avenue will be double the typical capacity of a local street. Double the traffic is not conducive to a safe, enjoyable neighborhood. City Code 17.100.100 states the pattern of streets should be connected in such a way will spread traffic over many streets so that key streets are not overburdened. With only one access point Melissa Avenue will be overburdened and this overburden will sprawl into Dubarko and the other arterial streets with major connections to US 26.

- An additional 944 car trips per day will increase drive time not only on Melissa Avenue, but also on Dubarko, Bluff, Ruben, and 362nd. The intersections of Dubarko/OR 211, Dubarko/362nd, 362nd/US 26, Ruben/US 26, and Bluff/US 26 are currently rated as a C or D for their level of service according to our transportation plan mobility standard. With added development that has no other alternative route, those intersections will become much more overwhelmed and their level of service will decrease, most likely reaching the point of failing mobility according to the city standard. More drive time means wasted time and wasted fuel while stuck in congestion.

- More cars brings the possibility of more accidents. Cars already drive with excessive speed up and down the hill of Melissa Avenue. Children will no longer be safe enough to walk, ride their bikes, and play in the streets of our community, as there is a possibility of more pedestrian-involved accidents with increased car traffic. Increased traffic leads to frustrated drivers, who take more risks and drive faster. According to the city's traffic plan, there was a study that stated two accidents happened on Melissa Avenue between 2005 to 2007, one occurring at the intersection of Melissa/Rachael and the second occurring at the intersection of Melissa/Solso. The same study also mentioned that the intersection of Dubarko and OR 211 had a crash rate of 1.08 MEV, which is a relatively high crash rating, and it said that the intersection is in the top 10% of hazardous ODOT SPIS locations. The new development proposal's traffic study did not include the intersection Dubarko and OR 211 in their study, which raises the concern on how the new development would affect that already questionable area.

- More traffic will cause an increased noise level in our quiet neighborhood. Increased noise will change the quality of life in our neighborhood because it affects the ability to sleep, causes anxiety, and decreases overall health.

- As traffic volume increases, air quality will diminish and more pollution could enter Tickle Creek, contaminating it.

- Extra noise and traffic will lower property value, especially to those homes on Melissa.
- Developers were requested to have a second access connecting the new neighborhood to

OR 211. However, they fully intend to continue their proposal of only one access. This shows a disregard for our city's planning division in terms of the transportation system. It shows a disregard for the quality of life for the residents of both Bailey Meadows and Nicholas Glen. It shows a disregard for the congestion for the entire city of Sandy

including its residents and tourism traffic. The reasoning behind not having a second access point, in my opinion, is mediocre at best and shows a lack of care for the immediate future in our city.

- Developers claim there are site distance problems and the existing road, Ponder, hits OR 211 at an oblique angle. This seems to be illogical, considering that at the exact same spot where Ponder meets OR 211, on the eastern side of OR 211, there is already a new development with access using Arletha Court. If site distance and the oblique angle are an issue for the Bailey Meadows development, why would another development, using that exact same spot of intersection, be allowed a point of access?
- Developers mentioned that they have an agreement with the landowner to the south of the newly proposed development to purchase their property, with the purpose of future access to OR 211. However, that property is outside the Urban Growth Boundary currently. Because of this, even if that property were to be entered into the Urban Growth Boundary (which takes time), it will be years down the road that their idea of accessing OR 211 will even be feasible. According to these developers, they would need to an exception from the county to put a road through rural property to access OR 211 and from their talks with county planning, the staff would most likely not support that needed exception.
 - Safety: A cluster of 250+ homes in a small area, with one way in and one way out, will decrease the safety and security of our neighborhood.
 - Police, Fire, and Ambulance response time will be prolonged with only one main, well kept access street. The second access off Ponder will be available, but it is not ideal and probably not as safe for a quick response.
 - In the event of a natural disaster, Melissa Avenue would be an evacuation nightmare because it is the only way out for over 250 families.
 - Education: Adding more homes in the city of Sandy would cause a decrease in educational effectiveness within our school district.
 - Kelso Elementary, Boring Middle, and Sandy High School are the three schools affected by this proposed new development, as the new neighborhood would be in their school boundaries as it is currently drawn. Kelso Elementary and Boring Middle are already over 100% capacity. In a meeting with school parent groups, the Superintendent of Oregon Trail School District stated that Kelso is at 134% capacity. Even if boundaries are changed, Sandy Grade and Naas are over 100% capacity, and Firwood is at 98%. Our children will suffer.
 - There are currently new homes already being built within the boundary of these schools and several others that are tentative. If we add yet another development, it would cause a catastrophe as far as classroom size, space for classrooms, effectiveness in the classroom, mental health of students, safety of students and staff, and teacher burnout due to increased capacity and lack of resources.
 - Parks: Developers, as I understand the 17.86, should have a parkland dedication of 1.29 acres (using the formula given $100 \times 3 \times 0.0043$.) In the meeting, they made it perfectly clear that they will not dedicate any land for parks; it is not negotiable for them. They will simply just pay a fee

instead. To me, this again shows the lack of care and regard for our city planning and for the future of the area.

- Wildlife: With the development of rural land, wildlife will be threatened. They will be pushed out of their homes. Vehicle collisions with wildlife might increase. Increased amounts of pollution could harm remaining wildlife.

Thank you for your time,

Gigi Duncan
18275 Rachael Drive
Sandy OR

--

*Gigi Duncan, Broker
Team Manager*

Excellence is in the Details...

*The Horizon Home Team at
Premiere Property Group, LLC*

503-201-3369 Cell
GigiDuncanHome@gmail.com

**<https://www.premierepropertygroup.com/agent-profile/gigi-duncan-9675941>
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Exhibit YYY

Emily Meharg <emeharg@ci.sandy.or.us>

Bailey Meadows Subdivision

1 message

Tom Newell <tom.newell@live.com>
To: "emeharg@cityofsandy.com" <emeharg@cityofsandy.com>

Tue, Dec 17, 2019 at 8:26 AM

File number 19-023 SUBVAR/TREE

Good Morning Emily....

Wow, Bailey Meadows has created a firestorm.

I cannot attend the meeting tonight, so just wanted to voice my opposition to the project as it seems to be currently presented (this is my second email).

How can a 100 home development be put in without providing it's own primary street access? The burden on Melissa as a primary entry will certainly be too much and then the traffic will pour out onto Dubarko. Also, emergency exiting in a catastrophic event would not provide adequate egress. The development should provide primary access from the Hwy 211 side to ease traffic into town.

Then the school crowding situation and bus access should be included in decision making. And, I understand the developer won't build a park....even though it is actually a city requirement for these type developments. How about the current capacity of the wastewater facility, is it really able to accommodate this before the site is upgraded/rebuilt?

Sandy is growing and we can't stop that, but let's do it in a practical way. Thank you for considering all input.

Tom Newell

[18007 Rachael Dr](#)

[Sandy, Oregon](#)

503-477-2911

Sent from [Mail](#) for Windows 10

Exhibit ZZZ

12-17-19

City of Sandy Planning Division,

Greetings, our family lives on Rachael Dr and we believe creating a second entrance to the proposed development at Bailey Meadows Subdivision is more problematic than creating only one. By doing so, it would essentially create a vehicle pipeline allowing a shortcut from 211, bypassing Dubarko Rd via Melissa. If the original proposal estimates an extra 900+ vehicles per day on Melissa, with the new subdivision it is mind blowing to think how many additional vehicles would use this artery that do not even live in the neighborhood's...Thousands? Therefore, we propose the Gunderson Rd extension be the only public vehicle access to Bailey Meadows Subdivision. This would keep all traffic from 211, Dubarko, 362nd and Bailey Meadows off Melissa.

As an alternative to a public vehicle access, Melissa could be gated and used for service vehicle access only. Public sidewalks could still connect the two neighborhoods allowing pedestrian use to and from Tickle Creek Trail.

If the city does decide to keep proposal as is, we strongly suggest; enhanced police patrols, speed-bumps, stop signs and traffic circles for public safety. We would also like to see a focus group look into the traffic impact to our neighborhood with the newly proposed Thorofare.

Thank you for your consideration.

The Barnes Family

Exhibit AAAA

Kathleen Walker
15920 SE Bluff Rd.
Sandy, Oregon 97055

December 16, 2019

Dear Planning Commission and City Council:

As some of you know, I understand and can support responsible growth in Sandy. I have testified before on previous developments to ensure that applicable City codes and requirements are applied to ensure successful, profitable development that minimizes impacts to existing residents. I would like to make the following points and requests in reference to the Bailey Meadows Subdivision. In summary:

- 1) Keep the public comment period open as part of the continuance.
- 2) The development proposal does not meet the criteria for “Needed Housing”.
- 3) The City should require park land dedication, instead of accepting an in-lieu of fee.
- 4) Parkland dedication policies are incorporated into the City’s Land Use Regulations.
- 5) Parkland dedication is the City’s discretion only, and is not “subjective”.
- 6) Additional road access is necessary for this development.

1. Public Comment Period: It appears you intend to extend the hearing. The public comment period (both oral and written comments) should be extended because Sandy Development Code Section 17.80.60 and Section 17.20.50 (F) states that the Planning Director will prepare and present a Staff Report that evaluates whether the proposal complies with the review criteria. In an effort to provide public input to this proposal, we must have a clear understanding of the compliance with applicable City code and not have to rely on our own interpretation, or the developer’s, which may be biased. No staff report covering these points are online for public review. Please maintain the public comment period both oral and written, until the Staff Report is completed and the public has an opportunity to review that and compile public comments enlightened by professional staff findings.

2. Development Does Not Meet the Criteria for “Needed Housing”:

2017 ORS 197.303¹ - “Needed housing” defined

(1) As used in ORS 197.307 (Effect of need for certain housing in urban growth areas), “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, **including but not limited to households with low incomes, very low incomes and extremely low incomes**, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

All of the proposed lots are in excess of 7500 square feet, with homes costing in excess of \$400,000. That means that there are no homes **INCLUDED** that would be affordable to low, very low or extremely low incomes. Thus Bailey Meadows development does not meet the definition of “Needed Housing”. It appears tate statute intended to encourage low income

housing is being used by a developer who plans to build large relatively costly homes, no low income people can afford with the intention to skirt the City's Development Code requirements that they deem "subjective" or have in their opinion, "unreasonable costs". As we know, these code requirements are intended to maintain our quality of life for existing and future residents and ensure that new development provides services like parks, roads, and utilities that should be paid by the development and not be put on the existing residents to pay.

3. Require park land dedication:

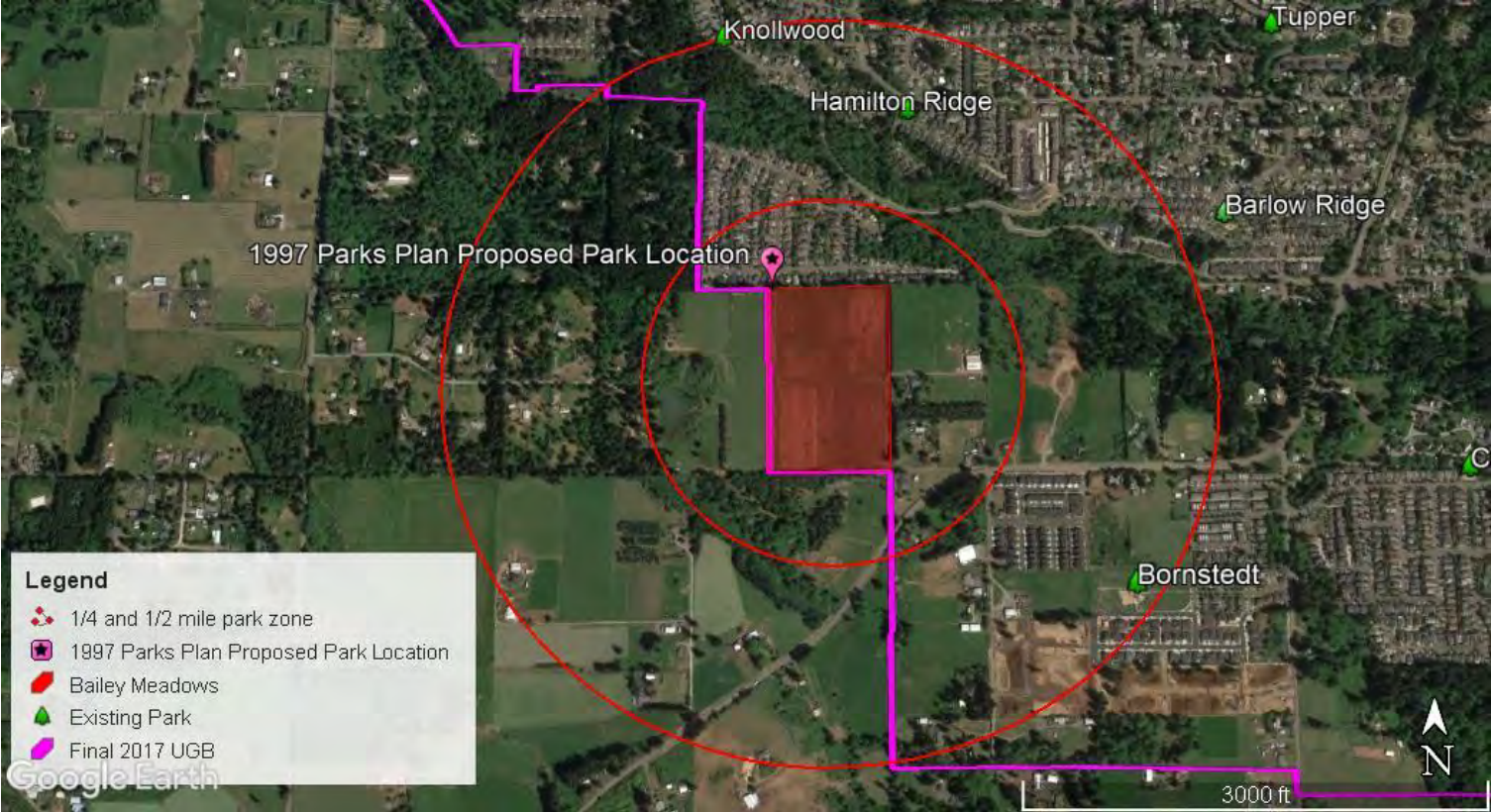
The City's Parks and Trails Board recommended that the Bailey Meadows development be required to dedicate park land because there was a park identified in this area in the 1997 Parks Master Plan. Section 17.86 of the City's code says "*New residential subdivisions, planned developments, multi-family or manufactured home park developments shall be required to provide parkland to serve existing and future residents of those developments.*" Most of our existing park system was developed by requiring park land dedication in developments where the 1997 Parks Master Plan identified a park. In proposed development areas where there was not a park identified in the Plan, the City chose to accept in-lieu of fees.

The 1997 City of Sandy Parks Master Plan (adopted in its entirety in City Development Code) called for "*80% of all dwellings be located within one quarter mile of a neighborhood park*" (Chapter 3) and without crossing major streets and highways, streams, etc. As identified in the 1997 City of Sandy Parks Master Plan, there is a need for a park in the area of Bailey Meadows. New residents in this area should not be expected to cross a busy highway to access Bornstedt Park a half mile away. Knollwood, the nearest park to Bailey Meadows, is over one half mile away and offers only a small playground. Hamilton Ridge is a 0.67 mile walk and crosses busy Dubarko Road.

The following page shows a map of the area with the 1997 Park Master Plan proposed park, a one quarter and one half mile zone around the development, and existing parks in the area. The one quarter mile objective is by walking and not as the crow flies. The existing subdivision to the north (Rachel Drive and Melissa Avenue) was approved in 1997, before the 1997 Parks Master Plan was adopted. Construction of the subdivision did not begin until 1998.

Bailey Meadows has suitable ground to provide a park, complete with flatter topography suitable for a multi-use ball field, and play structures. Now picture 100 new homes and hundreds of new Sandy residents in Bailey Meadows, with no neighborhood park within reasonable walking distance. Bailey Meadows has the UGB boundary to the west and the south. The potential complications of developing a neighborhood park in outside the UGB along with the roads and utilities needed at the park are more costly and complicated and would require Clackamas County approval or expansion of the UGB.

MAP OF PARK NEED



4. Park Dedication Policies are Incorporated into the City's Land Use Regulations:

The developer implies that the park land dedication policies are not applicable. Sandy Development Code Section 17.86 states:

"This chapter implements policies of Goal 8 of the Comprehensive Plan and the Parks Master Plan by outlining provisions for parks and open space in the City of Sandy."

Sandy's 1997 Parks Master Plan is incorporated into the City's Comprehensive Plan and has served as the guiding document for the last 22 years. Sandy's development code language and direction contained in Section 17.86 have also served to implement the need for public recreational space as new neighborhoods are built, so it comes as a dubious surprise that the direction in these documents are implied by the developer as "Not Applicable".

5. Parkland dedication is the City's discretion only, and is not "subjective"—

Sandy Development Code Section 17.86.40 says that:

"At the city's discretion only, the city may accept payment of a fee in lieu of land dedication."

The developer states that this requirement is "subjective" under the terms of the "Needed Housing" language. See Section 2 above on why the "Needed Housing" designation should not even apply to this large home and lot subdivision. But more importantly, the 1997 Parks Master Plan and development code language in section 17.86 objectively lays out proposed park needs and required policies to provide "quality of life" and serve "active and passive recreational needs" for future growth in Sandy.

Section 17.86.20 states that:

"The parkland must be able to accommodate play structures, play fields, picnic areas, or other active park use facilities. The average slope of the active use parkland shall not exceed 15%."

Section 17.86.40 states: *"The following factors shall be used in the choice of whether to accept land or cash in lieu:*

- a) *The topography, geology, access to, parcel size, and location of land in the development available for dedication;"*

Response: The Bailey Meadows subdivision contains relatively flat ground, suitable for play structures and play fields.

- b) *Potential adverse/beneficial effects on environmentally sensitive areas;*

Response: The Bailey Meadows subdivision contains no environmentally sensitive areas and is suitable for park land development.

- c) *Compatibility with the Parks Master Plan, Public Facilities element of the Comprehensive Plan"*

Response: The Parks Master Plan identifies a needed park in this area and is incorporated into the Comprehensive Plan in Section 17.86 and in other sections of City code.

- d) *Availability of previously acquired property;*

Response: There is no previously acquired property in this area to meet the need for park land. Similarly the City has not identified any other future parkland acquisition options. Understaffed and overworked City staff have not investigated or identified willing sellers of potential park property in the area of the Bailey Meadows subdivision. The price would need to be affordable and the time and expenses of finding a seller, land appraisal, surveys, purchase, and deed transfers would be additional costs. This has taken

the City years for Bornstedt and Tickle Creek. Park acquisition options outside the boundary adjacent UGB provide more challenges.

e) *The feasibility of dedication.*

Response: Park land dedication for Bailey Meadows is completely feasible and a far easier and cheaper option for the City to acquire park land property to meet the needs of the hundreds of new Bailey Meadows residents than trying to collect funds, find and buy nearby parkland. If a willing seller is not found for the Bailey Meadows neighborhood, these folks will have no neighborhood park. They will likely be legitimately complaining about this missing asset for decades to come. Accepting park land dedication eliminates this risk, additional effort and expenses while providing the new residents a reasonable, desirable and required City amenity.

Park land dedication is the fiscally prudent choice for the City over collecting fees and trying to acquire parkland near Bailey Meadows. Development code section 17.86.30 – *“The developer shall clear, fill, and/or grade all land to the satisfaction of the City, install sidewalks on the park land adjacent to any street, and seed the park land.”* These costs for the needed park should be paid by the developer building the neighborhood and not taken out of Sandy’s limited parkland acquisition and park development funds.

6. Additional road access is needed for this subdivision.

Existing traffic studies and staff recommendations indicate a need for secondary access to Bailey Meadows. As we learned in the Sandy Bluff phases, it is not good policy to allow developers to avoid or postpone developing the road access needed for these large subdivisions, at the expense and impact of existing residents. City code requires developers construct necessary roads and utilities to accommodate their development and this should be no exception. There should be no horse trading or concessions to other code requirements including parks, because of increased road access costs.

Conclusion:

As stated before, the 1997 Parks Master Plan identified a needed park in this area. The Sandy’s Parks and Trails Board recommended that the developer be required to dedicate land to provide a park for the 100 new homes. There are no existing parks that will serve the objective need for the hundreds of new residences added by this subdivision. There is no existing “willing seller” that will provide park land to serve this subdivision. There may never be one, or the cost may be out of reach for the City to pursue. For the last 22 years, developers in Sandy have dedicated park land based on the Parks Master Plan. In fact, a couple of developers built additional parks for their subdivisions because they knew it helped sell homes (as well as providing an excellent amenity to the new residents). Please disregard the spurious arguments in the developer’s response to City Code requirements and require they dedicate park land to meet the needs of the hundreds of new residents we will be welcoming to Sandy.

Please keep the public comment period open so that we can understand and provide comment on the staff’s formal assessment of how this proposed development meets Sandy Development Code requirements. Please require secondary access to the subdivision beyond Melissa Avenue based on traffic studies, staff and fire district recommendations, and existing City code.

Kindest Regards,

Kathleen Walker

Exhibit BBBB



December 16, 2019

Re: City of Sandy Parks Board recommendation and rationale on Bailey Meadows

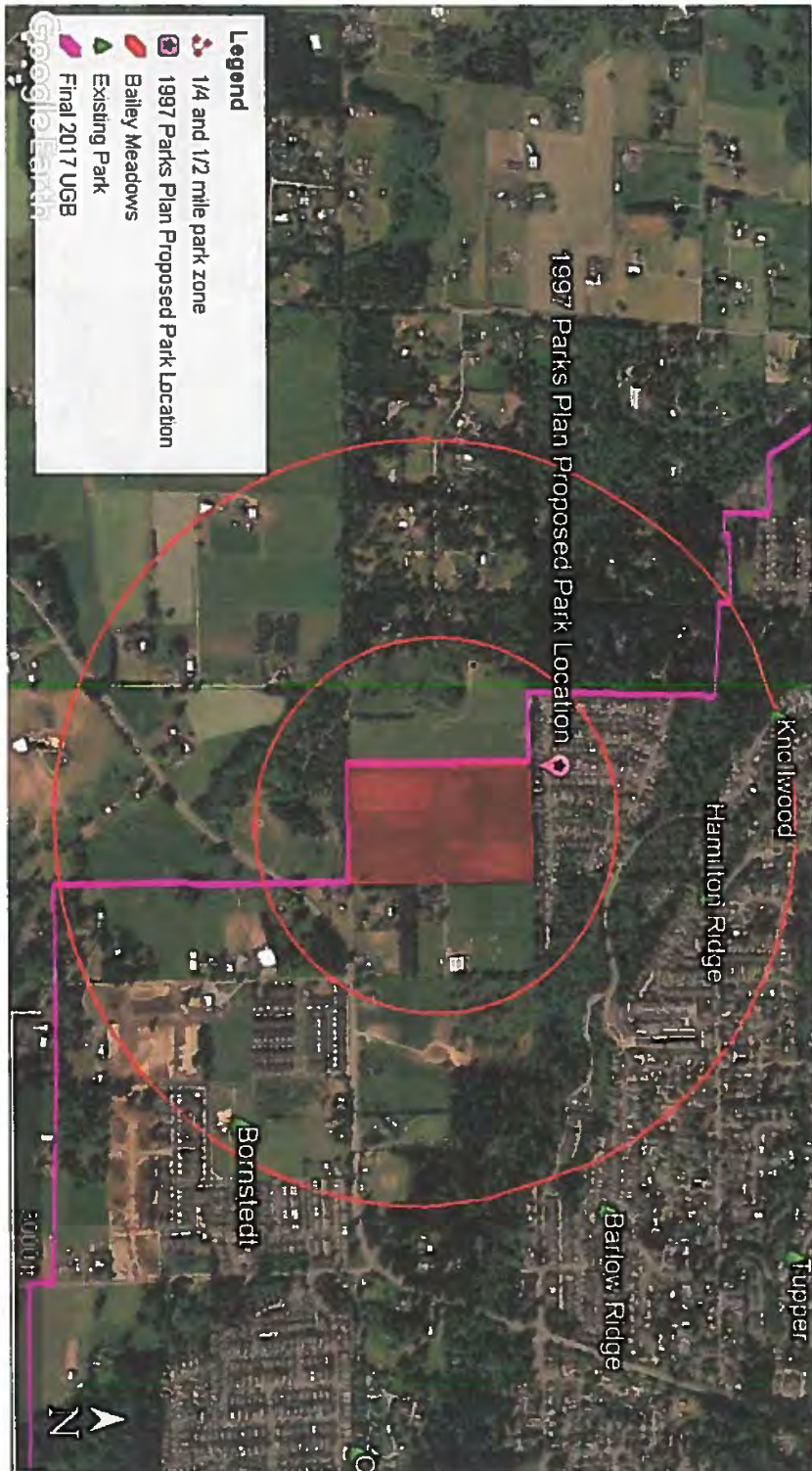
Dear Planning Commission, City staff and City Council:

As the members of the Sandy Parks and Trails Board, we wanted to take the opportunity to further explain our recommendation on park land dedication in Bailey Meadows. Our Parks Board meeting notes in the planning packet summarize the rationale in our recommendation, but we have had the opportunity to review the developer's response to our recommendation on pages 38-40 of your planning packet. We were unable to review the staff recommendation regarding park land dedication as the staff report is not completed yet. **We would recommend keeping the public comment period open until the staff report is completed.**

We recommend the City require park land dedication for this proposed development with the following rationale:

1. Section 17.86.10 of the City's code says "*New residential subdivisions, planned developments, multi-family or manufactured home park developments shall be required to provide parkland to serve existing and future residents of those developments.*"
2. There is a park referenced for the Bailey Meadows area in the 1997 Parks Master Plan incorporated under Section 17.86.00 and 17.86.10. The land is generally flat and therefore suitable for park facilities including a multi-use ball field.
3. The 1997 City of Sandy Parks Master Plan (adopted in its entirety in City Development Code) called for "*80% of all dwellings be located within one quarter mile of a neighborhood park*" (Chapter 3). National Recreation and Park Association (NRPA) identifies the goal of having a park within a ten minute walk and further defines accessibility to avoid crossing major streets and highways, streams or other topographic impediments. There is no other existing park land in the area to meet this development's need. See Figure 1 below. A walk to the closest park for most of the development property is over ½ mile (Knollwood) which does not meet our Master Plan intent of providing a park within ¼ to ½ mile of developments. Access to Bornstedt requires crossing a highway and is about ½ mile away.
4. As mentioned in Section 17.86.40: the choice to require park land dedication or accept an in-lieu of fee, "is the City's only". The City has developed most of its existing park system based on the layout of proposed parks in the 1997 Parks Master Plan. If the 1997 Plan identified a proposed park in the area of the development, the City required park land dedication. If the 1997 Plan did not identify a proposed park in the area, the City chose to accept in-lieu-of fees.

Figure 1 – Map of Park Need for Bailey Meadows



Section 17.86.40 states: “*The following factors shall be used in the choice of whether to accept land or cash in lieu.* Our responses are included.

- a) *The topography, geology, access to, parcel size, and location of land in the development available for dedication;* **Response:** The Bailey Meadows subdivision contains relatively flat ground, suitable for park play structures and play fields.
- b) *Potential adverse/beneficial effects on environmentally sensitive areas;* **Response:** The Bailey Meadows subdivision contains no environmentally sensitive areas and is suitable for park land development.
- c) *Compatibility with the Parks Master Plan, Public Facilities element of the Comprehensive Plan”* **Response:** The Parks Master Plan identifies a needed park in this area and is incorporated into the Comprehensive Plan in Section 17.86 and in other sections of City code. The City’s in-lieu-of fee for park land acquisition is intended to apply where there are already parks that serve a proposed development, or the Parks Master Plan identifies no proposed park in the area of development.
- d) *Availability of previously acquired property;* **Response:** There is no previously acquired property in this area to meet the need for park land. Similarly the City has not identified any other future parkland acquisition options. Understaffed and overworked City staff have not investigated or identified willing sellers of potential park property in the area of the Bailey Meadows subdivision. The price would need to be affordable and the time and expenses of finding a seller, land appraisal, surveys, purchase, and deed transfers would be additional costs. This has taken the City years for Bornstedt and Tickle Creek.
- e) *The feasibility of dedication.* **Response:** Park land dedication for Bailey Meadows is completely feasible and a far easier and cheaper option for the City to acquire park land property to meet the needs of the hundreds of new Bailey Meadows residents than trying to collect funds, find and buy nearby parkland. If a willing seller is not found for the Bailey Meadows neighborhood, these folks will have no neighborhood park. They will likely be legitimately complaining about this missing asset for decades to come. Accepting park land dedication eliminates this risk, additional effort and expenses while providing the new residents a reasonable, desirable and required City amenity.

Yet another consideration in favor of park land dedication over in-lieu-of fees for Bailey Meadows is development code section 17.86.30 – “*The developer shall clear, fill, and/or grade all land to the satisfaction of the City, install sidewalks on the park land adjacent to any street, and seed the park land.*” These costs for the needed park should be paid by the developer building the neighborhood and not taken out of Sandy’s limited parkland acquisition and park development funds.

Bailey Meadows is surrounded on the west and the south by the Urban Growth Boundary (UGB) – see Figure 1 - which may limit the potential for the City to acquire and develop a neighborhood park. For the same reasons that the secondary access road development

outside the City limits is potentially costly and time consuming, developing a neighborhood park to the west or south would require going through Clackamas County.

While the Parks Board is no expert in land use laws, it appears that the intent of the Needed Housing is for “low, very low, and extremely low income housing”. Therefore, it is questionable how 7500 ft² lots with \$400,000 homes proposed would fall under this definition of “Needed Housing” in ORS 195.303. Further, the 1997 Parks Master Plan adopted into Sandy’s Comprehensive Plan and incorporated into the applicable Development Code language in Section 17.86 is clear and objective. In fact, it has served the City for the last 22 years to ensure that developers successfully and profitably build subdivisions, provide for Sandy’s growth, while meeting Section 17.86.10’s requirement that developers “shall be required to provide parkland to serve existing and future residents of those developments”.

We encourage and recommend that the Planning Commission, City staff, and City Council exercise the City’s discretion, and require park land dedication as part of the Bailey Meadows development to provide the desired and required amenities for these new residents.

Sincerely,

Sandy Parks Board Members:

Don Robertson

Susan Drew

Michael Weinberg

Kathleen Walker

Makoto Lane

October 15, 2019

Michael C. Robinson
Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

VIA E-MAIL

Mr. Kelly O'Neill, Jr., Director
Development Services Department
Sandy City Hall
39250 Pioneer Blvd.
Sandy, OR 97055

RE: City of Sandy File No. 19-023 SUB/VAR/TREE

Dear Mr. O'Neill:

This office represents the Applicant.

The Applicant requests that the City cancel the scheduled October 28, 2019 Sandy Planning Commission initial evidentiary hearing on this Application by providing mailed notice to all property owners entitled to such notice. The Applicant also requests that the City reschedule the Sandy Planning Commission initial evidentiary hearing for December 17, 2019 at 7:00 p.m. The Applicant will extend the 120-day period in ORS 227.178(1) by fifty (50) days, the period of the continuance.

Please let me know if you have any questions.

Very truly yours,



Michael C. Robinson

MCR/jmhi

Cc Ms. Emily Meharg (via email)
Mr. Cody Bjugan (via email)
Mr. Monty Hurley (via email)
Mr. Chris Goodell (via email)
Mr. David Doughman (via email)

PDX\133569\245146\MCR\26358881.1

Exhibit DDDD

Technical Memorandum

To: Cody Bjugan, Allied Homes & Development
From: Jessica Hijar
Date: January 6, 2020
Subject: UGB Amendment & Gunderson Road Connection
 Traffic Impact Analysis, Addendum #1



**LANCASTER
ENGINEERING**

321 SW 4th Ave., Suite 400
 Portland, OR 97204
 phone: 503.248.0313
 fax: 503.248.9251
 lancasterengineering.com

This memorandum is written as an addendum to the Bailey Meadows Subdivision Traffic Impact Analysis prepared by Lancaster Engineering dated June 20, 2019. Specifically, analysis is provided regarding the potential new roadway connection to Highway 211. The current planning effort includes a connection of Gunderson Road to Highway 211 as considered in the City of Sandy's Transportation System Plan (TSP).

In addition, this memorandum addresses the Transportation Planning Rule and associated approval criteria relative to the proposed Urban Growth Boundary (UGB) amendment, comprehensive plan and zone map amendments, and annexation applications. All of these are necessary to accommodate a connection of Gunderson Road to Highway 211.

Future Roadway Connection

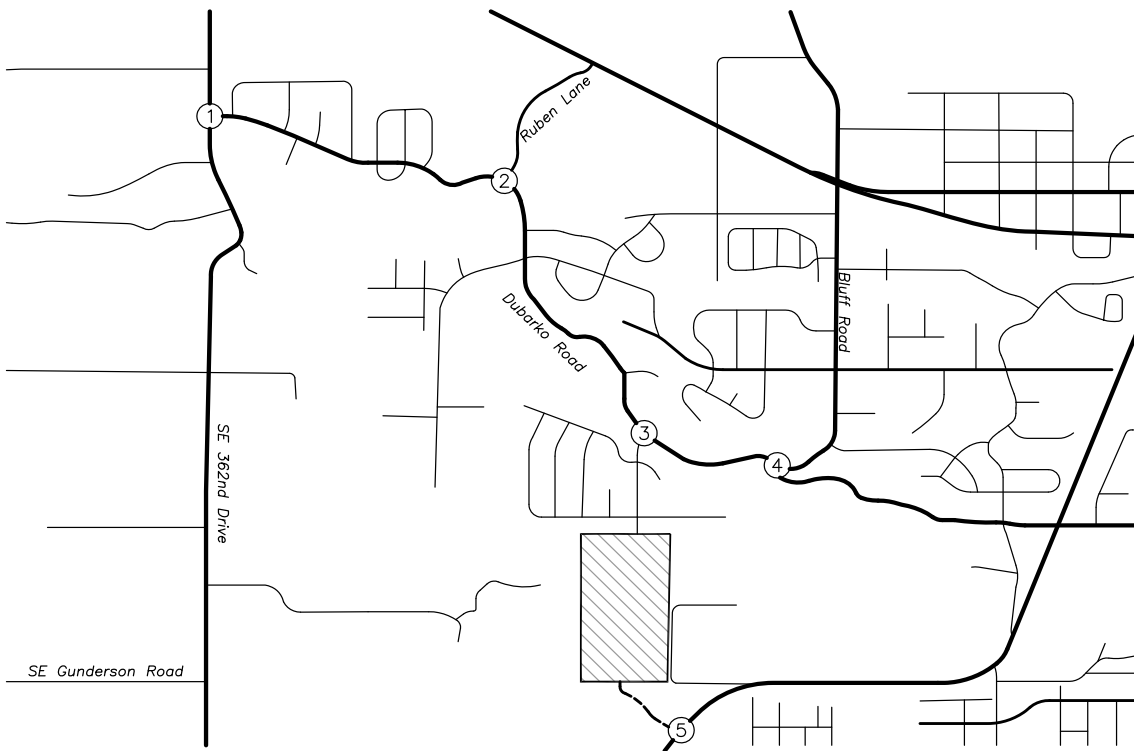
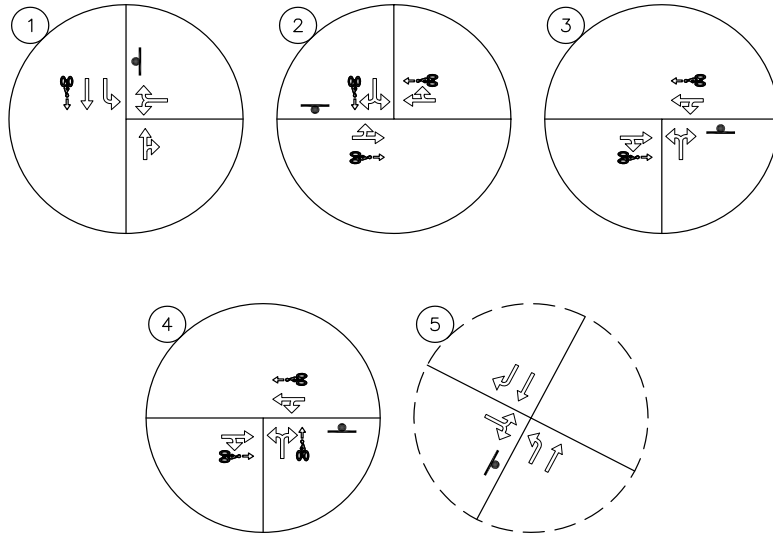
The planned connection of Gunderson Road to Highway 211 will provide an additional route into and out of the Bailey Meadows subdivision as well as the existing neighborhood to the north. This will reduce reliance on Melissa Avenue, which will provide access to the Bailey Meadows subdivision via Dubarko Road. The planned intersection of Gunderson Road at Highway 211 will be a three-legged intersection that is stop-controlled for the SE Gunderson Road approach. Future development on the south side of Highway 211 could extend the street to the east, to eventually connect with Cascadia Village Drive, as shown in the TSP. The existing characteristics of the subject roadways are shown in Table 1. The existing and future intersection configurations are shown in Figure 1 on page two.

Table 1: Vicinity Roadway Characteristics

Street Name	Jurisdiction	Classification	Speed (MPH)	Curbs	Sidewalks	Bicycle Lanes
Highway 211	ODOT	District Highway	45-55 mph posted	No	No	Partial
Gunderson Road (planned)	City of Sandy	Future Minor Arterial	Not Posted	Partial	Partial	Yes

LEGEND

-  STUDY INTERSECTION (EXISTING)
-  STUDY INTERSECTION (PROPOSED)
-  STOP SIGN
-  BIKE LANE
-  PROJECT SITE
-  ARTERIAL ROADWAY
-  COLLECTOR ROADWAY
-  LOCAL ROADWAY
-  FUTURE MINOR ARTERIAL



VICINITY MAP



FIGURE 1

PAGE 2



Trip Distribution

The Gunderson connection to Highway 211 is expected to serve trips to and from the Bailey Meadows subdivision, as well as trips from the existing neighborhood north of Bailey Meadows, which currently uses only Melissa Avenue. Based on travel time studies, it is not expected that traffic from outside the immediate area (such as residents in Bornstedt Village or Cascadia Village) would use the new Gunderson Road connection as a bypass route. Those trips would have to use Gunderson Road, three different streets within Bailey Meadows, Melissa Avenue, and Dubarko Road. This would be a very circuitous route and would not be faster than existing travel routes serving these neighborhoods.

Bailey Meadows Trips

The overall directional distribution of site trips to and from Bailey Meadows was based on the original TIS, but trip routing was modified to reflect the new street connection.

To & From the East

It is expected that the 15 percent of site trips in the TIS previously assigned to Dubarko Road to the east will all use the new Gunderson Road connection. Turning left onto Highway 211 at the new intersection will have significantly lower delay than turning left or crossing Highway 211 at Dubarko Road.

Contribution: 15% via Gunderson

To & From the South

A total of 10 percent of the trips are expected to be to and from the south, and all these trips will use the Gunderson Road connection to Highway 211, since that will be a much more direct route.

Contribution: 10% via Gunderson

To & From the West

Trips to and from the west (30%) were assigned primarily to 362nd Avenue, as this is the quickest route to shopping destinations as well as Highway 26 west of Sandy. Travel time studies show that the route using Dubarko Road to 362nd Avenue is identical in time to the route using Highway 211 to 362nd Avenue. Therefore, the 30% was split evenly via Melissa Avenue to the north and Gunderson Road to the south.

Contribution: 15% via Gunderson

The total percentage of site trips using Gunderson Road is 40 percent, or 378 of the site's 944 trips per day.



Rerouted Existing Trips

Since 40 percent of the Bailey Meadows trips are expected to use the Gunderson Road connection to Highway 211, it is expected that a similar, although slightly lower percentage of the existing neighborhood traffic would also use Gunderson. Since the existing neighborhood is north of the project site, the use of Gunderson could decrease from 40 percent to approximately 30 percent. As shown in the TIS, the existing traffic volume on Melissa Avenue was measured to be 1160 vehicles per day.

In total, 30 percent of the existing 1160 average daily traffic (ADT) on Melissa Avenue would reroute via Gunderson Road, or 348 trips per day.

In summary, the table below shows the total daily traffic volumes to the north (via Melissa Avenue) and to the south (via Gunderson Road) with the future street connection in place.

Table 2: Trip Distribution Summary

	Daily Traffic Volumes	
	Melissa Avenue	Gunderson Road
Existing neighborhood traffic	1160	0
Existing neighborhood traffic w/ Gunderson	812	348
Bailey Meadows site trips with Gunderson	566	378
<i>Total Daily Volume with Gunderson</i>	<i>1378</i>	<i>726</i>

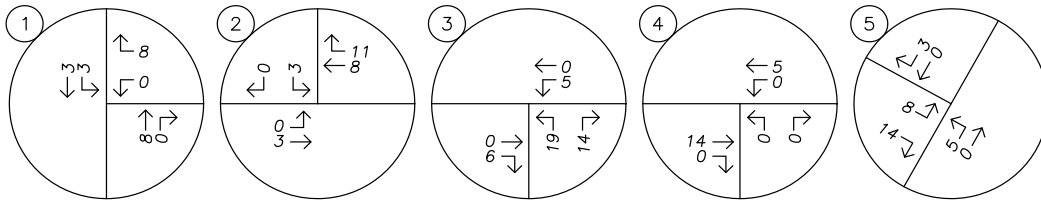
The updated trip distribution and assignment during the morning and evening peak hours are shown in Figure 2 on page five.

LEGEND

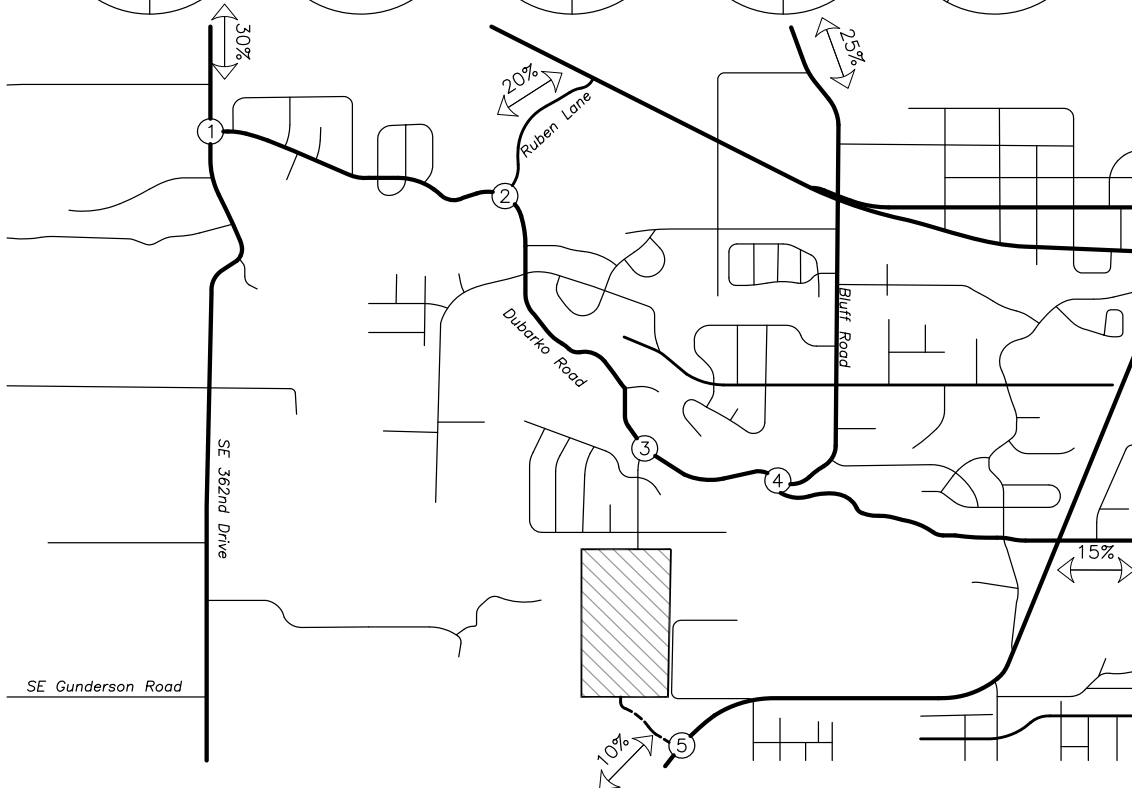
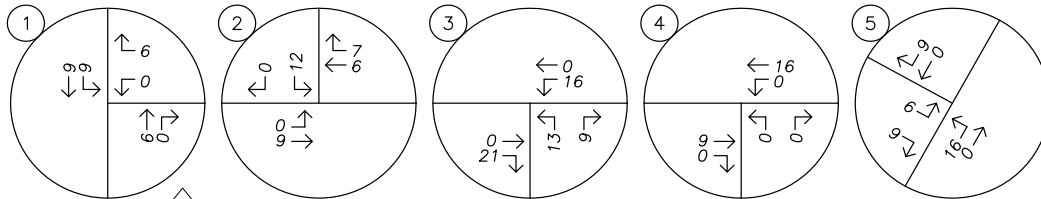
XX% PERCENT OF PROJECT TRIPS

TRIP GENERATION			
	IN	OUT	TOTAL
AM	19	55	74
PM	62	37	99

AM PEAK HOUR



PM PEAK HOUR



SITE TRIP DISTRIBUTION & ASSIGNMENT
 Proposed Development Plan – Site Trips
 AM & PM Peak Hours



FIGURE
2
PAGE
5



Traffic Volumes

Existing Conditions

Twenty-four-hour speed data was collected on Highway 211 near the intersection with Ponder Lane on December 4th, 2018. The morning and evening peak hours of traffic occurred between 7:00 AM and 8:00 AM and between 4:00 PM and 5:00 PM, respectively.

Since Highway 211 is under the jurisdiction of ODOT, highway traffic volumes were seasonally adjusted to reflect the 30th highest hour per methodologies in ODOT's Analysis Procedures Manual (APM). Based on the commuter seasonal trend in ODOT's 2018 Seasonal Trend Table, a seasonal factor of 1.122 was calculated and applied to through volumes on Highway 211.

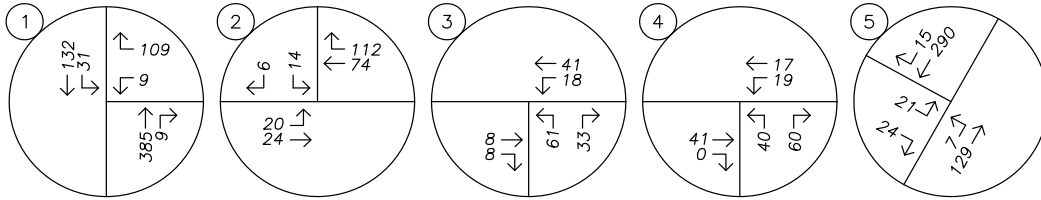
Buildout Conditions

A compounded growth rate of two percent per year was used to estimate growth on all streets under the City of Sandy jurisdiction as described within the TIS. Growth rates for traffic volumes on Highway 211 were derived using ODOT's 2037 Future Volume Tables in accordance with the APM. Using data corresponding to mileposts 3.75 and 5.07, a linear growth rate of 2.8 percent was calculated and applied to through volumes on the highway. Traffic volumes were projected over a period of four years in order to estimate the year 2022 buildout traffic volumes (traffic count data was collected in 2018).

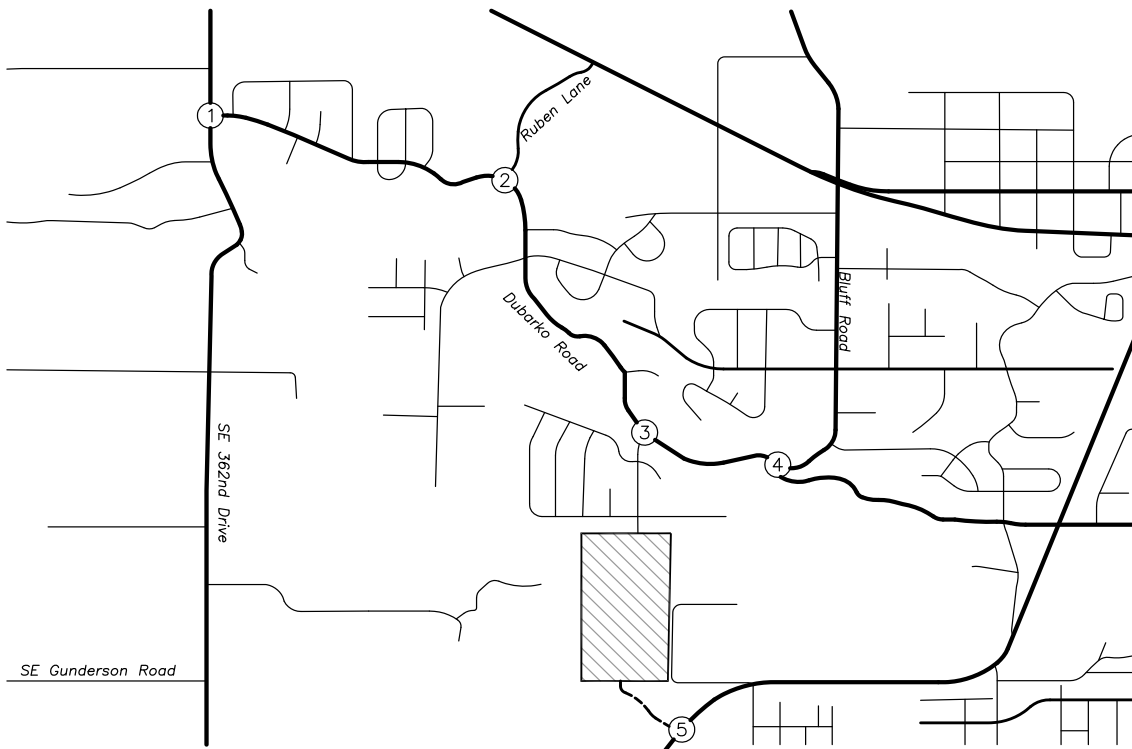
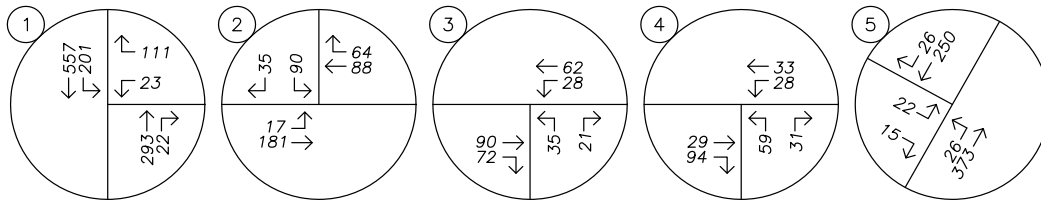
The year 2022 buildout scenario was updated to include a redistribution of existing trips that are likely to use the new Highway 211 roadway connection. Finally, site trips generated by the Bailey Meadows subdivision, discussed previously within the Trip Distribution section, were added to the projected year 2022 volumes in order to obtain the year 2022 buildout traffic volumes.

The year 2022 buildout traffic volumes are shown in Figure 3 on page seven.

AM PEAK HOUR



PM PEAK HOUR



TRAFFIC VOLUMES
 Year 2022 Buildout Traffic Volumes
 AM & PM Peak Hours



FIGURE
3
PAGE
7



January 6, 2020
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Preliminary Traffic Signal Warrants

Preliminary traffic signal warrants were examined for all study intersections based on methodologies in the *Manual on Uniform Traffic Control Devices*¹ (MUTCD) and the Analysis Procedures Manual. Warrant 1, *Eight Hour Vehicular Volumes*, was used from the MUTCD. Warrants were evaluated based on the common assumption that traffic counted during the evening peak hour represents ten percent of the AADT and that the eighth-highest hour is 5.6 percent of the daily traffic. Volumes were used for the evening peak hour under the year 2022 buildout scenario.

For the intersection under ODOT jurisdiction, the APM dictates that minor-street right turns are only used if the volume exceeds 85 percent of the lane capacity, and even then, only the increment of volume in excess of 85 percent can be used. In this case, none of the right turns can be used for the purpose of the signal warrant analysis.

Due to insufficient minor street volumes, traffic signal warrants are not met at the intersection of SE Gunderson Road at Highway 211 under year 2022 buildout scenario.

Left-Turn Lane Warrants

Left-turn lane warrants were examined at the planned intersection of Highway 211 at SE Gunderson Road. A left-turn refuge is primarily a safety consideration for the major-street approach, removing left-turning vehicles from the through traffic stream.

Warrants were examined based on the design curves developed by the Texas Transportation Institute, as adopted by the APM. This methodology evaluates the need for a left-turn lane based on the number of left-turning vehicles, the number of travel lanes, the number of advancing and opposing vehicles, and the roadway travel speed.

A left-turn lane is warranted at the intersection of SE Gunderson Road at Highway 211 under the year 2022 buildout scenario and it is recommended that a left-turn lane be constructed as part of the intersection improvements.

¹ Federal Highway Administration (FTA), American Traffic Safety Services Association (ATSSA), Institute of Transportation Engineers (ITE), American Association of State Highway and Transportation Officials (AASHTO), *Manual of Uniform Traffic Control Devices for Streets and Highways* (MUTCD), 2009 Edition, 2010



Operational Analysis

A capacity analysis was conducted for the study intersection per the unsignalized intersection analysis methodologies in the *Highway Capacity Manual*² (HCM). Intersections are generally evaluated based on the average control delay experienced by vehicles and are assigned a grade according to their operation. The level of service (LOS) of an intersection can range from LOS A, which indicates very little or no delay experienced by vehicles, to LOS F, which indicates a high degree of congestion and delay. The volume-to-capacity (v/c) ratio is a measure that compares the traffic volumes (demand) against the available capacity of an intersection.

The City of Sandy's TSP states that both signalized and unsignalized intersections are required to operate at LOS D or better.

The applicable minimum operational standards for ODOT facilities are established under the Oregon Highway Plan and are based on the classification of the roadway and its v/c ratio. District highways located outside the Urban Growth Boundary and within an unincorporated community has a peak hour v/c ratio target of 0.80.

Table 3: Intersection Capacity Analysis Summary

	Morning Peak Hour			Evening Peak Hour		
	Delay	LOS	V/C	Delay	LOS	V/C
SE 362nd Drive at Dubarko Road						
Year 2022 Buildout Conditions	13	B	0.24	19	C	0.36
Ruben Lane at Dubarko Road						
Year 2022 Buildout Conditions	10	A	0.03	12	B	0.21
Dubarko Road at Melissa Avenue						
Year 2022 Buildout Conditions	9	A	0.13	10	B	0.09
Dubarko Road at Bluff Road						
Year 2022 Buildout Conditions	8	A	0.16	8	A	0.15
Highway 211 at SE Gunderson Road						
Year 2022 Buildout Conditions	11	B	0.08	13	B	0.08

All intersections are projected to operate within the City of Sandy and ODOT's operational standards under all analysis scenarios.

² Transportation Research Board, *Highway Capacity Manual, 6th Edition, 2016*.



Intersection Location

The City of Sandy TSP shows a planning-level depiction of the Gunderson Road extension that was outside of the UGB at the time the TSP was adopted but is within the current UGB. This is shown below in Figure 4.

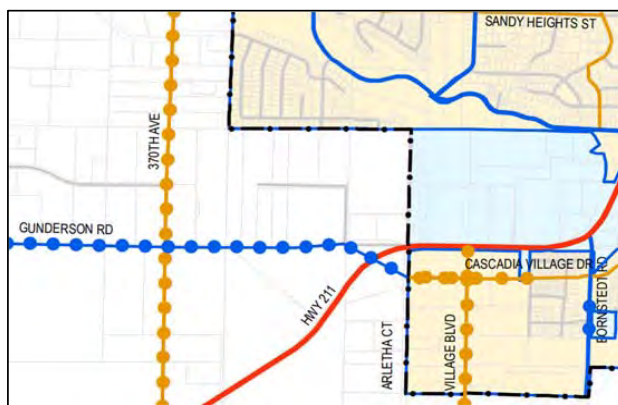


Figure 4: Alignment from Sandy TSP

However, upon closer investigation and engineering analysis, it was determined that the alignment shown on the TSP was not feasible for construction of an intersection with Highway 211, primarily due to poor sight distance, the need for a perpendicular intersection, and a very steep superelevated roadway section.

Looking to the northeast from the TSP-identified location, sight distance is limited by both horizontal and vertical curves on Highway 211. In addition, sight distance from the future fourth leg of the intersection would be particularly poor. At

the TSP-identified location, the highway was designed for moving traffic, not for accommodation of an intersection. Due to the high design speed and the horizontal curve, superelevation (the banking of the roadway around the curve) is very steep. This facilitates through traffic on the highway, but makes an intersection at this location problematic, due to difficult turning and crossing movements across the steep curve.

Need for UGB Expansion

The nearest suitable intersection location was found to be farther to the southwest, at the location currently proposed for a UGB amendment. From this location, it is far enough from the horizontal and vertical curves to the northeast to have adequate sight distance and far enough southwest of the curve to not be in a

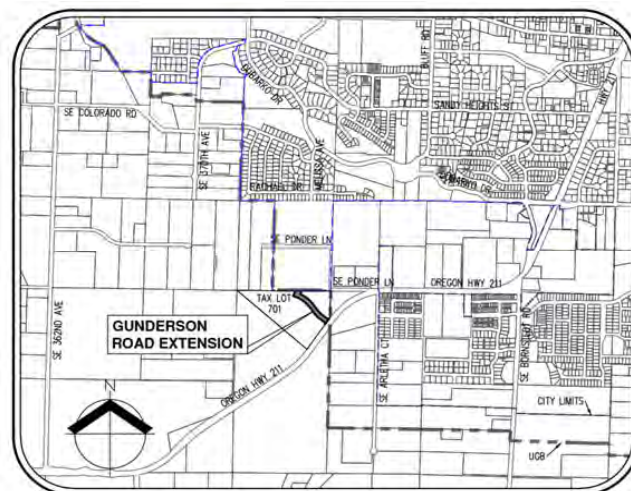


Figure 5: Planned Alignment



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superelevated roadway section. However, this alignment is outside of the current UGB of the City of Sandy, as shown in Figure 5. As such, a UGB amendment is proposed to accommodate the road extension.

With the proposed UGB amendment, there will be a triangle-shaped remnant piece of property that will also be brought into the UGB. This remnant is approximately 2.38 acres in size and is proposed to be dedicated as a public neighborhood park. This will be a small, passive-use neighborhood park that will be used primarily by the residents in the area. Trips to and from the park will be primarily pedestrian and bicycle trips and no separate parking lot is planned.

Oregon Administrative Rules

The proposed UGB amendment, comprehensive plan and zone map amendments, and annexation applications trigger the need to address the Transportation Planning Rule (TPR) and associated criteria from the Oregon Administrative Rules. These are addressed below.

OAR 660-012-0060 Transportation Planning Rule

The primary purpose of the TPR is to account for the potential transportation impacts associated with any amendments to adopted plans and land use regulations. The TPR is quoted in *italics* below, with a response immediately following each section.

1. *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

Response: The proposed UGB amendment, comprehensive plan and zone map amendment, and annexation will not change the functional classification of any transportation facilities. In fact, it will implement planned roadway connections in the TSP.

- (b) Change standards implementing a functional classification system; or*

Response: The standards that implement the functional classification system are contained in the TSP and will not change as part of this proposal.

- (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing*



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requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

- (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
- (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

Response: The proposed UGB amendment and associated plan amendments will facilitate the Gunderson Road connection and will not result in developable property that will increase trip generation. In fact, by facilitating an important street connection it is implementing the City of Sandy TSP, will improve connectivity for the neighborhood, and will improve performance of the surrounding transportation system. The proposal will not result in a significant effect as defined by the TPR and no mitigations are necessary.

OAD 660-024-0065 Establishment of Study Area to Evaluate Land for Inclusion in the UGB

This section of the OAR is specific to UGB expansions and speaks to public facilities (such as transportation facilities) that require specific site characteristics. The OAR is quoted in *italics* below, with a response immediately following each section.

- 3. When the primary purpose for expansion of the UGB is to accommodate a particular industrial use that requires specific site characteristics, or to accommodate a public facility that requires specific site characteristics, and the site characteristics may be found in only a small number of locations, the preliminary study area may be limited to those locations within the distance described in section (1) or (2), whichever is appropriate, that have or could be improved to provide the required site characteristics. For purposes of this section:*

- (a) The definition of "site characteristics" in OAR 660-009-0005(11) applies for purposes of identifying a particular industrial use.*

Response: In OAR 660-009-0005(11), "Site Characteristics" are defined by visibility, proximity to a particular transportation facility, and major transportation routes. In this case, the "site" for the UGB amendment is very narrowly defined and the location between the subdivision and Highway 211 is dictated by engineering standards that must be satisfied for a safe and efficient intersection location.

- (b) A "public facility" may include a facility necessary for public sewer, water, storm water, transportation, parks, schools, or fire protection. Site characteristics may include but are not limited to size, topography and proximity.*



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Response: Since the primary purpose of the proposed UGB amendment is to accommodate the extension of Gunderson Road to Highway 211, it is by definition a “public facility”. Site characteristics such as topography are what have dictated the need for the intersection in the location as proposed. Additionally, the applicant is providing area for a neighborhood park, a minor public facility.

Summary & Conclusions

The proposed UGB amendment, comprehensive plan and zone map amendments, and annexation will implement the City of Sandy TSP and result in improved operation at the study area roadways and intersections. The connection will improve conditions for the existing neighborhood to the north of the Bailey Meadows subdivision by providing another means of vehicular access to the area.



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Appendix

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 1/6/2020
 Scenario: Year 2022 Buildout Conditions - Evening Peak Hour

Major Street: Highway 211 Minor Street: SE Gunderson Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 675 PM Peak Hour Volumes: 22

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	6,750	8,850	
Minor Street*	220	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	6,750	13,300	
Minor Street*	220	1,350	No
<i>Combination Warrant</i>			
Major Street	6,750	10,640	
Minor Street*	220	2,120	No

* Minor street right-turning traffic volumes reduced by 85% of the turn lane capacity.



Project: Bailey Meadows Subdivision
 Intersection: Highway 211 at SE Gunderson Road
 Date: 1/6/2020
 Scenario: 2022 Buildout conditions

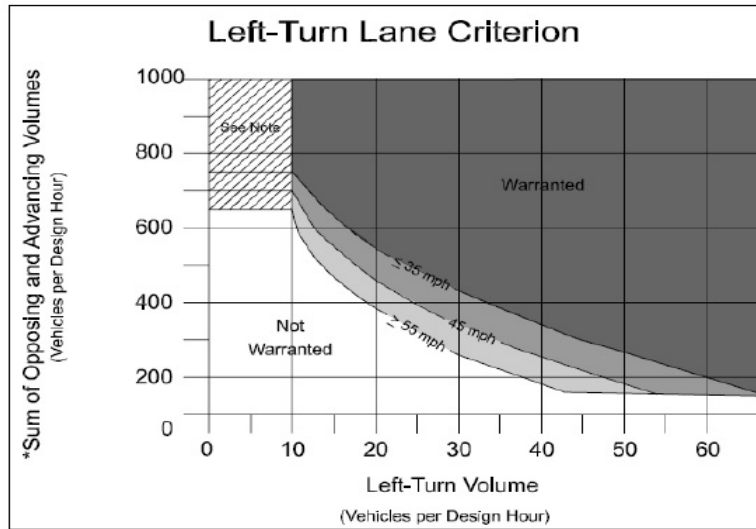
Speed? 45 mph

PM Peak Hour

Left-Turn Volume	26
Approaching DHV	250
# of Advancing Through Lanes	1
Opposing DHV	399
# of Opposing Through Lanes	1

O+A DHV 649

Lane Needed? **Yes**



Source: Oregon DOT Analysis Procedures Manual 2008

***(Advancing Vol/ # of Advancing Through Lanes)+
 (Opposing Vol/ # of Opposing Through Lanes)**

Note: The criterion is not met from zero to ten left turn vehicles per hour, but careful consideration should be given to installing a left turn lane due to the increased potential for accidents in the through lanes. While the turn volumes are low, the adverse safety and operational impacts may require installation of a left turn. The final determination will be based on a field study.

Lanes, Volumes, Timings
 1: SE 362nd Drive & Dubarko Road

12/13/2019



Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	9	109	385	9	31	132
Future Volume (vph)	9	109	385	9	31	132
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	115	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.876		0.997			
Flt Protected	0.996				0.950	
Satd. Flow (prot)	1641	0	1857	0	1703	1792
Flt Permitted	0.996				0.950	
Satd. Flow (perm)	1641	0	1857	0	1703	1792
Link Speed (mph)	25		35		35	
Link Distance (ft)	435		701		662	
Travel Time (s)	11.9		13.7		12.9	
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles (%)	1%	1%	2%	2%	6%	6%
Adj. Flow (vph)	11	128	453	11	36	155
Shared Lane Traffic (%)						
Lane Group Flow (vph)	139	0	464	0	36	155
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(ft)	12		12		12	
Link Offset(ft)	0		0		0	
Crosswalk Width(ft)	16		16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15	9		9	15	
Sign Control	Stop		Free		Free	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	39.7%			ICU Level of Service A		
Analysis Period (min)	15					

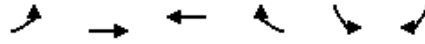
HCM 6th TWSC
1: SE 362nd Drive & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	2.7					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	9	109	385	9	31	132
Future Vol, veh/h	9	109	385	9	31	132
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	11	128	453	11	36	155
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	686	459	0	0	464	
Stage 1	459	-	-	-	-	
Stage 2	227	-	-	-	-	
Critical Hdwy	6.41	6.21	-	-	4.16	
Critical Hdwy Stg 1	5.41	-	-	-	-	
Critical Hdwy Stg 2	5.41	-	-	-	-	
Follow-up Hdwy	3.509	3.309	-	-	2.254	
Pot Cap-1 Maneuver	415	604	-	-	1077	
Stage 1	638	-	-	-	-	
Stage 2	813	-	-	-	-	
Platoon blocked, %			-	-	-	
Mov Cap-1 Maneuver	401	604	-	-	1077	
Mov Cap-2 Maneuver	401	-	-	-	-	
Stage 1	617	-	-	-	-	
Stage 2	813	-	-	-	-	
Approach	WB	NB		SB		
HCM Control Delay, s	13.1	0		1.6		
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	582	1077	-	
HCM Lane V/C Ratio	-	-	0.239	0.034	-	
HCM Control Delay (s)	-	-	13.1	8.5	-	
HCM Lane LOS	-	-	B	A	-	
HCM 95th %tile Q(veh)	-	-	0.9	0.1	-	

Lanes, Volumes, Timings
2: Dubarko Road & Ruben Lane

12/13/2019



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↘	↘
Traffic Volume (vph)	20	24	74	112	14	6
Future Volume (vph)	20	24	74	112	14	6
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr t			0.919		0.959	
Flt Protected		0.978			0.966	
Satd. Flow (prot)	0	1753	1712	0	1558	0
Flt Permitted		0.978			0.966	
Satd. Flow (perm)	0	1753	1712	0	1558	0
Link Speed (mph)		25	25		25	
Link Distance (ft)		560	633		717	
Travel Time (s)		15.3	17.3		19.6	
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles (%)	6%	6%	2%	2%	13%	13%
Adj. Flow (vph)	22	27	83	126	16	7
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	49	209	0	23	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		12	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		16	16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15			9	15	9
Sign Control		Free	Free		Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	27.4%			ICU Level of Service A		
Analysis Period (min)	15					

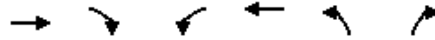
HCM 6th TWSC
2: Dubarko Road & Ruben Lane

12/13/2019

Intersection						
Int Delay, s/veh	1.4					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	20	24	74	112	14	6
Future Vol, veh/h	20	24	74	112	14	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	22	27	83	126	16	7
Major/Minor	Major1	Major2	Minor2			
Conflicting Flow All	209	0	-	0	217	146
Stage 1	-	-	-	-	146	-
Stage 2	-	-	-	-	71	-
Critical Hdwy	4.16	-	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	-	3.617	3.417
Pot Cap-1 Maneuver	1338	-	-	-	747	873
Stage 1	-	-	-	-	855	-
Stage 2	-	-	-	-	925	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	1338	-	-	-	734	873
Mov Cap-2 Maneuver	-	-	-	-	734	-
Stage 1	-	-	-	-	840	-
Stage 2	-	-	-	-	925	-
Approach	EB	WB	SB			
HCM Control Delay, s	3.5	0	9.8			
HCM LOS			A			
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1338	-	-	-	771	
HCM Lane V/C Ratio	0.017	-	-	-	0.029	
HCM Control Delay (s)	7.7	0	-	-	9.8	
HCM Lane LOS	A	A	-	-	A	
HCM 95th %tile Q(veh)	0.1	-	-	-	0.1	

Lanes, Volumes, Timings
 3: Melissa Avenue & Dubarko Road

12/13/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Volume (vph)	8	8	18	41	61	33
Future Volume (vph)	8	8	18	41	61	33
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr't	0.932				0.952	
Flt Protected				0.985	0.969	
Satd. Flow (prot)	1451	0	0	1835	1718	0
Flt Permitted				0.985	0.969	
Satd. Flow (perm)	1451	0	0	1835	1718	0
Link Speed (mph)	25			25	25	
Link Distance (ft)	1479			1123	1279	
Travel Time (s)	40.3			30.6	34.9	
Peak Hour Factor	0.79	0.79	0.79	0.79	0.79	0.79
Heavy Vehicles (%)	22%	22%	2%	2%	2%	2%
Adj. Flow (vph)	10	10	23	52	77	42
Shared Lane Traffic (%)						
Lane Group Flow (vph)	20	0	0	75	119	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	21.9%			ICU Level of Service A		
Analysis Period (min)	15					

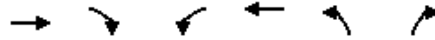
HCM 6th TWSC
3: Melissa Avenue & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	6					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	8	18	41	61	33
Future Vol, veh/h	8	8	18	41	61	33
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	10	23	52	77	42
Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	20	0	113	15
Stage 1	-	-	-	-	15	-
Stage 2	-	-	-	-	98	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1596	-	884	1065
Stage 1	-	-	-	-	1008	-
Stage 2	-	-	-	-	926	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1596	-	871	1065
Mov Cap-2 Maneuver	-	-	-	-	871	-
Stage 1	-	-	-	-	993	-
Stage 2	-	-	-	-	926	-
Approach	EB	WB	NB			
HCM Control Delay, s	0	2.2	9.4			
HCM LOS			A			
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	931	-	-	1596	-	
HCM Lane V/C Ratio	0.128	-	-	0.014	-	
HCM Control Delay (s)	9.4	-	-	7.3	0	
HCM Lane LOS	A	-	-	A	A	
HCM 95th %tile Q(veh)	0.4	-	-	0	-	

Lanes, Volumes, Timings
4: Dubarko Road & Bluff Road

12/13/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	41	0	19	17	40	60
Future Volume (vph)	41	0	19	17	40	60
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr t					0.919	
Flt Protected				0.974	0.980	
Satd. Flow (prot)	1696	0	0	1698	1645	0
Flt Permitted				0.974	0.980	
Satd. Flow (perm)	1696	0	0	1698	1645	0
Link Speed (mph)	25			25	25	
Link Distance (ft)	750			780	615	
Travel Time (s)	20.5			21.3	16.8	
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles (%)	12%	12%	9%	9%	4%	4%
Adj. Flow (vph)	59	0	27	24	57	86
Shared Lane Traffic (%)						
Lane Group Flow (vph)	59	0	0	51	143	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Stop			Stop	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	21.2%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th AWSC
4: Dubarko Road & Bluff Road

12/13/2019

Intersection	
Intersection Delay, s/veh	7.7
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	41	0	19	17	40	60
Future Vol, veh/h	41	0	19	17	40	60
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	59	0	27	24	57	86
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.8	7.8	7.7
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	40%	0%	53%
Vol Thru, %	0%	100%	47%
Vol Right, %	60%	0%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	100	41	36
LT Vol	40	0	19
Through Vol	0	41	17
RT Vol	60	0	0
Lane Flow Rate	143	59	51
Geometry Grp	1	1	1
Degree of Util (X)	0.154	0.072	0.064
Departure Headway (Hd)	3.877	4.396	4.456
Convergence, Y/N	Yes	Yes	Yes
Cap	913	807	796
Service Time	1.95	2.466	2.528
HCM Lane V/C Ratio	0.157	0.073	0.064
HCM Control Delay	7.7	7.8	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.5	0.2	0.2

Lanes, Volumes, Timings
 5: Highway 211 & SE Gunderson Road

12/13/2019



Lane Group	SEL	SER	NEL	NET	SWT	SWR
Lane Configurations						
Traffic Volume (vph)	21	24	7	129	290	15
Future Volume (vph)	21	24	7	129	290	15
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750
Storage Length (ft)	0	0	100			100
Storage Lanes	1	0	1			1
Taper Length (ft)	25		25			
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.928					0.850
Flt Protected	0.977		0.950			
Satd. Flow (prot)	1556	0	1630	1716	1716	1458
Flt Permitted	0.977		0.950			
Satd. Flow (perm)	1556	0	1630	1716	1716	1458
Link Speed (mph)	30			30	30	
Link Distance (ft)	827			1043	1164	
Travel Time (s)	18.8			23.7	26.5	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	23	26	8	140	315	16
Shared Lane Traffic (%)						
Lane Group Flow (vph)	49	0	8	140	315	16
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.11	1.11	1.11	1.11	1.11	1.11
Turning Speed (mph)	15	9	15			9
Sign Control	Stop			Free	Free	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	26.6%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th TWSC
5: Highway 211 & SE Gunderson Road

12/13/2019

Intersection						
Int Delay, s/veh	1.1					
Movement	SEL	SER	NEL	NET	SWT	SWR
Lane Configurations	↔		↔	↑	↑	↔
Traffic Vol, veh/h	21	24	7	129	290	15
Future Vol, veh/h	21	24	7	129	290	15
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	100	-	-	100
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	23	26	8	140	315	16
Major/Minor	Minor2	Major1	Major2			
Conflicting Flow All	471	315	331	0	-	0
Stage 1	315	-	-	-	-	-
Stage 2	156	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	551	725	1228	-	-	-
Stage 1	740	-	-	-	-	-
Stage 2	872	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	547	725	1228	-	-	-
Mov Cap-2 Maneuver	547	-	-	-	-	-
Stage 1	735	-	-	-	-	-
Stage 2	872	-	-	-	-	-
Approach	SE	NE	SW			
HCM Control Delay, s	11.2	0.4	0			
HCM LOS	B					
Minor Lane/Major Mvmt	NEL	NET	SELn1	SWT	SWR	
Capacity (veh/h)	1228	-	629	-	-	
HCM Lane V/C Ratio	0.006	-	0.078	-	-	
HCM Control Delay (s)	8	-	11.2	-	-	
HCM Lane LOS	A	-	B	-	-	
HCM 95th %tile Q(veh)	0	-	0.3	-	-	

Lanes, Volumes, Timings
 1: SE 362nd Drive & Dubarko Road

12/13/2019



Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	23	111	293	22	201	557
Future Volume (vph)	23	111	293	22	201	557
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	115	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.888		0.991			
Flt Protected	0.992				0.950	
Satd. Flow (prot)	1641	0	1846	0	1787	1881
Flt Permitted	0.992				0.950	
Satd. Flow (perm)	1641	0	1846	0	1787	1881
Link Speed (mph)	25		35		35	
Link Distance (ft)	435		701		662	
Travel Time (s)	11.9		13.7		12.9	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	2%	2%	2%	2%	1%	1%
Adj. Flow (vph)	25	121	318	24	218	605
Shared Lane Traffic (%)						
Lane Group Flow (vph)	146	0	342	0	218	605
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(ft)	12		12		12	
Link Offset(ft)	0		0		0	
Crosswalk Width(ft)	16		16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15	9		9	15	
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	46.0%			ICU Level of Service A		
Analysis Period (min)	15					

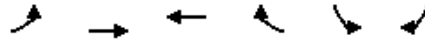
HCM 6th TWSC
1: SE 362nd Drive & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	3.5					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	23	111	293	22	201	557
Future Vol, veh/h	23	111	293	22	201	557
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	25	121	318	24	218	605
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	1371	330	0	0	342	
Stage 1	330	-	-	-	-	
Stage 2	1041	-	-	-	-	
Critical Hdwy	6.42	6.22	-	-	4.11	
Critical Hdwy Stg 1	5.42	-	-	-	-	
Critical Hdwy Stg 2	5.42	-	-	-	-	
Follow-up Hdwy	3.518	3.318	-	-	2.209	
Pot Cap-1 Maneuver	161	712	-	-	1223	
Stage 1	728	-	-	-	-	
Stage 2	340	-	-	-	-	
Platoon blocked, %			-	-	-	
Mov Cap-1 Maneuver	132	712	-	-	1223	
Mov Cap-2 Maneuver	132	-	-	-	-	
Stage 1	598	-	-	-	-	
Stage 2	340	-	-	-	-	
Approach	WB	NB		SB		
HCM Control Delay, s	18.7	0		2.3		
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	406	1223	-	
HCM Lane V/C Ratio	-	-	0.359	0.179	-	
HCM Control Delay (s)	-	-	18.7	8.6	-	
HCM Lane LOS	-	-	C	A	-	
HCM 95th %tile Q(veh)	-	-	1.6	0.6	-	

Lanes, Volumes, Timings
2: Dubarko Road & Ruben Lane

12/13/2019



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↘	
Traffic Volume (vph)	17	181	88	64	90	35
Future Volume (vph)	17	181	88	64	90	35
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr t			0.943		0.962	
Flt Protected		0.996			0.965	
Satd. Flow (prot)	0	1874	1792	0	1746	0
Flt Permitted		0.996			0.965	
Satd. Flow (perm)	0	1874	1792	0	1746	0
Link Speed (mph)		25	25		25	
Link Distance (ft)		560	633		717	
Travel Time (s)		15.3	17.3		19.6	
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles (%)	1%	1%	0%	0%	1%	1%
Adj. Flow (vph)	19	203	99	72	101	39
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	222	171	0	140	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		12	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		16	16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15			9	15	9
Sign Control		Free	Free		Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	36.1%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th TWSC
2: Dubarko Road & Ruben Lane

12/13/2019

Intersection						
Int Delay, s/veh	3.4					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	17	181	88	64	90	35
Future Vol, veh/h	17	181	88	64	90	35
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	19	203	99	72	101	39
Major/Minor	Major1	Major2	Minor2			
Conflicting Flow All	171	0	-	0	376	135
Stage 1	-	-	-	-	135	-
Stage 2	-	-	-	-	241	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1412	-	-	-	627	917
Stage 1	-	-	-	-	894	-
Stage 2	-	-	-	-	801	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	1412	-	-	-	618	917
Mov Cap-2 Maneuver	-	-	-	-	618	-
Stage 1	-	-	-	-	881	-
Stage 2	-	-	-	-	801	-
Approach	EB	WB	SB			
HCM Control Delay, s	0.7	0	11.7			
HCM LOS			B			
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1412	-	-	-	680	
HCM Lane V/C Ratio	0.014	-	-	-	0.207	
HCM Control Delay (s)	7.6	0	-	-	11.7	
HCM Lane LOS	A	A	-	-	B	
HCM 95th %tile Q(veh)	0	-	-	-	0.8	

Lanes, Volumes, Timings
 3: Melissa Avenue & Dubarko Road

12/13/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Volume (vph)	90	72	28	62	35	21
Future Volume (vph)	90	72	28	62	35	21
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr't	0.940				0.949	
Flt Protected				0.985	0.970	
Satd. Flow (prot)	1768	0	0	1872	1749	0
Flt Permitted				0.985	0.970	
Satd. Flow (perm)	1768	0	0	1872	1749	0
Link Speed (mph)	25			25	25	
Link Distance (ft)	1479			1123	1279	
Travel Time (s)	40.3			30.6	34.9	
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles (%)	1%	1%	0%	0%	0%	0%
Adj. Flow (vph)	106	85	33	73	41	25
Shared Lane Traffic (%)						
Lane Group Flow (vph)	191	0	0	106	66	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	27.3%			ICU Level of Service A		
Analysis Period (min)	15					

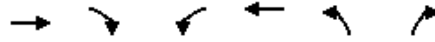
HCM 6th TWSC
3: Melissa Avenue & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	2.6					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	90	72	28	62	35	21
Future Vol, veh/h	90	72	28	62	35	21
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	106	85	33	73	41	25
Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	191	0	288	149
Stage 1	-	-	-	-	149	-
Stage 2	-	-	-	-	139	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1395	-	707	903
Stage 1	-	-	-	-	884	-
Stage 2	-	-	-	-	893	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1395	-	689	903
Mov Cap-2 Maneuver	-	-	-	-	689	-
Stage 1	-	-	-	-	862	-
Stage 2	-	-	-	-	893	-
Approach	EB	WB	NB			
HCM Control Delay, s	0	2.4	10.2			
HCM LOS			B			
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	756	-	-	1395	-	
HCM Lane V/C Ratio	0.087	-	-	0.024	-	
HCM Control Delay (s)	10.2	-	-	7.6	0	
HCM Lane LOS	B	-	-	A	A	
HCM 95th %tile Q(veh)	0.3	-	-	0.1	-	

Lanes, Volumes, Timings
4: Dubarko Road & Bluff Road

12/13/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	29	94	28	33	59	31
Future Volume (vph)	29	94	28	33	59	31
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr't	0.897				0.954	
Flt Protected				0.978	0.968	
Satd. Flow (prot)	1704	0	0	1858	1737	0
Flt Permitted				0.978	0.968	
Satd. Flow (perm)	1704	0	0	1858	1737	0
Link Speed (mph)	25			25	25	
Link Distance (ft)	750			780	615	
Travel Time (s)	20.5			21.3	16.8	
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles (%)	0%	0%	0%	0%	1%	1%
Adj. Flow (vph)	34	111	33	39	69	36
Shared Lane Traffic (%)						
Lane Group Flow (vph)	145	0	0	72	105	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Stop			Stop	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	25.8%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th AWSC
4: Dubarko Road & Bluff Road

12/13/2019

Intersection	
Intersection Delay, s/veh	7.7
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↷	
Traffic Vol, veh/h	29	94	28	33	59	31
Future Vol, veh/h	29	94	28	33	59	31
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	34	111	33	39	69	36
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.4	7.8	7.9
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	66%	0%	46%
Vol Thru, %	0%	24%	54%
Vol Right, %	34%	76%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	90	123	61
LT Vol	59	0	28
Through Vol	0	29	33
RT Vol	31	94	0
Lane Flow Rate	106	145	72
Geometry Grp	1	1	1
Degree of Util (X)	0.124	0.148	0.086
Departure Headway (Hd)	4.213	3.682	4.29
Convergence, Y/N	Yes	Yes	Yes
Cap	841	959	825
Service Time	2.29	1.761	2.368
HCM Lane V/C Ratio	0.126	0.151	0.087
HCM Control Delay	7.9	7.4	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.4	0.5	0.3

Lanes, Volumes, Timings
5: Highway 211 & SE Gunderson Road

12/13/2019



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	22	15	26	373	250	26
Future Volume (vph)	22	15	26	373	250	26
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750
Storage Length (ft)	0	0	100			100
Storage Lanes	1	0	1			1
Taper Length (ft)	25		25			
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.946					0.850
Flt Protected	0.971		0.950			
Satd. Flow (prot)	1576	0	1630	1716	1716	1458
Flt Permitted	0.971		0.950			
Satd. Flow (perm)	1576	0	1630	1716	1716	1458
Link Speed (mph)	30			45	45	
Link Distance (ft)	1495			875	917	
Travel Time (s)	34.0			13.3	13.9	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	24	16	28	405	272	28
Shared Lane Traffic (%)						
Lane Group Flow (vph)	40	0	28	405	272	28
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.11	1.11	1.11	1.11	1.11	1.11
Turning Speed (mph)	15	9	15			9
Sign Control	Stop			Free	Free	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	31.3%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th TWSC
5: Highway 211 & SE Gunderson Road

12/13/2019

Intersection						
Int Delay, s/veh	1					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	↔		↔	↑	↑	↔
Traffic Vol, veh/h	22	15	26	373	250	26
Future Vol, veh/h	22	15	26	373	250	26
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	100	-	-	100
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	24	16	28	405	272	28
Major/Minor	Minor2	Major1	Major2			
Conflicting Flow All	733	272	300	0	-	0
Stage 1	272	-	-	-	-	-
Stage 2	461	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	388	767	1261	-	-	-
Stage 1	774	-	-	-	-	-
Stage 2	635	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	379	767	1261	-	-	-
Mov Cap-2 Maneuver	379	-	-	-	-	-
Stage 1	757	-	-	-	-	-
Stage 2	635	-	-	-	-	-
Approach	EB	NB	SB			
HCM Control Delay, s	13.2	0.5	0			
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1261	-	477	-	-	
HCM Lane V/C Ratio	0.022	-	0.084	-	-	
HCM Control Delay (s)	7.9	-	13.2	-	-	
HCM Lane LOS	A	-	B	-	-	
HCM 95th %tile Q(veh)	0.1	-	0.3	-	-	

Exhibit EEEE

City of Sandy Urban Growth Boundary Amendment

Date: January 2020

Submitted to: City of Sandy
Planning Department
39250 Pioneer Boulevard
Sandy, OR 97055

Applicant: Allied Homes & Development
12042 SE Sunnyside Road, Suite 706
Clackamas, OR 97015

AKS Job Number: 7107



AKS
ENGINEERING & FORESTRY
12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

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Exhibits

- Exhibit A:** City of Sandy Land Use Application Form
 - Exhibit B:** Clackamas County Land Use Application Form
 - Exhibit C:** Property Ownership Information
 - Exhibit D:** Clackamas County Assessor’s Map
 - Exhibit E:** City of Sandy Noticing Materials
 - Exhibit F:** Lancaster Mobley Engineering Traffic Documentation
 - Exhibit G:** Supplemental Materials
-

Land Use Application for an Urban Growth Boundary Amendment

Submitted to: City of Sandy
Planning Department
39250 Pioneer Boulevard
Sandy, OR 97055

Applicant: Allied Homes & Development
12042 SE Sunnyside Road, Suite 706
Clackamas, OR 97015

Property Owners: Lawrence Pullen
36940 Deming Road
Sandy, OR 97055

Richard Pullen
36969 Deming Road
Sandy, OR 97055

Sherrene TenEyck
37020 SE Deming Road
Sandy, OR 97055

Applicant's Consultant: AKS Engineering & Forestry, LLC
12965 SW Herman Road, Suite 100
Tualatin, OR 97062

Contact: Chris Goodell, AICP, LEED^{AP}
Email: chrisg@aks-eng.com
Phone: (503) 563-6151

Applicant's Legal Counsel: Schwabe, Williamson & Wyatt
Pacwest Center 1211 SW 5th Avenue, Suite 190
Portland, OR 97204

Contact: Michael Robinson
Email: mrobinson@schwabe.com
Phone: (503) 796-3756

Site Location: North of Highway 211 and south of Ponder Lane



**Clackamas County
Assessor's Map:**

2 4E 23, Tax Lot 701

Site Size:

±14.24 acres

Land Use District:

Exclusive Farm Use (EFU)



I. Executive Summary

The City of Sandy is currently processing a land use application for the Bailey Meadows subdivision (local file No. 19-023 SUB/VAR/TREE). Bailey Meadows is located in the southwestern portion of the City, near Oregon Route 211 (OR 211) and SE Ponder Lane. A condition of approval is anticipated to be included in the City's Notice of Decision that would cause submittal of an application for an amendment to the City's UGB. This application, if approved, would permit the construction of Gunderson Road (a Minor Arterial roadway per City of Sandy's Transportation System Plan) and provide an additional means of access to Bailey Meadows. The purpose of this application is to fulfill this forthcoming condition of approval. Additionally, the Applicant is willing to dedicate a portion of the subject site for parkland.

The alignment for the Gunderson Road extension, as discussed above, falls within property (Clackamas County Assessor's Map 2 4E 23 Tax Lot 701) that is located outside of Sandy's City limits and UGB. This property is currently designated Exclusive Farm Use (EFU) by Clackamas County, but is within the City of Sandy's Urban Reserve Area (URA). The portion of the property that is planned to be included within the amended UGB is limited to areas necessary to construct the Gunderson Road extension, including land for the roadway, associated storm drainage improvements, accompanying utilities, grading, etc. and additional area for parkland dedication.

Based upon the Urban Growth Management Agreement between the City of Sandy and Clackamas County, this UGB amendment application is subject to a coordinated City-County effort. Although it is understood that the City will hold hearings for the application prior to the County doing so, the application is being submitted to both jurisdictions for review at the same time.

II. Site Description/Setting

The property (Tax Lot 701) included in this application has a total area of ±14.30 acres, though only the acreage required for the road right-of-way and associated improvements and parkland dedication are planned to be incorporated within the Sandy UGB. Tax Lot 701 is located outside of, but adjacent to the UGB, immediately south of the active Bailey Meadows Subdivision application (City of Sandy Local Case File No. 19-023 SUB/VAR/TREE), northwest of OR 211, and west of the intersection of SE Ponder Lane and OR 211.

The property is fairly flat with wooded areas on the northwest half and pasture on the eastern half. The property does not contain structures and access is served from OR 211 on the south side of the site.

III. Applicable Review Criteria

The Oregon Statewide Planning Goals, Oregon Administrative Rules, and Oregon Revised Statutes are relevant to the UGB Amendment application. Therefore, the responses are applicable for review by both the City of Sandy and Clackamas County.

The Sandy Comprehensive Plan Goals and Policies and the Clackamas County Comprehensive Plan Goals and Policies are applicable to the City and County jurisdictions respectively. If any of the findings for these items are needed for responses to other jurisdictions (e.g., City, County, ODOT, DLCD, or LCDC), they will be referenced specifically. This limitation applies to this complete application narrative.



OREGON STATEWIDE PLANNING GOALS AND GUIDELINES (The Goals)

The following Oregon Statewide Planning Goals are applicable to this action:

- Goal 1 – Citizen Involvement
- Goal 2 – Land Use Planning
- Goal 6 – Air, Land, and Water Resources Quality
- Goal 8 – Recreational Needs
- Goal 11 – Public Facilities and Services
- Goal 12 – Transportation
- Goal 14 – Urbanization

Goals 3 (Agricultural Lands) and 4 (Forest Lands) are not applicable to UGB amendments pursuant to Oregon Administrative Rule (OAR) 660-024-0020(1)(b) and have been omitted for brevity.

Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) is not applicable, pursuant to OAR 660-023-0250(3)(a)-(c), because there are no identified Goal 5 resources on the property, and has been omitted for brevity.

Goal 7 (Areas Subject to Natural Hazards) is not applicable and has been omitted because the subject site does not contain mapped areas of steep slopes 25 percent or greater or other known hazard areas.

Goals 9 (Economic Development) and 10 (Housing) are not applicable because the proposed comprehensive plan amendments allow for a public transportation facility and are not associated with employment lands or residential development.

Goal 13 (Energy Conservation) is not applicable because the amendment does not affect the City or County goals or policies governing energy conservation.

Goals 15 (Willamette River Greenway), 16 (Estuarine Resources), 17 (Coastal Shorelands), 18 (Beaches and Dunes), and 19 (Ocean Resources) are not applicable because the subject site does not contain lands described in those goals. Thus, the approval criteria have been omitted for brevity.

Goal 1 (Citizen Involvement)

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Response: Goal 1 calls for the opportunity for citizens to be involved in all phases of the planning process. The City of Sandy has an established citizen involvement program. The application will be processed according to Chapter 17.12 of the LDC, which involves public notification, public hearings, and decision appeal procedures, as established in City of Sandy LDC Section 17.12.30 and 17.12.40.

Clackamas County maintains a Committee for Citizen Involvement with membership that includes representatives of Community Planning Organizations. The application will be processed in accordance with Section 1307 of the Clackamas County Zoning and



Development Ordinance (ZDO) which involves public notification, public hearings, and decision appeal procedures. Therefore, the application is consistent with Goal 1.

Goal 2 (Land Use Planning)

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Response: This application will be processed by the City through a Quasi-Judicial Type IV procedure in accordance with LDC Chapter 17.12. The City and County have acknowledged comprehensive plans and land use development (zoning) codes that implement the irrespective comprehensive plans. The City will review and process this application consistent with the procedures detailed in the LDC. The County will review and process this application consistent with the process detailed in Section 1307 of the Clackamas County ZDO.

This application provides an adequate factual basis for the City and County to approve the application because it describes the current and planned future site characteristics and applies the relevant approval criteria to those characteristics. Therefore, following this process will ensure consistency with Statewide Planning Goal 2.

Goal 6 (Air, Water and Land Resources Quality)

To maintain and improve the quality of the air, water and land resources of the state.

Response: Goal 6 is implemented by Comprehensive Plan policies to protect air, land, and water resource quality. Generally, these policies rely on coordination with the Department of Environmental Quality (DEQ) for their implementation. Specific standards related to the project include requirements for addressing stormwater runoff, grading, and erosion control standards related to a minor public facility (i.e. Gunderson Road) and requirements related to site planning for parkland dedication will be addressed in the future. The property planned to be brought into the UGB is within the City's existing Urban Reserve Area and will retain its' existing zoning until annexed into the City in the future. Thus, the application is consistent with Goal 6.

Goal 8 (Recreational Needs)

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Response: Goal 8 is implemented by Comprehensive Plan policies pertaining to parks, open space, and recreation facilities. The City's Comprehensive Plan with respect to Goal 8, its parks master plan, and its development regulations governing recreational needs (e.g., park dedication/fee in-lieu-of requirements, open space provisions, etc.) are supported by this application. The subject property is providing land to be brought within the UGB to dedicate as parkland and satisfy the recreational needs of citizens in the area. Although Bailey Meadows Subdivision provides for and meets SDC criteria for on-site needs, in this case the City and Applicant agree to an off-site improvement. The site-specific location for the off-site extension of Gunderson Road and parkland improvements are outside the UGB, as described in this written document, and require a UGB amendment to allow an



urban facility to be built on land currently within the County’s jurisdiction. The planned parkland dedication provided by this application will benefit the City and its residents. Therefore, Goal 8 is satisfied.

Goal 11 (Public Facilities and Services)

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response: The subject property is currently located outside the UGB and the City limits. Since the purpose of the amendment is to permit construction of a road, public facilities, water, and/or sanitary sewer service are not required. The property is planned for the extension of a public road and will include necessary stormwater infrastructure. Additionally, the Applicant is willing to dedicate area for a park facility to satisfy needs of the residents in the general vicinity. This application will not impact urban services or utilities and will serve the transportation system in the area consistent with the Sandy TSP. Therefore, this application is consistent with Goal 11.

Goal 12 (Transportation)

To provide and encourage a safe, convenient and economic transportation system.

Response: A portion of the subject property is planned to be used as a public transportation facility, connecting to the transportation system north of the site. The UGB Amendment & Gunderson Road Connection Traffic Impact Analysis (TIA) prepared by Lancaster Engineering is included in Exhibit F that documents compliance with Goal 12 and applicable State, County, and City transportation-related requirements. Please refer to the TIA for further information. The intended street and connectivity improvements encourage a safe, convenient, and economic transportation system. Therefore, this application is consistent with Goal 12.

Goal 14 (Urbanization)

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Response: Tax Lot 701 is located within the URA and is currently designated with Clackamas County EFU zoning designation. An application for annexation to the City of Sandy will be processed separately and include a comprehensive plan amendment to apply City zoning to allow creation of the public transportation and parkland facilities. The subject application accommodates urban population within the UGB by providing an efficient transportation network per the Sandy TSP and does not involve new commercial, industrial, or agricultural uses. Additionally, the Applicant is providing area for parkland to dedicate to the City and enhance the lives of the residents in the vicinity. The Applicant plans to obtain City Low-Density Residential (LDR) Comprehensive Plan and Single-Family Residential (SFR) Zoning designations for the property to permit both the minor public facility uses. Interim use and development, prior to annexation, is not associated with this application. Therefore, the application is consistent with Goal 14.



FINDINGS FOR TRANSPORTATION PLANNING RULE COMPLIANCE

Response: OAR 660, Division 12, is the Oregon Transportation Planning Rule (the TPR) adopted by the Land Conservation and Development Commission (LCDC). The TPR implements Goal 12, Transportation, and is an independent approval standard in addition to Goal 12 for map amendments. OAR 660-012-0060(1) and (2) apply to amendments to acknowledged maps, as is the case with this application.

The TPR requires a two-step analysis. First, under OAR 660-012-0060(1), the Applicant must determine if the application has a “significant affect,” as that term is defined in OAR 660-012-0060(1). The City may rely on transportation improvements found in transportation system plans, as allowed by OAR 660-012-0060(3)(a), (b), and (c), to show that failing intersections will not be made worse or intersections not now failing will not fail. If there is a “significant affect,” then the Applicant must demonstrate appropriate mitigation under OAR 660-012-0060(2), et seq.

OREGON ADMINISTRATIVE RULES

Chapter 660 Division 12 TRANSPORTATION PLANNING

660-012-0060 Plan and Land Use Regulation Amendments

- (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:
- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.
 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or
 - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Response: The analysis provided by Lancaster Engineering found that this amendment would not “significantly affect” an existing or planned transportation facility. In fact, the purpose of



the application is to implement the City's adopted TSP, by providing for the completion of Gunderson Road, a planned City Minor Arterial roadway. Please refer to the TIA (Exhibit A) for further information. Therefore, the criteria are met.

- (2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.
- (a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 - (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.
 - (c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
 - (d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.
 - (e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if:
 - (A) The provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards;
 - (B) The providers of facilities being improved at other locations provide written statements of approval; and
 - (C) The local jurisdictions where facilities are being improved provide written statements of approval.

Response: Since a "significant affect" is not found, this section does not apply. Please refer to the TIA (Exhibit A) for further information. Therefore, the criteria are met.

- (3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:
- (a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be



adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

- (b) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;
- (c) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and
- (d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.

Response: Since a “significant affect” is not found, this section does not apply. Please refer to the TIA (Exhibit A) for further information. Therefore, the criteria are met.

- (4) Determinations under sections (1)–(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.
 - (a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.
 - (b) Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:
 - (A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.
 - (B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.
 - (C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.



-
- (D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.
 - (E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

Response: The subject site is located outside of interstate interchange areas. Therefore, these criteria apply. That said, the amendment is sought to implement a portion of the City's adopted TSP (e.g. Gunderson Road). The amendment has no other purpose and does not include re-designation/amendments that serve another purpose than those already considered as part of the City's TSP.

- (c) Within interstate interchange areas, the improvements included in (b)(A)–(C) are considered planned facilities, improvements and services, except where:
 - (A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or
 - (B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

Response: The subject site is located outside of interstate interchange areas. Therefore, the above criteria are not applicable.

- (c) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)–(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

Response: This section of the TPR requires coordination with affected transportations service providers. The Oregon Department of Transportation (ODOT) provides the road that serves the subject property. The subject property (Tax Lot 701) is within unincorporated Clackamas County and served by OR 211. Additionally, OR 211 is functionally classified as a Major Arterial in both the City and County TSPs but is under the jurisdiction of the State of Oregon. The Applicant met with City, County, and ODOT staff prior to submitting this application to discuss the effects of the application on their respective roads. The City will ensure coordination of the application with Clackamas County, as required by ORS



197.015, by providing the County with timely notice of this application, allowing the County to comment on the application, and including the County's comments in the decision, as is reasonable. The City will also coordinate with ODOT and TriMet as applicable. Therefore, the criteria of OAR 660-012-0060 (4) are met.

- (5) The presence of a transportation facility or improvement shall not be a basis for an exception to allow residential, commercial, institutional or industrial development on rural lands under this division or OAR 660-004-0022 and 660-004-0028.

Response:

The application is to include land within the UGB to allow the siting of a public transportation facility and dedication of parkland. This project does not involve an exception to allow residential, commercial, institutional, or industrial development on rural lands. The criterion is not applicable.

- (6) In determining whether proposed land uses would affect or be consistent with planned transportation facilities as provided in sections (1) and (2), local governments shall give full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-friendly centers, and neighborhoods as provided in subsections (a)-(d) below;
- (a) Absent adopted local standards or detailed information about the vehicle trip reduction benefits of mixed-use, pedestrian-friendly development, local governments shall assume that uses located within a mixed-use, pedestrian-friendly center, or neighborhood, will generate 10% fewer daily and peak hour trips than are specified in available published estimates, such as those provided by the Institute of Transportation Engineers (ITE) Trip Generation Manual that do not specifically account for the effects of mixed-use, pedestrian-friendly development. The 10% reduction allowed for by this section shall be available only if uses which rely solely on auto trips, such as gas stations, car washes, storage facilities, and motels are prohibited;
- (b) Local governments shall use detailed or local information about the trip reduction benefits of mixed-use, pedestrian-friendly development where such information is available and presented to the local government. Local governments may, based on such information, allow reductions greater than the 10% reduction required in subsection (a) above;
- (c) Where a local government assumes or estimates lower vehicle trip generation as provided in subsection (a) or (b) above, it shall assure through conditions of approval, site plans, or approval standards that subsequent development approvals support the development of a mixed-use, pedestrian-friendly center or neighborhood and provide for on-site bike and pedestrian connectivity and access to transit as provided for in OAR 660-012-0045(3) and (4). The provision of on-site bike and pedestrian connectivity and access to transit may be accomplished through application of acknowledged ordinance provisions which comply with 660-012-0045(3) and (4) or through conditions of approval or findings adopted with the plan amendment that assure compliance with these rule requirements at the time of development approval; and
- (d) The purpose of this section is to provide an incentive for the designation and implementation of pedestrian-friendly, mixed-use centers and neighborhoods by lowering the regulatory barriers to plan amendments which accomplish this type of development. The actual trip reduction benefits of mixed-use, pedestrian-friendly development will vary from case to case and may be somewhat higher or lower than presumed pursuant to subsection (a) above. The Commission concludes that this assumption is warranted given general information about the expected effects of mixed-use, pedestrian-friendly



development and its intent to encourage changes to plans and development patterns. Nothing in this section is intended to affect the application of provisions in local plans or ordinances which provide for the calculation or assessment of systems development charges or in preparing conformity determinations required under the federal Clean Air Act.

Response: The analysis provided by Lancaster Engineering does not rely upon credit for potential reductions in vehicle trips as described in this section. Therefore, these criteria do not apply.

Chapter 660 Division 14 **APPLICATION OF THE STATEWIDE PLANNING GOALS TO NEWLY INCORPORATED CITIES, ANNEXATION, AND URBAN DEVELOPMENT ON RURAL LANDS**

660-014-0060 **Annexations of Lands Subject to an Acknowledged Comprehensive Plan**

A city annexation made in compliance with a comprehensive plan acknowledged pursuant to ORS 197.251(1) or 197.625 shall be considered by the commission to have been made in accordance with the goals unless the acknowledged comprehensive plan and implementing ordinances do not control the annexation.

Response: This application includes an analysis of compliance with the goals and policies of the City of Sandy Comprehensive Land Use Plan (adopted October 20, 1997). Therefore, a City annexation for the subject property should be considered by the commission to have been made in accordance with the goals. The criterion is met.

...

Chapter 660 Division 24 **URBAN GROWTH BOUNDARIES**

660-024-0000 **Purpose and Applicability**

- (1) The rules in this division clarify procedures and requirements of Goal 14 regarding a local government adoption or amendment of an urban growth boundary (UGB). The rules in this division do not apply to the simplified UGB process under OAR chapter 660, division 38.
- (2) The rules in this division interpret Goal 14 as amended by the Land Conservation and Development Commission (LCDC or commission) on or after April 28, 2005, and are not applicable to plan amendments or land use decisions governed by previous versions of Goal 14 still in effect.
- (3) The rules in this division adopted on October 5, 2006, are effective April 5, 2007. The rules in this division amended on March 20, 2008, are effective April 18, 2008. The rules in this division adopted March 13, 2009, and amendments to rules in this division adopted on that date, are effective April 16, 2009, except as follows:
 - (a) A local government may choose to not apply this division to a plan amendment concerning the evaluation or amendment of a UGB, regardless of the date of that amendment, if the local government initiated the evaluation or amendment of the UGB prior to April 5, 2007;
 - (b) For purposes of this rule, "initiated" means that the local government either:
 - (A) Issued the public notice specified in OAR 660-018-0020 for the proposed plan amendment concerning the evaluation or amendment of the UGB; or
 - (B) Received LCDC approval of a periodic review work program that includes a work task to evaluate the UGB land supply or amend the UGB;



(c) A local government choice whether to apply this division must include the entire division and may not differ with respect to individual rules in the division.

(4) The rules in this division adopted on December 4, 2015, are effective January 1, 2016, except that a local government may choose to not apply the amendments to rules in this division adopted December 4, 2015 to a plan amendment concerning the amendment of a UGB, regardless of the date of that amendment, if the local government initiated the amendment of the UGB prior to January 1, 2016.

Response: The purpose of this division applies to the subject amendment of the UGB, which complies with the dates listed above.

...

660-024-0040 Land Need

(3) A local government may review and amend the UGB in consideration of one category of land need (for example, housing need) without a simultaneous review and amendment in consideration of other categories of land need (for example, employment need).

Response: This UGB amendment satisfies one need, public facilities (e.g. Gunderson Road and parkland dedication). Accordingly, other needs are not considered.

...

(7) The determination of 20-year land needs for transportation and public facilities for an urban area must comply with applicable requirements of Goals 11 and 12, rules in OAR chapter 660, divisions 11 and 12, and public facilities requirements in ORS 197.712 and 197.768. The determination of school facility needs must also comply with 195.110 and 197.296 for local governments specified in those statutes.

Response: This UGB amendment satisfies one need, public facilities (e.g. Gunderson Road and parkland dedication). Accordingly, other needs are not considered.

660-024-0050 Land Inventory and Response to Deficiency

(1) When evaluating or amending a UGB, a local government must inventory land inside the UGB to determine whether there is adequate development capacity to accommodate 20-year needs determined in OAR 660-024-0040. For residential land, the buildable land inventory must include vacant and redevelopable land, and be conducted in accordance with OAR 660-007-0045 or 660-008-0010, whichever is applicable, and ORS 197.296 for local governments subject to that statute. For employment land, the inventory must include suitable vacant and developed land designated for industrial or other employment use, and must be conducted in accordance with OAR 660-009-0015.

Response: This application involves a City of Sandy UGB Amendment to provide a public transportation facility (i.e. Gunderson Road) as illustrated in the Sandy TSP and to dedicate land to provide a park. The conceptual alignment of Gunderson Road shown in the Sandy TSP is on property not currently within the UGB; thus, the UGB amendment is needed to provide an efficient transportation network and serve residential lands already previously brought into the UGB. The subject property, Tax Lot 701, is the most feasible location where the extension of the transportation network and connection to OR 211 can be made safely. Please see the supplemental materials and TIA for further detailed



information. Additionally, please refer to the narrative responses which address OAR 660-024-0050(6) and (7) and OAR 660-024-0065(3).

(2) As safe harbors, a local government, except a city with a population over 25,000 or a metropolitan service district described in ORS 197.015(13), may use the following assumptions to inventory the capacity of buildable lands to accommodate housing needs:

- (a) The infill potential of developed residential lots or parcels of one-half acre or more may be determined by subtracting one-quarter acre (10,890 square feet) for the existing dwelling and assuming that the remainder is buildable land;
- (b) Existing lots of less than one-half acre that are currently occupied by a residence may be assumed to be fully developed.

(3) As safe harbors when inventorying land to accommodate industrial and other employment needs, a local government may assume that a lot or parcel is vacant if it is:

- (a) Equal to or larger than one-half acre, if the lot or parcel does not contain a permanent building; or
- (b) Equal to or larger than five acres, if less than one-half acre of the lot or parcel is occupied by a permanent building.

(4) If the inventory demonstrates that the development capacity of land inside the UGB is inadequate to accommodate the estimated 20-year needs determined under OAR 660-024-0040, the local government must amend the plan to satisfy the need deficiency, either by increasing the development capacity of land already inside the city or by expanding the UGB, or both, and in accordance with ORS 197.296 where applicable. Prior to expanding the UGB, a local government must demonstrate that the estimated needs cannot reasonably be accommodated on land already inside the UGB. If the local government determines there is a need to expand the UGB, changes to the UGB must be determined by evaluating alternative boundary locations consistent with Goal 14 and applicable rules at OAR 660-024-0060 or 660-024-0065 and 660-024-0067.

Response: On February 6, 2017 the City of Sandy adopted the Urban Growth Boundary Expansion Analysis, Final Report. The analysis concluded the existing UGB did not contain sufficient residential lands to meet the City's housing needs to 2034 and subsequently annexed in property north of Tax Lot 701. To satisfy the needs of lands previously brought into the UGB, according to 660-024-050(4) above, the local government must amend the plan to satisfy the need by amending the UGB when applicable. Therefore, this application involves a Sandy UGB Amendment to respond to a public transportation facility need. Changes to the Sandy UGB are made consistent with Goal 14 and OAR 660-024-0065 and 660-024-0067, as addressed in this written document. OAR 660-024-0060 is not applicable to this application because the property is not within the Portland Metro UGB.

(5) In evaluating an amendment of a UGB submitted under ORS 197.626, the director or the commission may determine that a difference between the estimated 20-year needs determined under OAR 660-024-0040 and the amount of land and development capacity added to the UGB by the submitted amendment is unlikely to significantly affect land supply or resource land protection, and as a result, may determine that the proposed amendment complies with section (4) of this rule.

Response: ORS 197.626 is not applicable to the UGB amendment because the amendment is not by a metropolitan service district, does not add more than 50 acres within the UGB, does not designate new lands as an urban reserve, does not amend the boundary of urban reserve



by a metropolitan service district, or designate or amend rural reserves. Therefore, the above criterion is not applicable to the application.

- (6) When land is added to the UGB, the local government must assign appropriate urban plan designations to the added land, consistent with the need determination and the requirements of section (7) of this rule, if applicable. The local government must also apply appropriate zoning to the added land consistent with the plan designation or may maintain the land as urbanizable land until the land is rezoned for the planned urban uses, either by retaining the zoning that was assigned prior to inclusion in the boundary or by applying other interim zoning that maintains the land's potential for planned urban development. The requirements of ORS 197.296 regarding planning and zoning also apply when local governments specified in that statute add land to the UGB.

Response: The land involved within the amendment area is anticipated to be designated Low Density Residential (LDR), but to retain Clackamas County zoning until annexed into the City of Sandy.

- (7) Lands included within a UGB pursuant to OAR 660-024-0065(3) to provide for a particular industrial use, or a particular public facility, must be planned and zoned for the intended use and must remain planned and zoned for that use unless the city removes the land from the UGB.

Response: The lands brought into the UGB are within the City's existing URA and will retain their existing Clackamas County zoning until annexed into the City in the future. Upon annexation and the application of City zoning designations to those lands, the land is intended to be converted for use as a public transportation facility and parkland and remain as such.

- (8) As a safe harbor regarding requirements concerning "efficiency," a local government that chooses to use the density and mix safe harbors in OAR 660-024-0040(8) is deemed to have met the Goal 14 efficiency requirements under:
- (a) Sections (1) and (4) of this rule regarding evaluation of the development capacity of residential land inside the UGB to accommodate the estimated 20-year needs; and
 - (b) Goal 14 regarding a demonstration that residential needs cannot be reasonably accommodated on residential land already inside the UGB, but not with respect to:
 - (A) A demonstration that residential needs cannot be reasonably accommodated by rezoning non-residential land, and
 - (B) Compliance with Goal 14 Boundary Location factors.

Response: The density and mix safe harbors standards in OAR 660-024-0040(8) are not applicable to this application. The criteria do not apply.

...
660-024-0065 Establishment of Study Area to Evaluate Land for Inclusion in the UGB

- (1) When considering a UGB amendment to accommodate a need deficit identified in OAR 660-024-0050(4), a city outside of Metro must determine which land to add to the UGB by evaluating alternative locations within a "study area" established pursuant to this rule. To establish the study area, the city must first identify a "preliminary study area" which shall not include land within a different UGB or the corporate limits of a city within a different UGB. The preliminary study area shall include:



-
- (a) All lands in the city's acknowledged urban reserve, if any;
 - (b) All lands that are within the following distance from the acknowledged UGB:
 - (A) For cities with a UGB population less than 10,000: one-half mile;
 - (B) For cities with a UGB population equal to or greater than 10,000: one mile;
 - (c) All exception areas contiguous to an exception area that includes land within the distance specified in subsection (b) and that are within the following distance from the acknowledged UGB:
 - (A) For cities with a UGB population less than 10,000: one mile;
 - (B) For cities with a UGB population equal to or greater than 10,000: one and one-half miles;
 - (d) At the discretion of the city, the preliminary study area may include land that is beyond the distance specified in subsections (b) and (c).
- (2) A city that initiated the evaluation or amendment of its UGB prior to January 1, 2016, may choose to identify a preliminary study area applying the standard in this section rather than section (1). For such cities, the preliminary study area shall consist of:
- (a) All land adjacent to the acknowledged UGB, including all land in the vicinity of the UGB that has a reasonable potential to satisfy the identified need deficiency, and
 - (b) All land in the city's acknowledged urban reserve established under OAR chapter 660, division 21, if applicable.

Response: This application involves a UGB Amendment to accommodate a need deficit identified in OAR 660-024-0050(4), as described above. Additionally, the purpose is to provide a specific public transportation facility and the location must be compliant with the Sandy TSP. Therefore, the above criteria are not applicable. Please see the following narrative response addressing OAR 660-024-0065(3).

- (3) When the primary purpose for expansion of the UGB is to accommodate a particular industrial use that requires specific site characteristics, or to accommodate a public facility that requires specific site characteristics, and the site characteristics may be found in only a small number of locations, the preliminary study area may be limited to those locations within the distance described in section (1) or (2), whichever is appropriate, that have or could be improved to provide the required site characteristics. For purposes of this section:
- (a) The definition of "site characteristics" in OAR 660-009-0005(11) applies for purposes of identifying a particular industrial use.
 - (b) A "public facility" may include a facility necessary for public sewer, water, storm water, transportation, parks, schools, or fire protection. Site characteristics may include but are not limited to size, topography and proximity.

Response: The primary purpose of this UGB Amendment application is to accommodate Gunderson Road, a future minor arterial roadway depicted in the Sandy TSP. Additionally, on February 6, 2017 the City of Sandy adopted the Urban Growth Boundary Expansion Analysis, Final Report. The analysis contains "Map #9 – Transportation System Plan and Street Stubs" which includes the Gunderson Road extension to OR 211.



To provide this public transportation facility improvement, the road should be extended to match the conceptual alignment in the Sandy TSP. In doing so, the road extension requires use of the subject property due to the specific location dictated in the Sandy TSP. Due to geometrical issues, safety concerns, and potential for transportation hazards, the alignment illustrated in the Sandy TSP is not practicable for construction. This application provides for a solution to extend Gunderson Road and fulfill the anticipated condition of approval associated with Bailey Meadows Subdivision. The location shown in the Supplemental Materials of Exhibit G can be improved to provide the required site characteristics and execute the extension of the transportation network to satisfy the needs of citizens in the general area. Please see the TIA and Supplemental Materials of Exhibit G for further details.

...

660-024-0067 Evaluation of Land in the Study Area for Inclusion in the UGB; Priorities

- (1) A city considering a UGB amendment must decide which land to add to the UGB by evaluating all land in the study area determined under OAR 660-024-0065, as follows:
 - (a) Beginning with the highest priority category of land described in section (2), the city must apply section (5) to determine which land in that priority category is suitable to satisfy the need deficiency determined under OAR 660-024-0050 and select for inclusion in the UGB as much of the land as necessary to satisfy the need.
 - (b) If the amount of suitable land in the first priority category is not sufficient to satisfy all the identified need deficiency, the city must apply section (5) to determine which land in the next priority is suitable and select for inclusion in the UGB as much of the suitable land in that priority as necessary to satisfy the need. The city must proceed in this manner until all the land need is satisfied, except as provided in OAR 660-024-0065(9).
 - (c) If the amount of suitable land in a particular priority category in section (2) exceeds the amount necessary to satisfy the need deficiency, the city must choose which land in that priority to include in the UGB by applying the criteria in section (7) of this rule.
 - (d) In evaluating the sufficiency of land to satisfy a need under this section, the city may use the factors identified in sections (5) and (6) of this rule to reduce the forecast development capacity of the land to meet the need.
 - (e) Land that is determined to not be suitable under section (5) of this rule to satisfy the need deficiency determined under OAR 660-024-0050 is not required to be selected for inclusion in the UGB unless its inclusion is necessary to serve other higher priority lands.
- (2) Priority of Land for inclusion in a UGB:
 - (a) First Priority is urban reserve, exception land, and nonresource land. Lands in the study area that meet the description in paragraphs (A) through (C) of this subsection are of equal (first) priority:
 - (A) Land designated as an urban reserve under OAR chapter 660, division 21, in an acknowledged comprehensive plan;
 - (B) Land that is subject to an acknowledged exception under ORS 197.732; and
 - (C) Land that is nonresource land.



Response: The land to be brought within the UGB is within the City of Sandy's Adopted URA. Therefore, the land is first priority for inclusion in a UGB. The criteria are met.

- (b) Second Priority is marginal land: land within the study area that is designated as marginal land under ORS 197.247 (1991 Edition) in the acknowledged comprehensive plan.
- (c) Third Priority is forest or farm land that is not predominantly high-value farm land: land within the study area that is designated for forest or agriculture uses in the acknowledged comprehensive plan and that is not predominantly high-value farmland as defined in ORS 195.300, or that does not consist predominantly of prime or unique soils, as determined by the United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS). In selecting which lands to include to satisfy the need, the city must use the agricultural land capability classification system or the cubic foot site class system, as appropriate for the acknowledged comprehensive plan designation, to select lower capability or cubic foot site class lands first.
- (d) Fourth Priority is agricultural land that is predominantly high-value farmland: land within the study area that is designated as agricultural land in an acknowledged comprehensive plan and is predominantly high-value farmland as defined in ORS 195.300. A city may not select land that is predominantly made up of prime or unique farm soils, as defined by the USDA NRCS, unless there is an insufficient amount of other land to satisfy its land need. In selecting which lands to include to satisfy the need, the city must use the agricultural land capability classification system to select lower capability lands first.

Response: The land to be brought within the UGB is within the City of Sandy's URA and is therefore first priority for inclusion. Therefore, second, third, and fourth priority lands are not under consideration.

SANDY COMPREHENSIVE PLAN GOALS AND POLICIES

Goal 1 – Citizen Involvement

- POLICY 1:** The City of Sandy shall maintain a citizen involvement program to allow opportunity for citizen involvement in the ongoing planning process.
- POLICY 2:** Comprehensive Plan changes shall include the opportunity for participation of citizens affected by the change.
- POLICY 4:** The City shall disseminate information and public notice to the residents of the Sandy area concerning on-going planning activities and pending actions.

Response: The City of Sandy has an established citizen involvement program. The application will be processed according to Chapter 17.12 of the LDC, which involves public notification, public hearings, and decision appeal procedures, as established in City of Sandy LDC Section 17.12.30 and 17.12.40. Therefore, the application is consistent with Goal 1.

Goal 2 – Land Use Planning

- POLICY 2:** Changes to the Comprehensive Plan Map shall be consistent with the policies of the Comprehensive Plan, state law, and intergovernmental agreements.

Response: Changes to the Comprehensive Plan Map are consistent with SDC Chapter 17.12 and the applicable policies of the Comprehensive Plan, as detailed in this written narrative. Consistency with applicable State statute and rules and the Urban Growth Management



Agreement (UGMA) between City of Sandy and Clackamas County have been addressed in this document. The amendment is Therefore, Policy 2 above is met.

POLICY 10: Due to the demand which new development places upon the community's infrastructure, the city may impose off-site improvement requirements necessitated by a development. Each development shall provide for all onsite needs, and in areas which represent a critical link in the facility and service delivery systems, the city may require the over-sizing of these systems. The City may negotiate late-comer fees or other arrangements to compensate developers for over-sizing of facilities.

Response: The Applicant is submitting this application to satisfy an anticipated condition of approval associated with City of Sandy Local File No. 19-023 SUB/VAR/TREE. Although Bailey Meadows Subdivision provides for and meets SDC criteria for on-site needs, in this case the City and Applicant agree to an off-site improvement requirement (i.e., Gunderson Road extension and parkland dedication). The off-site extension of Gunderson Road and improvements are outside the UGB, as described in this written document, and require a UGB amendment to allow an urban facility to be built on land currently within the County's jurisdiction. The policy above is understood and met by this application submittal.

POLICY 14: Proposed plan elements such as parks, roadways, schools, etc., are intended to be conceptual. Actual locations and quantities should be determined through the development process.

Response: The alignment of the extension of Gunderson Road to OR 211, a proposed plan element in the City's TSP, is conceptual. The actual location should be determined through the development process, as outlined above. To provide this public transportation facility improvement, the road should be extended to match the conceptual alignment in the Sandy TSP. However, due to geometrical issues, safety concerns, and potential for transportation hazards, the alignment illustrated in the Sandy TSP is not practicable for construction. This application provides for a solution to extend Gunderson Road and determine the actual functionable location through site analysis and development review. The location shown in the Supplemental Materials of Exhibit G can be improved to provide the required site characteristics and execute the extension of the transportation network to satisfy the needs of citizens in the general area. Please see the TIA and Supplemental Materials of Exhibit G for further details.

Additionally, according to the Sandy Parks Master Plan adopted May 15, 1997, there is not a conceptual location for a park on or near the subject site. Therefore, the location for the improvement should be determined through the development process. Though parkland dedication is not required of the Bailey Meadows Subdivision application, the Applicant is providing it and it must be brought within the Sandy UGB and annexed to allow for it. Policy 14 above is met.

Goal 5 – Natural Resources

Response: Goal 5 is not applicable to the decision. The decision does not affect a Goal 5 resource under OAR 660-023-0250(3)(a)-(c) because:



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- a) The decision does not “create or amend” a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5.”
 - b) The decision does not “allow” new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list.”
 - c) While the decision “amends an acknowledged UGB” no “factual information [was] submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.”

Goal 6 – Air, Water, and Land Resources Quality

POLICY 4: Reduce congestion and delay on major streets to lessen localized pollution impacts of automobile travel through methods such as signal timing, access management, intersection improvements, etc.

Response: The City’s Comprehensive Plan with respect to Goal 6 and its development regulations governing land, air, and water quality are not affected by the decision. The intent of extending Gunderson Road to OR 211 is to enhance neighborhood circulation, thereby reducing congestion and delay in the area. This mitigates localized pollution impacts of vehicle activity in the area.

Goal 7 – Areas Subject to Natural Hazards

Response: The City’s Comprehensive Plan, with respect to Goal 7 and its development regulations governing natural hazards, is not affected by the decision. The subject site does not contain mapped areas of steep slopes 25 percent or greater or other known hazard areas.

Goal 8 – Recreational Needs

POLICY 1: Ensure that new residential development contributes equitably to park land acquisition, development, and maintenance.

POLICY 2: Establish methods to maintain and enhance the quality and quantity of parks, open space, and recreational facilities and services. Ensure that these facilities and services serve the diverse recreational needs and interests of area residents and are accessible to all members of the community.

POLICY 10: The conceptual location of community and neighborhood parks and areas of open space have been indicated on the City of Sandy Land Use Map. Actual park locations may be determined based on more site-specific information.

Response: According to the Sandy Parks Master Plan adopted May 15, 1997, there is not a conceptual location for a park on or near the subject site. Therefore, the location for the improvement should be determined through the development process. Though parkland dedication is not required of the Bailey Meadows Subdivision application, the Applicant is providing it and it must be brought within the Sandy UGB and annexed to allow for it. Goal 8 above is met.

Goal 9 – Economic Development

Response: The City’s Comprehensive Plan with respect to Goal 9 and its employment lands are not affected by the decision.



Goal 10 – Housing

Response: The subject property associated with this application to be incorporated within the UGB will be strictly for the purpose of constructing a public transportation facility and providing land for a park, and is not planned to include land for residential use. Therefore, the City’s Comprehensive Plan with respect to Goal 10 and residential land is not affected by the decision.

Goal 11 – Public Facilities and Services

Response: The City’s Comprehensive Plan contains an acknowledged Goal 11 element that includes policies to ensure sufficient and adequate public services are available (or will be available as appropriate) to serve lands within the UGB. The property north of the subject site, Bailey Meadows Subdivision, was found to be sufficiently served by public services at the time it was annexed into the City in June 2017. This application involves amending the City’s UGB to permit the extension of a public transportation facility (i.e., Gunderson Road) to allow for a future connection to OR 211. If approved, the extension is intended as an additional access to the subdivision and to distribute traffic from local streets to the surrounding area. The extension is not required for subdivision approval. Although providing parkland on the northeast portion of Tax Lot 701 will enhance quality of life for the residents in the area, it is not required for subdivision approval. Goal 11 is satisfied.

POLICY 3: Consider the needs of emergency service providers in the review of all development. Particular attention should be paid to:

- a) Street and driveway layout and site design features that ensure emergency vehicle access and building identification.
- b) Fire hydrant locations and fire flow.
- c) Security through appropriate lighting and landscape design.

Response: Policy 3 above, regarding emergency service provider access, is discussed in detail under Goal 12, Policy 2.

Goal 12 – Transportation

POLICY 1: Support a pattern of connected streets, sidewalks, and bicycle routes to: a) provide safe and convenient options for cars, bikes, and pedestrians; b) create a logical, recognizable pattern of circulation; and, c) spread traffic over local streets so that collector and arterial streets are not overburdened.

Response: This application involves the extension of a public transportation facility (i.e., Gunderson Road) to allow Bailey Meadows Subdivision a future connection to OR 211, as illustrated in the City of Sandy TSP. If approved, the extension is intended as an additional access to the subdivision and to distribute traffic from local streets to the surrounding area. The extension is planned to support a pattern of connected streets as stated above but is not required for subdivision approval.

POLICY 2: Work with fire district, police, and other emergency service providers to ensure that adequate emergency access is possible on all streets.

Response: Appendix D, Section D107 of the Oregon Fire Code addresses standards regarding fire apparatus access roads for one or two-family developments. As discussed in the Bailey



Meadows Subdivision application (City of Sandy Local File No. 19-023 SUB/VAR/TREE), the subdivision currently provides two separate and approved fire apparatus access roads (Melissa Avenue and SE Ponder Lane) and shall meet the requirements of Section D104.3.

The extension of Gunderson Road would provide an additional access to the subdivision. Therefore, if approved, the Gunderson Road extension will provide the secondary access to the subdivision and SE Ponder Lane will not be utilized to serve as an emergency access as described above.

Additionally, the nature of Policy 2 above requires coordination of the application by the City with affected governmental entities. Coordination requires notice of an application, an opportunity for an affected governmental entity to comment on the application, and the City's incorporation of the comments to a reasonable extent. The City can find that coordination of this application will be accomplished in two ways: by the Applicant prior to application submittal, and by the City in the review process for the application. Goal 12, Policy 2 is satisfied.

POLICY 21: Work with ODOT to determine locations for necessary traffic control signals. Proposed locations for future traffic signals have been determined for the downtown area in the City of Sandy Transportation System Plan. Other locations need to be determined in order to improve the safety and convenience of pedestrians, bicycles, and automobiles. The location of traffic signals should be consistent with the street network indicated in the Comprehensive Plan Map and current traffic engineering standards.

POLICY 22: Submit notice of development proposals impacting Highways 26 and 211 to ODOT for review and comment.

Response: The above criteria applies to City processes for noticing and coordinating with ODOT, as applicable. The standards above apply as the project plans to extend Gunderson Road to OR 211. Direct action by the Applicant will be taken as applicable. Policy 21 and 22 can be satisfied.

Goal 13 – Energy Conservation

Response: The City's Comprehensive Plan with respect to Goal 13 and its standards governing energy conservation are not affected by the decision.

Goal 14 – Urbanization

POLICY 1: Maintain an urban growth boundary with sufficient residential, commercial, industrial, and public use lands necessary to support forecast population and employment for a 20-year horizon. The City will evaluate and update the 20-year land supply at each periodic review plan update.

Response: This application to amend the City UGB is necessary to provide a public transportation facility (i.e., Gunderson Road) to support residential land north of the project site which was included within the UGB and subsequently annexed in 2017. Additionally, this application provides parkland dedication which will benefit residential lands in the vicinity. As described above, the City is required to maintain a UGB with sufficient residential lands, as addressed in the February 2017 City of Sandy Urban Growth Boundary Expansion Analysis. This application will provide a public road as illustrated in



the Sandy TSP that aligns with the existing transportation network in the area and implement a connection to OR 211.

POLICY 2: Urban growth should be directed in a generally contiguous manner consistent with the city's ability to economically maintain and extend public services and facilities.

POLICY 3: The City of Sandy shall encourage the development of land according to the following priorities:

- a) Vacant, buildable lands or underutilized lands located within developed or developing areas.
- b) Lands contiguous to development areas where services can be easily and economically extended.
- c) Lands which are significantly separated from developing areas by vacant land, or areas which would place an undue burden on the city's infrastructure.

Response: The project site is currently vacant, with pasture and vegetated areas. As stated above, urban growth should be directed in a contiguous manner and the planned Gunderson Road extension will facilitate growth north of the project site while having no impact on urban services or utilities. Per Goal 14, Policy 3(b) above, the City shall encourage the development of land which is contiguous to development areas where services can be easily and economically extended. The extension of Gunderson Road will provide access and distribute traffic from local streets to the surrounding area and provide parkland dedication, a benefit to lands north of the project site and those within the City limits.

POLICY 4: An Urban Growth Boundary (UGB) and Urban Reserve Area (URA) shall be jointly adopted by the City of Sandy and Clackamas County. Procedures for coordinated management of the unincorporated lands within the UGB and URA shall be specified in an intergovernmental agreement adopted by the Sandy City Council and the Clackamas County Board of Commissioners.

Response: The property involved in this application, Tax Lot 701, is associated with an UGMA, as it is within the Sandy Adopted URA. The applicable elements are addressed within this written narrative.

POLICY 6: Designated URA lands will be considered for inclusion within the UGB on a phased basis, primary at periodic review. Legislative amendments to the UGB shall be large enough to facilitate cohesive neighborhood framework planning and efficient provision of public facilities. Property owners will also have the opportunity to request that land within the designated URA be included within the Sandy UGB, based on the criteria outlined in LCDC Goal 14 and the Urban Growth Management Agreement with Clackamas County.

Response: This application involves a property owner's (i.e., the Applicant's) request that Tax Lot 701, land within the designated Sandy URA, be included with the Sandy UGB. The applicable criteria, including Land Conservation and Development Commission (LCDC) Goal 14 noted above, have been addressed in this written document. Policy 6 is relevant and satisfied.

POLICY 7: The City of Sandy shall have the lead role in designating planned land uses and densities for incorporated and unincorporated lands within the UGB and the URA. The Comprehensive Plan shall constitute the comprehensive plan for all land within the Urban Growth Boundary and Urban Reserve Area.



Response: The subject application involves property which is located within the URA. This written document contains analysis of the City’s comprehensive plan goals and policies associated with the property. Therefore, Policy 7 is applicable.

POLICY 8: The City of Sandy shall have the lead role in coordinating public facility planning (streets, sanitary and storm sewers, water, parks and open space, schools) within the UGB and the URA.

Response: Tax Lot 701 is located within the Sandy Adopted URA. Therefore, Policy 8 is applicable, and the City of Sandy shall have the lead role in coordinating this application for the planned public transportation facilities and parkland.

POLICY 9: County zoning shall apply to unincorporated lands within the UGB and URA until annexation to the City of Sandy.

Response: Tax Lot 701 is located within the Sandy Adopted URA and is currently designated with Clackamas County EFU zoning. An application for annexation and a comprehensive plan amendment is necessary to apply City zoning to allow for the public transportation facilities and parkland. Policy 9 is applicable and satisfied.

POLICY 11: Clackamas County shall have the lead role in processing land use and development applications for unincorporated lands within the UGB and URA.

Response: Tax Lot 701 is located within the Sandy Adopted URA. Therefore, Policy 11 is applicable, and the City of Sandy shall coordinate with Clackamas County in processing the subject land use and development application for unincorporated lands within the URA.

POLICY 12: The City of Sandy will support development within the areas outside the city limits but within the Sandy Urban Growth Boundary or Urban Reserve Area based on the following standards and restrictions:

- a) County zoning in effect at the time of adoption of the Urban Reserve Area will be frozen until the unincorporated land is included within the UGB and annexed for urban development.
- b) New commercial and industrial uses will generally be discouraged outside the City limits and within the UGB or within the Urban Reserve Area.
- c) Agricultural and forest uses will be allowed in accordance with Clackamas County zoning.
- d) The City and County shall coordinate plans for interim rural residential development within the designated Urban Reserve Area. The following strategies will be used to ensure that interim rural development does not inhibit long-term urbanization of lands within the Sandy UGB and Urban Reserve Area:
 - 1) shadow plats
 - 2) cluster development
 - 3) redevelopment plans
 - 4) non-remonstrance agreements or deed restrictions for annexation and provision of urban facilities

Response: Tax Lot 701 is located within the Sandy Adopted URA and is currently designated with Clackamas County EFU zoning. An application for annexation and a comprehensive plan amendment is necessary to apply City zoning allowing this urban development (i.e.,



creation of a public transportation facility and parkland). Therefore, the subject application does not involve new commercial, industrial, or agricultural uses. The Applicant understands that City Low-Density Residential (LDR) Comprehensive Plan and Single-Family Residential (SFR) Zoning designations are intended for the property. Interim use and development, prior to annexation, is not associated with this application. The application complies with the applicable components of Policy 12 above.

CLACKAMAS COUNTY COMPREHENSIVE PLAN GOALS AND POLICIES

GOALS

The overall goals of the plan are:

- Balance public and private interests and adopt a coordinated set of goals and policies to guide future development in Clackamas County.
- Identify the most appropriate land uses for individual sites by evaluating site characteristics in light of market demand, human needs, technology, and state, regional, and County goals.
- Provide for growth in areas where public facilities can economically be provided to support growth.
- Create development opportunities most compatible with the fiscal and financial capacity of the County and its residents.

Response: This application balances public and private interests by complying with goals and policies in the Clackamas County Comprehensive Plan. The primary purpose of this application is to facilitate a transportation need in the area by extending Gunderson Road to provide a connection to OR 211, as illustrated in the Sandy TSP. Additionally, the Applicant plans to provide area for parkland. The project site is relatively flat with no existing improvements which makes it an appropriate site to facilitate the City's transportation vision. To distribute traffic from local streets to arterials and collectors, the extension of this public facility can economically be provided to support growth north of the subject site. The overall goals of the plan are incorporated into this UGB Amendment.

Chapter 4: LAND USE

URBANIZATION

URBANIZATION GOALS

- Clearly distinguish Urban and Urban Reserve areas from non-urban areas.
- Encourage development in areas where adequate public services and facilities can be provided in an orderly and economic way.
- Insure an adequate supply of land to meet immediate and future urban needs.
- Provide for an orderly and efficient transition to urban land use.
- Distinguish lands immediately available for urban uses from Future Urban areas within Urban Growth Boundaries.

Response: The subject property is within the Sandy Urban Reserve Area. This application supports development in an area of the City where a public transportation facility has been deemed necessary to accommodate planned growth. Tax Lot 701 is relatively flat and unimproved, allowing the extension of Gunderson Road to be provided in an economic way and



facilitate the needs of urban residential housing north of the site. This application provides for an efficient transition to urban land use because the portion of land to be annexed is the necessary area for the improvement and land will not be annexed to allow or develop homes. The area for parkland dedication will enhance the lives of local residents. The subject site will be available for urban uses, specifically both minor public facilities, after annexation.

4.A. General Urbanization Policies

4.A.2 Coordinate with affected cities in designating urban areas outside of Metro. Land designated as a Rural Reserve, as shown on Map 4-9, shall not be designated as an Urban Reserve or added to an urban growth boundary. The following areas may be designated as Urban:

4.A.2.3. Land to which public facilities and services can be provided in an orderly and economic way.

Response: The subject property is not designated as a Rural Reserve on Map 4-9. Tax Lot 701 is planned to provide a public transportation facility to meet the needs of the surrounding area.

4.A.3 Land use planning for urban areas shall integrate all applicable policies found throughout the Plan including the following:

4.A.3.1. Locate land uses of higher density or intensity to increase the effectiveness of transportation and other public facility investments.

Response: The purpose of this application is to allow the extension of a public transportation facility (e.g. Gunderson Road) thereby providing the improvement illustrated in the Sandy TSP and to provide land for a park. Therefore, the application will increase effectiveness of the City's transportation network.

4.A.4 Establish Urban Growth Management Areas and Urban Growth Management Agreements to clarify planning responsibilities between the County and cities for areas of mutual interest.

Response: The Urban Growth Management Agreement (UGMA) between Clackamas County and the City of Sandy coordinates the development and amendment of comprehensive plans and implementing measures affecting the City's urban growth. The document is addressed in this written document and is included as Exhibit H.

4.E. Urban Reserve Area Policies

4.E.1. The following policies apply to Urban Reserve areas established pursuant to OAR 660, Division 21:

4.E.1.1 Clackamas County shall recommend to Metro land in Clackamas County which should be designated Urban Reserve, when Urban Reserve amendments to the Region 2040 Urban Growth Management Functional Plan are considered by Metro. The cities of Sandy, Molalla, Estacada and Canby, in coordination with Clackamas County, may designate and adopt other urban reserve areas in a manner consistent with OAR 660-021-0000.

Response: The Urban Growth Management Agreement (UGMA) between Clackamas County and the City of Sandy coordinates the development and amendment of comprehensive plans and implementing measures affecting the City's urban growth. The document is addressed in this written narrative and is included as Exhibit H.



4.E.1.5 Lands within a designated Urban Reserve area shall continue to be planned and zoned for rural uses in a manner that ensures a range of opportunities for the orderly, economic and efficient provision of urban services when these lands are included in the Urban Growth Boundary. Planning and zoning shall be done in a manner consistent with OAR 660-021-0000 and the Metro Code, in areas where Metro has jurisdiction.

Response: Tax Lot 701 is located within the Sandy Adopted URA and is currently designated with Clackamas County EFU zoning. An application for annexation to the City of Sandy will be processed separately and include a comprehensive plan amendment to apply City zoning to allow for the urban development (i.e., creation of a minor public transportation facility and parkland). The Applicant plans to obtain City Low-Density Residential (LDR) Comprehensive Plan and Single-Family Residential (SFR) Zoning designations for the property. Interim use and development, prior to annexation, is not associated with this application

4.E.2. The following policies apply to Urban Reserve areas established pursuant to OAR 660, Division 27, as shown on Map 4-9:

4.E.2.3 The County shall not amend the Comprehensive Plan or Zoning and Development Ordinance or the Comprehensive Plan Map or zoning designations:

- a. To allow within Urban Reserve areas, new uses that were not allowed on the date the Urban Reserve areas were designated, except those uses authorized by amendments to the Oregon Revised Statutes or Oregon Administrative Rules enacted after designation of Urban Reserve areas.
- b. To allow within Urban Reserve areas, the creation of new lots or parcels smaller than allowed on the date Urban Reserve areas were designated, except as authorized by amendments to the Oregon Revised Statutes or Oregon Administrative Rules enacted after designation of Urban Reserve areas.

Response: Tax Lot 701 is located within the Sandy Adopted URA and is currently designated with Clackamas County EFU zoning. An application for annexation to the City of Sandy will be processed separately and include a comprehensive plan amendment to apply City zoning to allow for the urban development (i.e., creation of a minor public transportation facility and parkland). The Applicant plans to obtain City Low-Density Residential (LDR) Comprehensive Plan and Single-Family Residential (SFR) Zoning designations for the property. Interim use and development, prior to annexation, is not associated with this application. This application will not allow new uses that were not allowed on the date the URA was designated or allow the creation of new lots.

URBAN GROWTH MANAGEMENT AGREEMENT BETWEEN CITY OF SANDY AND CLACKAMAS COUNTY

IV. Boundaries

- A. The Urban Growth Boundary (UGB) and Urban Growth Area (UGA) shall be as shown on map Attachment "A" to this agreement.



-
- B. The Urban Reserve Area (URA) shall be established as shown on map Attachment “A” to this Agreement. The URA shall establish the planned limits of the City’s urban growth for the mutually coordinated population and employment growth for a 30 to 50-year timeframe.
 - C. Amendments to the City’s and County’s Comprehensive Plans which modify the Urban Growth Boundary or Urban Reserve Area shall be deemed incorporated into this agreement. Any amendment proposed to the City’s UGB or URA shall be a coordinated city-county effort with adoption by both city and county. The county shall not consider adoption of any City UGB or URA amendment unless adopted by the city first. The city shall be responsible for initiating all legislative documents.

Response: This application involves an amendment to the City’s UGB and should be a coordinated city-county effort with adoption by both the City of Sandy and Clackamas County. As stated above, the City is responsible for initiating the legislative amendments.

V. Coordination and Planning

- A. The City comprehensive plan shall establish urban comprehensive plan land use designations and densities for all incorporated and unincorporated lands within the Urban Growth Boundary and Urban Reserve Areas.
- B. The City shall have the lead role on all urban legislative and quasi-judicial plan amendments within the City’s UGB and URA, with notice to the County. Proposed amendments to the comprehensive plan may be made at any time, whether initiated by the city or in response to a development application. The city may hear and act on comprehensive plan and zone change applications prior to annexation, although such actions will not be effective until the effective date of annexation.
- C. After annexation to the City, the County zoning districts will continue to apply in accordance with the provisions of ORS 215.130 until the City applies its own land use plan and/or zoning designations.

Response: An application for annexation to the City of Sandy will be processed separately and include a comprehensive plan amendment to apply City zoning to allow for the urban development (i.e., creation of a minor public transportation facility and parkland). The Applicant plans to obtain City Low-Density Residential (LDR) Comprehensive Plan and Single-Family Residential (SFR) Zoning designations for the property. Interim use and development, prior to annexation, is not associated with this application.

- D. The City shall be responsible for public facilities planning with the County.
- E. The City shall be responsible for preparing and adopting a local transportation system plan for all lands within the City’s UGB and URA. As required by OAR 660, Division 12, the City shall coordinate its transportation planning with the County, affected state agencies, special districts and affected private transportation service providers.

Response: The Sandy TSP provides

- F. Where applications are made for a use of property under the same ownership that is divided by the City limit boundary, the City shall be responsible for processing both the City and County applications. Except as otherwise provided in this Agreement, the application for the County portion of the property shall be evaluated pursuant to City Code procedures, but applying the applicable substantive provisions of the County’s Comprehensive Plan and Zoning and Development Ordinance.

VI. Zoning and Development Proposals in Unincorporated UGA and URA

...



B. Land use applications for the following permits within the unincorporated UGB or URA shall be forwarded to the City prior to a County Decision. These applications shall include:

1. Comprehensive plan and zone changes
2. Subdivisions and partitions
3. Conditional use permits
4. Design review applications for new commercial or industrial buildings, and communication towers. Any city comments shall be made within 14 days.

Response: This UGB Amendment application involves a comprehensive plan and zone change for a property within the unincorporated UGB and URA and is therefore submitted to the City prior to a County decision.

IV. Conclusion

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the Oregon Statewide Planning Goals, Oregon Administrative Rules, Oregon Revised Statutes, City of Sandy Comprehensive Plan, and Clackamas County Comprehensive Plan. The City and County can rely upon this information in their approval of this application.





Exhibit A: City of Sandy Land Use Application Form



LAND USE APPLICATION FORM

(Please print or type the information below)

Planning Department
39250 Pioneer Blvd.
Sandy OR 97055
503-489-2160

Name of Project City of Sandy Urban Growth Boundary Expansion

Location or Address Southeast of Ponder Lane, northwest of Oregon Highway 211

Map & Tax Lot Number T 25 , R 4E , Section 23 ; Tax Lot(s) 701

Request: This application involves the expansion of the City of Sandy's Urban Growth Boundary to accommodate a public transportation facility (e.g. Gunderson Road).

Please contact the Applicant's consultant and legal counsel (below) with any inquiries:

AKS Engineering & Forestry, LLC - Chris Goodell: (503) 563-6151; chrisg@aks-eng.com
Schwabe, Williamson & Wyatt - Michael Robinson: (503) 796-3756; mrobinson@schwabe.com

I am the (check one) owner lessee of the property listed above, and the statements and information contained herein are in all respects true, complete and correct to the best of my knowledge and belief.

Applicant (if different than owner) Allied Homes & Development	Owner Richard L Pullen, Lawrence Pullen, Sherrene Teneyck
Address 12404 SE Sunnyside Road, Suite 706	Address 37020 SE Deming Road
City/State/Zip Clackamas, OR 97015	City/State/Zip Sandy, OR 97055
Phone Please contact Applicant's consultant	Phone Please contact Applicant's consultant
Email Please contact Applicant's consultant	Email Please contact Applicant's consultant
Signature <small>DocuSigned by:</small> <i>Cody Bugan</i>	Signature <small>DocuSigned by:</small> <i>Richard L Pullen</i> <small>DocuSigned by:</small> <i>Lawrence Pullen</i> <small>DocuSigned by:</small> <i>Sherrene Teneyck</i>

If signed by Agent, owner's written authorization must be attached.

File No.	Date	Rec. No.	Fee \$
Type of Review (circle one): Type I Type II Type III Type IV			

W:\City Hall\Planning\Planning Forms\Forms Updated 2018\General Land Use Application - updated 2019.doc

Fees Included: \$3,184 UGB Expansion Request
\$1,500 Traffic Review Fee



Exhibit B:
Clackamas County Land Use Application Form



CLACKAMAS COUNTY PLANNING AND ZONING DIVISION
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045
503-742-4500 | ZONINGINFO@CLACKAMAS.US

Land Use Application

For Staff Use Only	
Date received:	Staff initials:
Application type:	File number:
Zone:	Fee:
Violation #:	CPO/Hamlet:
Applicant Information:	

What is proposed? This application involves the expansion of the City of Sandy Urban Growth Boundary to accommodate a public transportation facility (e.g. Gunderson Road).

Name of applicant: Allied Homes & Development

Mailing address: 12404 SE Sunnyside Road, Suite 706

City Clackamas State OR Zip 97015

Applicant is (select one): Property owner Contract purchaser Agent of the property owner or contract purchaser

Name of contact person (if other than applicant): Chris Goodell; AKS Engineering & Forestry, LLC

Mailing address of contact person: 12965 SW Herman Road, Suite 100
Tualatin, OR 97062

Applicant #'s: Wk: _____ Contact Applicant's Consultant Cell: _____ Contact Applicant's Consultant Email: _____ Contact Applicant's Consultant

Contact person #'s: Wk: (503) 563-6151 Cell: N/A Email: chrisg@aks-eng.com

Other persons (if any) to be mailed notices regarding this application:

<u>Richard L Pullen, Lawrence Pullen, Sherrene Teneyck</u>	<u>37020 SE Deming Road, Sandy OR 97055</u>	<u>Property Owner</u>
Name	Address	Relationship
<u>Michael Robinson</u>	<u>Pacwest Center 1211 SW 5th Avenue, Suite 190</u>	<u>Legal Counsel</u>
Name	Address	Relationship

SITE ADDRESS: No situs, Tax Lot 701

TAX LOT #: T 25 R 4E Section 23 Lot(s) 701

Adjacent properties under same ownership: Total land area: ±14.30 acres

T <u>N/A</u>	R <u>N/A</u>	Section <u>N/A</u>	Tax lot(s) _____
T _____	R _____	Section _____	Tax lot(s) _____
T _____	R _____	Section _____	Tax lot(s) _____

I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge. 12/20/2019

<u>Richard L Pullen, Lawrence Pullen, Sherrene Lanette TenEyck</u>	<u>12/27/2019</u>	<u>12/21/2019</u>	<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
Property owner or contract purchaser's name (print)	Date	Date	DocuSigned by: Owner or contract purchaser's signature	DocuSigned by: _____	DocuSigned by: _____
<u>Cody Ejugan</u>	<u>12/30/2019</u>		<u>[Signature]</u>		
Applicant's name (print)	Date		DocuSigned by: Applicant's signature		

Fee Included: \$4,000 UGB Expansion Request (Comprehensive Plan Amendment)

Exhibit C: Property Ownership Information

JB

WARRANTY DEED - STATUTORY FORM
(Individual or Corporation)

JOE B. PHILLIPS

Grantor, conveys and warrants to:

LAWRENCE L. PULLEN and RICHARD L. PULLEN and MARK D. TEN EYCK

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

PLEASE SEE ATTACHED DESCRIPTION SHEET

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

ENCUMBRANCES:
NONE

The true consideration for this conveyance is \$40,000.00.

Dated this 21st day of April, 1993; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

CHICAGO TITLE INSURANCE COMPANY
C-108/08

Joe B. Phillips
JOE B. PHILLIPS

STATE OF OREGON,)
County of Clackamas)ss.
April 21, 1993.)

Personally appeared the above named JOE B. PHILLIPS and acknowledged the foregoing instrument to be his/her/their voluntary act and deed.

Before me:

Luella J. Taylor
Notary Public for Oregon
My commission expires: 3-2-94



After recording return and send tax statements to:
LAWRENCE L. PULLEN
36940 SE Deming
Sandy, OR 97055

Escrow No. 2300-00570-LF - Order No. 108108

93 28438

A portion of the Southwest one-quarter of the Northeast one-quarter of Section 23, Township 2 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, being more particularly described as follows:

Beginning at a stone marking the Northwest corner of said legal subdivision; thence N.88°26'40"E., along the North line thereof, a distance of 1321.91 feet to the Northeast corner of said legal subdivision; thence S.0°18'10"E., along the East line thereof, a distance of 388.20 feet to a point in the Northwesterly right-of-way line of Oregon State Highway No. 211; thence S.33°18'01"W., along said right-of-way line, a distance of 558.61 feet to an iron rod; thence N.51°08'54"W., leaving said right-of-way line, a distance of 1305.73 feet to the point of beginning.

2

STATE OF OREGON }
County of Clackamas } ss.
I, John Kaufman, County Clerk, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

93 APR 29 PM 2:00



Witness my hand and seal this 29th day of April 1993.
John Kaufman
JOHN KAUFMAN
County Clerk
Recording Certificate
CCPR-1 (Rev. 8/91)

93 28438

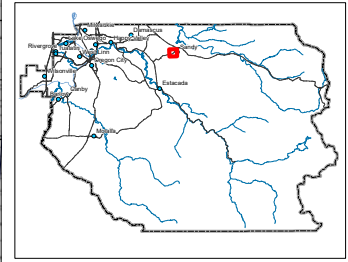
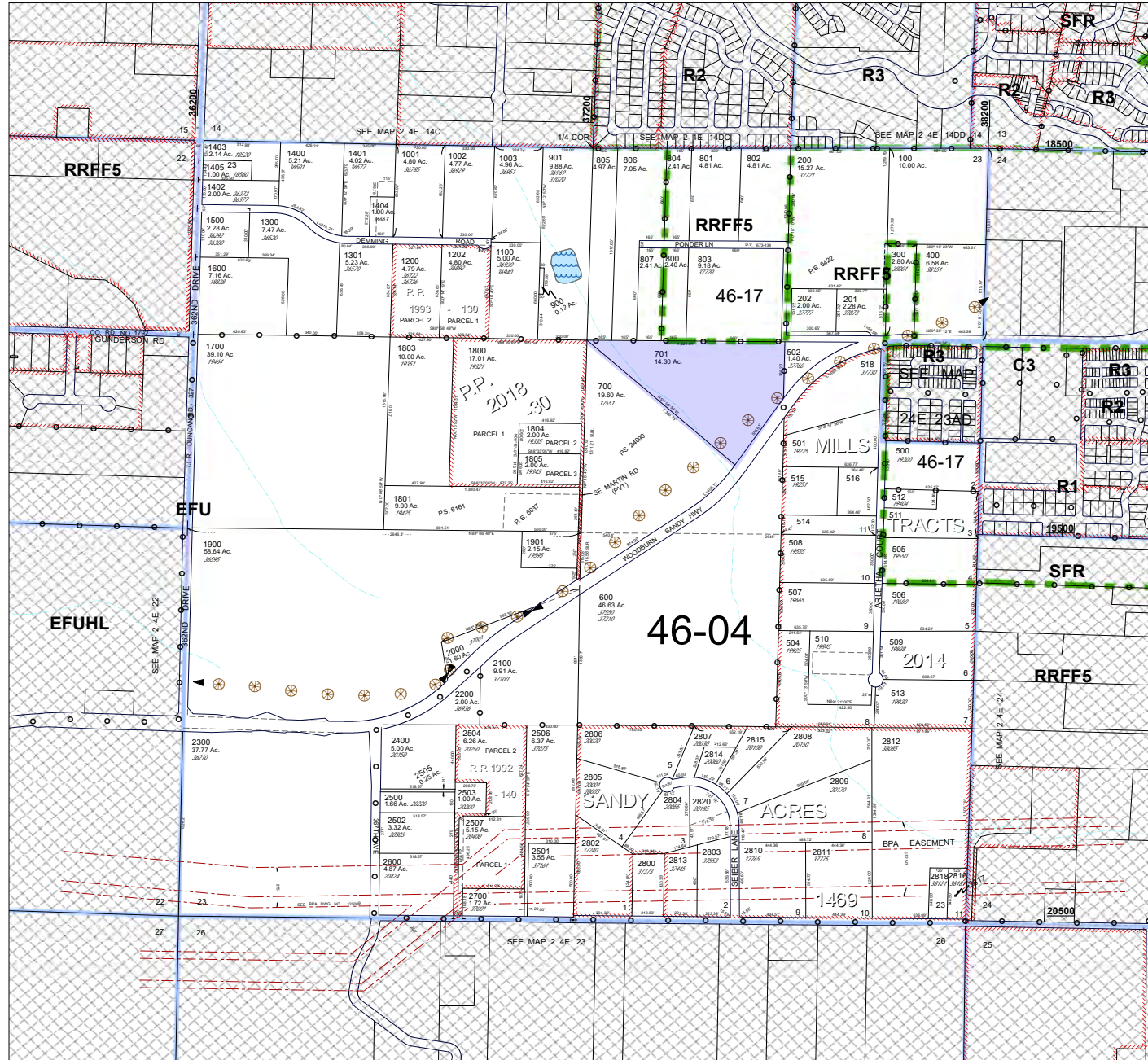


Exhibit D: Clackamas County Assessor's Map

SECTION 23 T.2S. R.4E. W.M.
CLACKAMOUNT COUNTY
1" = 400'

Cancelled Taxlots

- 2801
- 1000
- 2319
- 2300A1
- 1301
- 2701
- 503E1
- 503
- 1902
- 1802
- 517

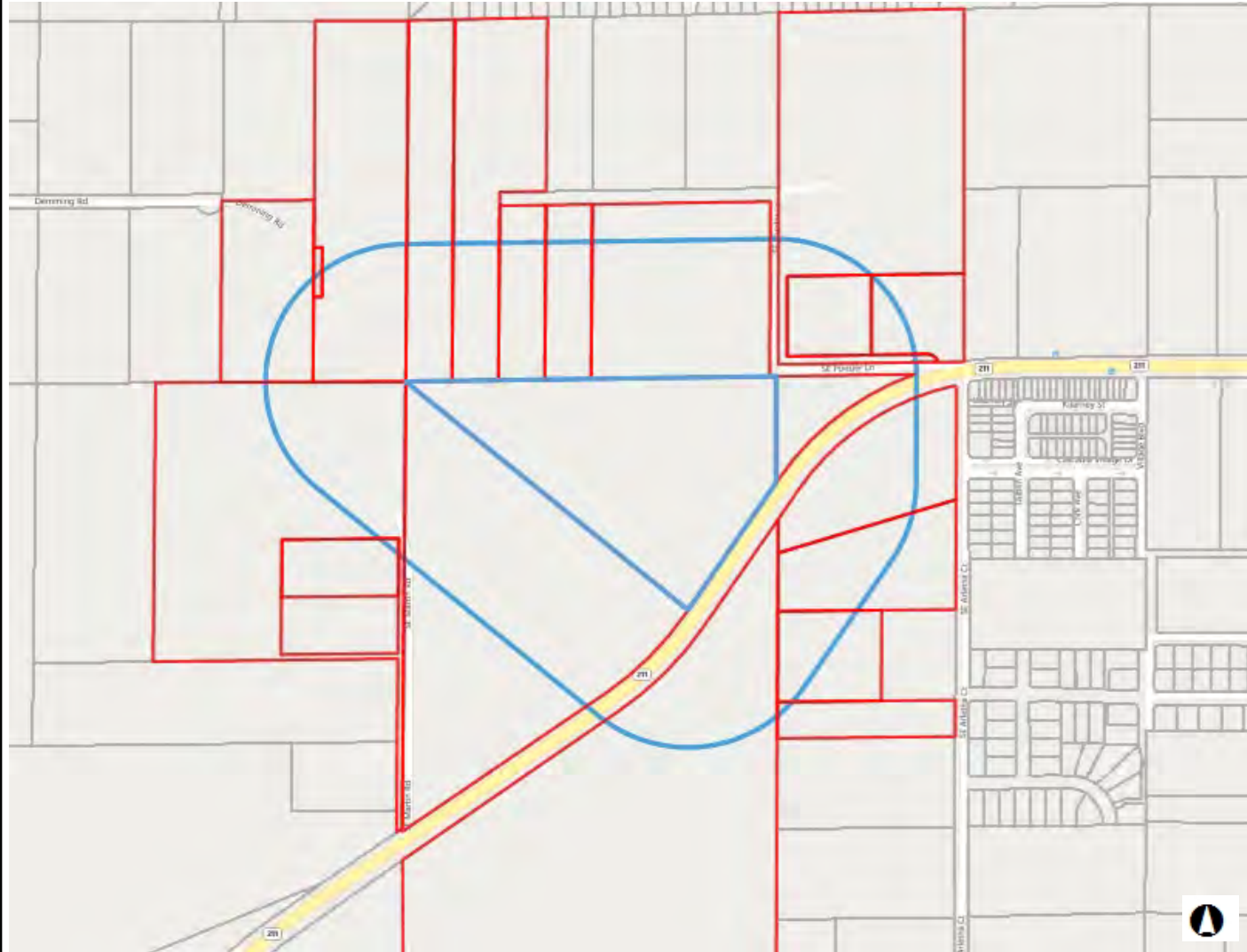





THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY



Exhibit E: City of Sandy Noticing Materials

24E23 00701 - 500' Radius

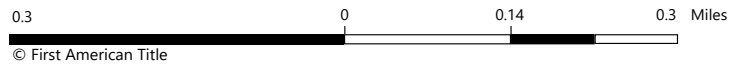


-  Subject
-  Radius
-  Radius Properties

1/2/2020



Notes



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24E23 00200
Leslie Geren
37721 SE Ponder Ln
Sandy, OR 97055

24E23 00201
Paul Klahn
Po Box 671
Sandy, OR 97055

24E23 00202
Lucille Tiscus
37777 SE Ponder Ln
Sandy, OR 97055

24E23 00501
Nancy Bennett
19225 SE Arletha Ct
Sandy, OR 97055

24E23 00502
Broek Boaz & Brian Galovin
244 Plant Ln SE
Salem, OR 97317

24E23 00514
Robert & Barbara Johnson
19555 SE Arletha Ct
Sandy, OR 97055

24E23 00515
William Fisher
19251 SE Arletha Ct
Sandy, OR 97055

24E23 00518
Garrett & Meri Lang
37730 SE Highway 211
Sandy, OR 97055

24E23 00600
Robert & Shana Foster
21442 S Parkview Ln
Estacada, OR 97023

24E23 00700
Calvin & Teresa Mckinnis
37551 SE Highway 211
Sandy, OR 97055

24E23 00701
Lawrence Pullen
36940 Deming Rd
Sandy, OR 97055

24E23 00800
Grant Sturm
647 E Historic Columbia River Hwy
Troutdale, OR 97060

24E23 00803
Grant Sturm
647 E Historic Columbia River Hwy
Troutdale, OR 97060

24E23 00805
Sherrene Teneyck
37020 Deming Rd
Sandy, OR 97055

24E23 00806
Sherrene Teneyck
37020 Deming Rd
Sandy, OR 97055

24E23 00807
Sherrene Teneyck
37020 Deming Rd
Sandy, OR 97055

24E23 00900
Eyck Ten & Richard Pullen
37020 Deming Rd
Sandy, OR 97055

24E23 00901
Sherrene Teneyck
37020 Deming Rd
Sandy, OR 97055

24E23 01100
Richard Pullen
36940 Deming Rd
Sandy, OR 97055

24E23 01800
University Developments Llc
17150 University Ave STE 200
Sandy, OR 97055

24E23 01804
Sixth Generation Properties Llc
Po Box 1750
Oregon City, OR 97045



**Exhibit F: Lancaster Mobley Engineering
Traffic Documentation**

Technical Memorandum

To: Cody Bjugan, Allied Homes & Development
From: Jessica Hijar
Date: January 6, 2020
Subject: UGB Amendment & Gunderson Road Connection
 Traffic Impact Analysis, Addendum #1



**LANCASTER
ENGINEERING**

321 SW 4th Ave., Suite 400
 Portland, OR 97204
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 fax: 503.248.9251
 lancasterengineering.com

This memorandum is written as an addendum to the Bailey Meadows Subdivision Traffic Impact Analysis prepared by Lancaster Engineering dated June 20, 2019. Specifically, analysis is provided regarding the potential new roadway connection to Highway 211. The current planning effort includes a connection of Gunderson Road to Highway 211 as considered in the City of Sandy's Transportation System Plan (TSP).

In addition, this memorandum addresses the Transportation Planning Rule and associated approval criteria relative to the proposed Urban Growth Boundary (UGB) amendment, comprehensive plan and zone map amendments, and annexation applications. All of these are necessary to accommodate a connection of Gunderson Road to Highway 211.

Future Roadway Connection

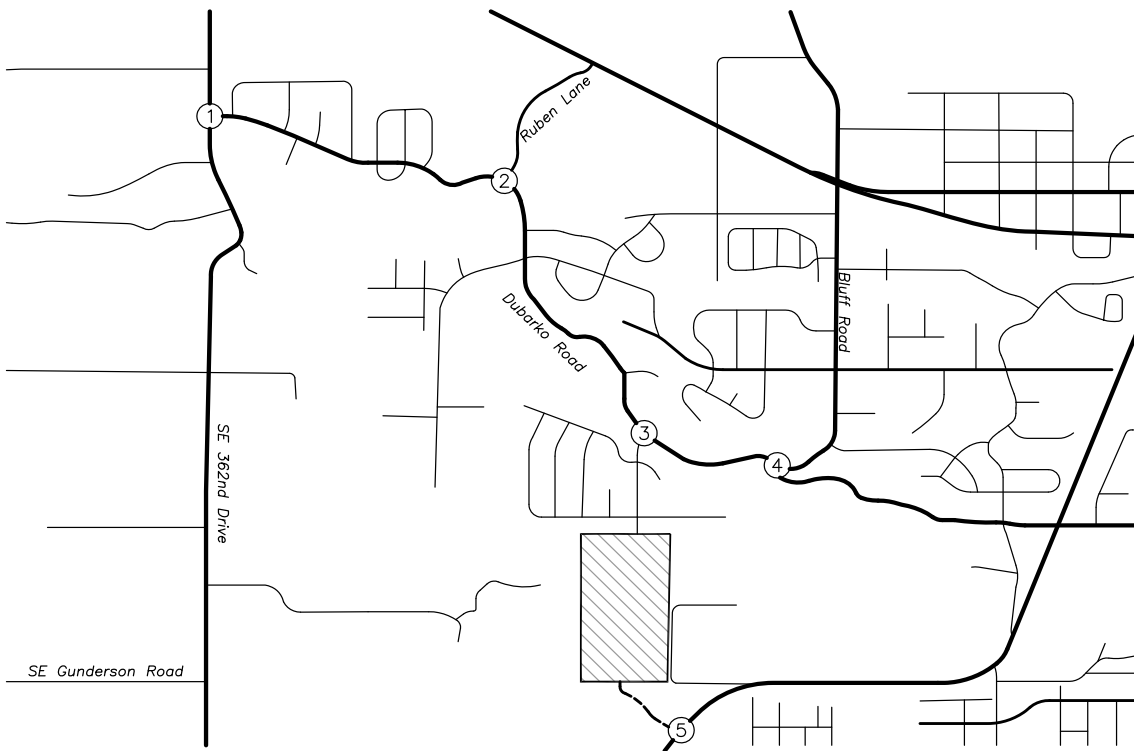
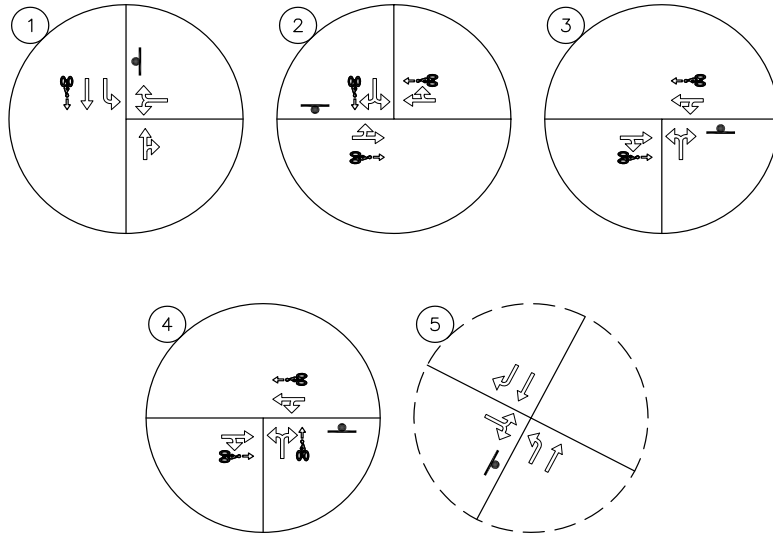
The planned connection of Gunderson Road to Highway 211 will provide an additional route into and out of the Bailey Meadows subdivision as well as the existing neighborhood to the north. This will reduce reliance on Melissa Avenue, which will provide access to the Bailey Meadows subdivision via Dubarko Road. The planned intersection of Gunderson Road at Highway 211 will be a three-legged intersection that is stop-controlled for the SE Gunderson Road approach. Future development on the south side of Highway 211 could extend the street to the east, to eventually connect with Cascadia Village Drive, as shown in the TSP. The existing characteristics of the subject roadways are shown in Table 1. The existing and future intersection configurations are shown in Figure 1 on page two.

Table 1: Vicinity Roadway Characteristics

Street Name	Jurisdiction	Classification	Speed (MPH)	Curbs	Sidewalks	Bicycle Lanes
Highway 211	ODOT	District Highway	45-55 mph posted	No	No	Partial
Gunderson Road (planned)	City of Sandy	Future Minor Arterial	Not Posted	Partial	Partial	Yes

LEGEND

-  STUDY INTERSECTION (EXISTING)
-  STUDY INTERSECTION (PROPOSED)
-  STOP SIGN
-  BIKE LANE
-  PROJECT SITE
-  ARTERIAL ROADWAY
-  COLLECTOR ROADWAY
-  LOCAL ROADWAY
-  FUTURE MINOR ARTERIAL



VICINITY MAP



FIGURE 1

PAGE 2



Trip Distribution

The Gunderson connection to Highway 211 is expected to serve trips to and from the Bailey Meadows subdivision, as well as trips from the existing neighborhood north of Bailey Meadows, which currently uses only Melissa Avenue. Based on travel time studies, it is not expected that traffic from outside the immediate area (such as residents in Bornstedt Village or Cascadia Village) would use the new Gunderson Road connection as a bypass route. Those trips would have to use Gunderson Road, three different streets within Bailey Meadows, Melissa Avenue, and Dubarko Road. This would be a very circuitous route and would not be faster than existing travel routes serving these neighborhoods.

Bailey Meadows Trips

The overall directional distribution of site trips to and from Bailey Meadows was based on the original TIS, but trip routing was modified to reflect the new street connection.

To & From the East

It is expected that the 15 percent of site trips in the TIS previously assigned to Dubarko Road to the east will all use the new Gunderson Road connection. Turning left onto Highway 211 at the new intersection will have significantly lower delay than turning left or crossing Highway 211 at Dubarko Road.

Contribution: 15% via Gunderson

To & From the South

A total of 10 percent of the trips are expected to be to and from the south, and all these trips will use the Gunderson Road connection to Highway 211, since that will be a much more direct route.

Contribution: 10% via Gunderson

To & From the West

Trips to and from the west (30%) were assigned primarily to 362nd Avenue, as this is the quickest route to shopping destinations as well as Highway 26 west of Sandy. Travel time studies show that the route using Dubarko Road to 362nd Avenue is identical in time to the route using Highway 211 to 362nd Avenue. Therefore, the 30% was split evenly via Melissa Avenue to the north and Gunderson Road to the south.

Contribution: 15% via Gunderson

The total percentage of site trips using Gunderson Road is 40 percent, or 378 of the site's 944 trips per day.



Rerouted Existing Trips

Since 40 percent of the Bailey Meadows trips are expected to use the Gunderson Road connection to Highway 211, it is expected that a similar, although slightly lower percentage of the existing neighborhood traffic would also use Gunderson. Since the existing neighborhood is north of the project site, the use of Gunderson could decrease from 40 percent to approximately 30 percent. As shown in the TIS, the existing traffic volume on Melissa Avenue was measured to be 1160 vehicles per day.

In total, 30 percent of the existing 1160 average daily traffic (ADT) on Melissa Avenue would reroute via Gunderson Road, or 348 trips per day.

In summary, the table below shows the total daily traffic volumes to the north (via Melissa Avenue) and to the south (via Gunderson Road) with the future street connection in place.

Table 2: Trip Distribution Summary

	Daily Traffic Volumes	
	Melissa Avenue	Gunderson Road
Existing neighborhood traffic	1160	0
Existing neighborhood traffic w/ Gunderson	812	348
Bailey Meadows site trips with Gunderson	566	378
<i>Total Daily Volume with Gunderson</i>	<i>1378</i>	<i>726</i>

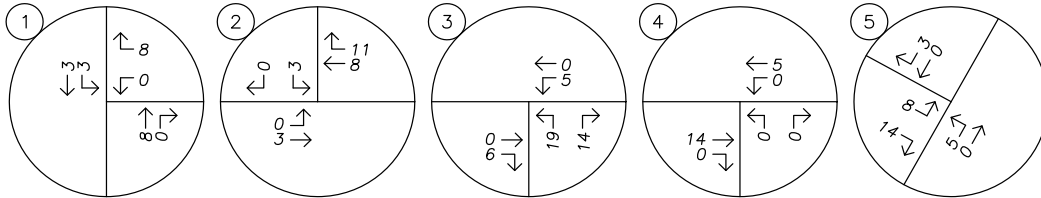
The updated trip distribution and assignment during the morning and evening peak hours are shown in Figure 2 on page five.

LEGEND

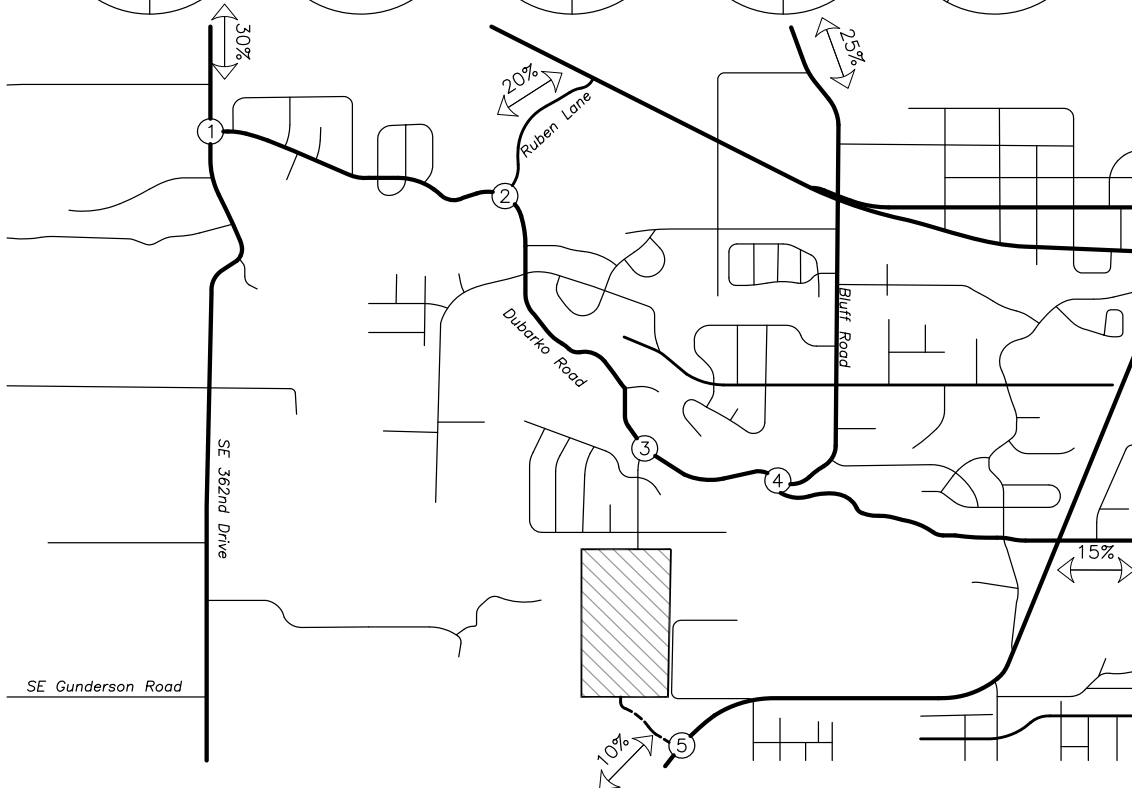
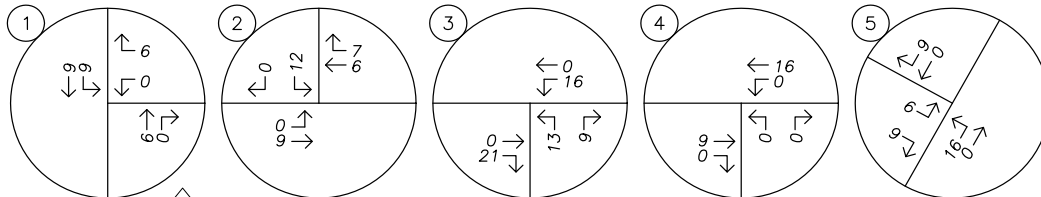
XX% PERCENT OF PROJECT TRIPS

TRIP GENERATION			
	IN	OUT	TOTAL
AM	19	55	74
PM	62	37	99

AM PEAK HOUR



PM PEAK HOUR



SITE TRIP DISTRIBUTION & ASSIGNMENT
 Proposed Development Plan – Site Trips
 AM & PM Peak Hours



FIGURE
2
PAGE
5



Traffic Volumes

Existing Conditions

Twenty-four-hour speed data was collected on Highway 211 near the intersection with Ponder Lane on December 4th, 2018. The morning and evening peak hours of traffic occurred between 7:00 AM and 8:00 AM and between 4:00 PM and 5:00 PM, respectively.

Since Highway 211 is under the jurisdiction of ODOT, highway traffic volumes were seasonally adjusted to reflect the 30th highest hour per methodologies in ODOT's Analysis Procedures Manual (APM). Based on the commuter seasonal trend in ODOT's 2018 Seasonal Trend Table, a seasonal factor of 1.122 was calculated and applied to through volumes on Highway 211.

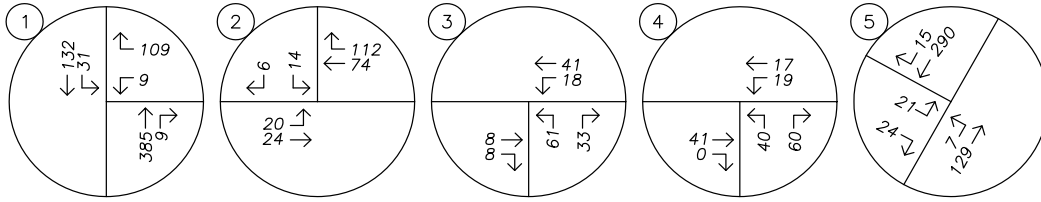
Buildout Conditions

A compounded growth rate of two percent per year was used to estimate growth on all streets under the City of Sandy jurisdiction as described within the TIS. Growth rates for traffic volumes on Highway 211 were derived using ODOT's 2037 Future Volume Tables in accordance with the APM. Using data corresponding to mileposts 3.75 and 5.07, a linear growth rate of 2.8 percent was calculated and applied to through volumes on the highway. Traffic volumes were projected over a period of four years in order to estimate the year 2022 buildout traffic volumes (traffic count data was collected in 2018).

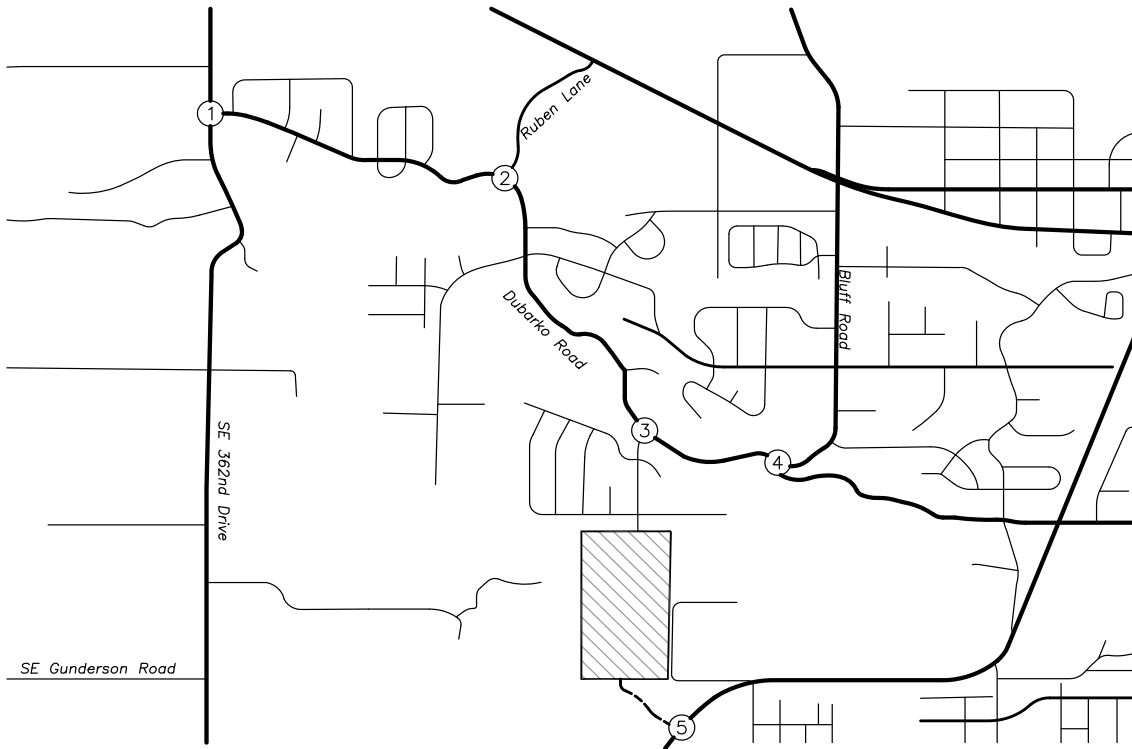
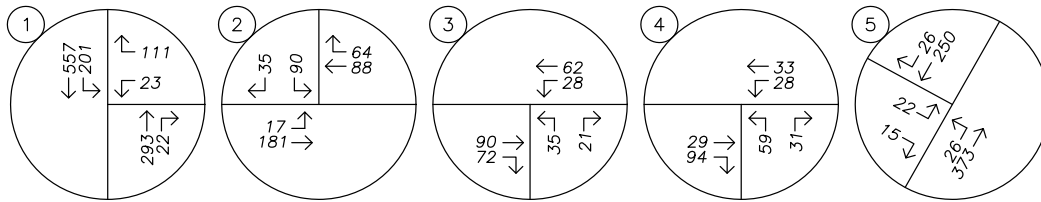
The year 2022 buildout scenario was updated to include a redistribution of existing trips that are likely to use the new Highway 211 roadway connection. Finally, site trips generated by the Bailey Meadows subdivision, discussed previously within the Trip Distribution section, were added to the projected year 2022 volumes in order to obtain the year 2022 buildout traffic volumes.

The year 2022 buildout traffic volumes are shown in Figure 3 on page seven.

AM PEAK HOUR



PM PEAK HOUR



TRAFFIC VOLUMES
 Year 2022 Buildout Traffic Volumes
 AM & PM Peak Hours



FIGURE
3
PAGE
7



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Preliminary Traffic Signal Warrants

Preliminary traffic signal warrants were examined for all study intersections based on methodologies in the *Manual on Uniform Traffic Control Devices*¹ (MUTCD) and the Analysis Procedures Manual. Warrant 1, *Eight Hour Vehicular Volumes*, was used from the MUTCD. Warrants were evaluated based on the common assumption that traffic counted during the evening peak hour represents ten percent of the AADT and that the eighth-highest hour is 5.6 percent of the daily traffic. Volumes were used for the evening peak hour under the year 2022 buildout scenario.

For the intersection under ODOT jurisdiction, the APM dictates that minor-street right turns are only used if the volume exceeds 85 percent of the lane capacity, and even then, only the increment of volume in excess of 85 percent can be used. In this case, none of the right turns can be used for the purpose of the signal warrant analysis.

Due to insufficient minor street volumes, traffic signal warrants are not met at the intersection of SE Gunderson Road at Highway 211 under year 2022 buildout scenario.

Left-Turn Lane Warrants

Left-turn lane warrants were examined at the planned intersection of Highway 211 at SE Gunderson Road. A left-turn refuge is primarily a safety consideration for the major-street approach, removing left-turning vehicles from the through traffic stream.

Warrants were examined based on the design curves developed by the Texas Transportation Institute, as adopted by the APM. This methodology evaluates the need for a left-turn lane based on the number of left-turning vehicles, the number of travel lanes, the number of advancing and opposing vehicles, and the roadway travel speed.

A left-turn lane is warranted at the intersection of SE Gunderson Road at Highway 211 under the year 2022 buildout scenario and it is recommended that a left-turn lane be constructed as part of the intersection improvements.

¹ Federal Highway Administration (FTA), American Traffic Safety Services Association (ATSSA), Institute of Transportation Engineers (ITE), American Association of State Highway and Transportation Officials (AASHTO), *Manual of Uniform Traffic Control Devices for Streets and Highways* (MUTCD), 2009 Edition, 2010



Operational Analysis

A capacity analysis was conducted for the study intersection per the unsignalized intersection analysis methodologies in the *Highway Capacity Manual*² (HCM). Intersections are generally evaluated based on the average control delay experienced by vehicles and are assigned a grade according to their operation. The level of service (LOS) of an intersection can range from LOS A, which indicates very little or no delay experienced by vehicles, to LOS F, which indicates a high degree of congestion and delay. The volume-to-capacity (v/c) ratio is a measure that compares the traffic volumes (demand) against the available capacity of an intersection.

The City of Sandy’s TSP states that both signalized and unsignalized intersections are required to operate at LOS D or better.

The applicable minimum operational standards for ODOT facilities are established under the Oregon Highway Plan and are based on the classification of the roadway and its v/c ratio. District highways located outside the Urban Growth Boundary and within an unincorporated community has a peak hour v/c ratio target of 0.80.

Table 3: Intersection Capacity Analysis Summary

	Morning Peak Hour			Evening Peak Hour		
	Delay	LOS	V/C	Delay	LOS	V/C
SE 362nd Drive at Dubarko Road						
Year 2022 Buildout Conditions	13	B	0.24	19	C	0.36
Ruben Lane at Dubarko Road						
Year 2022 Buildout Conditions	10	A	0.03	12	B	0.21
Dubarko Road at Melissa Avenue						
Year 2022 Buildout Conditions	9	A	0.13	10	B	0.09
Dubarko Road at Bluff Road						
Year 2022 Buildout Conditions	8	A	0.16	8	A	0.15
Highway 211 at SE Gunderson Road						
Year 2022 Buildout Conditions	11	B	0.08	13	B	0.08

All intersections are projected to operate within the City of Sandy and ODOT’s operational standards under all analysis scenarios.

² Transportation Research Board, *Highway Capacity Manual, 6th Edition, 2016.*



Intersection Location

The City of Sandy TSP shows a planning-level depiction of the Gunderson Road extension that was outside of the UGB at the time the TSP was adopted but is within the current UGB. This is shown below in Figure 4.



Figure 4: Alignment from Sandy TSP

However, upon closer investigation and engineering analysis, it was determined that the alignment shown on the TSP was not feasible for construction of an intersection with Highway 211, primarily due to poor sight distance, the need for a perpendicular intersection, and a very steep superelevated roadway section.

Looking to the northeast from the TSP-identified location, sight distance is limited by both horizontal and vertical curves on Highway 211. In addition, sight distance from the future fourth leg of the intersection would be particularly poor. At

the TSP-identified location, the highway was designed for moving traffic, not for accommodation of an intersection. Due to the high design speed and the horizontal curve, superelevation (the banking of the roadway around the curve) is very steep. This facilitates through traffic on the highway, but makes an intersection at this location problematic, due to difficult turning and crossing movements across the steep curve.

Need for UGB Expansion

The nearest suitable intersection location was found to be farther to the southwest, at the location currently proposed for a UGB amendment. From this location, it is far enough from the horizontal and vertical curves to the northeast to have adequate sight distance and far enough southwest of the curve to not be in a

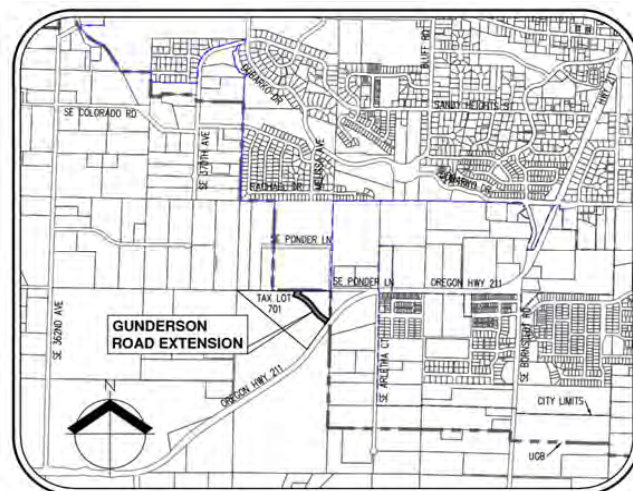


Figure 5: Planned Alignment



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superelevated roadway section. However, this alignment is outside of the current UGB of the City of Sandy, as shown in Figure 5. As such, a UGB amendment is proposed to accommodate the road extension.

With the proposed UGB amendment, there will be a triangle-shaped remnant piece of property that will also be brought into the UGB. This remnant is approximately 2.38 acres in size and is proposed to be dedicated as a public neighborhood park. This will be a small, passive-use neighborhood park that will be used primarily by the residents in the area. Trips to and from the park will be primarily pedestrian and bicycle trips and no separate parking lot is planned.

Oregon Administrative Rules

The proposed UGB amendment, comprehensive plan and zone map amendments, and annexation applications trigger the need to address the Transportation Planning Rule (TPR) and associated criteria from the Oregon Administrative Rules. These are addressed below.

OAR 660-012-0060 Transportation Planning Rule

The primary purpose of the TPR is to account for the potential transportation impacts associated with any amendments to adopted plans and land use regulations. The TPR is quoted in *italics* below, with a response immediately following each section.

1. *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

Response: The proposed UGB amendment, comprehensive plan and zone map amendment, and annexation will not change the functional classification of any transportation facilities. In fact, it will implement planned roadway connections in the TSP.

- (b) Change standards implementing a functional classification system; or*

Response: The standards that implement the functional classification system are contained in the TSP and will not change as part of this proposal.

- (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing*



January 6, 2020
Page 12 of 14

requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

- (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
- (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

Response: The proposed UGB amendment and associated plan amendments will facilitate the Gunderson Road connection and will not result in developable property that will increase trip generation. In fact, by facilitating an important street connection it is implementing the City of Sandy TSP, will improve connectivity for the neighborhood, and will improve performance of the surrounding transportation system. The proposal will not result in a significant effect as defined by the TPR and no mitigations are necessary.

OAD 660-024-0065 Establishment of Study Area to Evaluate Land for Inclusion in the UGB

This section of the OAR is specific to UGB expansions and speaks to public facilities (such as transportation facilities) that require specific site characteristics. The OAR is quoted in *italics* below, with a response immediately following each section.

- 3. When the primary purpose for expansion of the UGB is to accommodate a particular industrial use that requires specific site characteristics, or to accommodate a public facility that requires specific site characteristics, and the site characteristics may be found in only a small number of locations, the preliminary study area may be limited to those locations within the distance described in section (1) or (2), whichever is appropriate, that have or could be improved to provide the required site characteristics. For purposes of this section:*
 - (a) The definition of "site characteristics" in OAR 660-009-0005(11) applies for purposes of identifying a particular industrial use.*

Response: In OAR 660-009-0005(11), "Site Characteristics" are defined by visibility, proximity to a particular transportation facility, and major transportation routes. In this case, the "site" for the UGB amendment is very narrowly defined and the location between the subdivision and Highway 211 is dictated by engineering standards that must be satisfied for a safe and efficient intersection location.

- (b) A "public facility" may include a facility necessary for public sewer, water, storm water, transportation, parks, schools, or fire protection. Site characteristics may include but are not limited to size, topography and proximity.*



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Response: Since the primary purpose of the proposed UGB amendment is to accommodate the extension of Gunderson Road to Highway 211, it is by definition a “public facility”. Site characteristics such as topography are what have dictated the need for the intersection in the location as proposed. Additionally, the applicant is providing area for a neighborhood park, a minor public facility.

Summary & Conclusions

The proposed UGB amendment, comprehensive plan and zone map amendments, and annexation will implement the City of Sandy TSP and result in improved operation at the study area roadways and intersections. The connection will improve conditions for the existing neighborhood to the north of the Bailey Meadows subdivision by providing another means of vehicular access to the area.



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Appendix

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 1/6/2020
 Scenario: Year 2022 Buildout Conditions - Evening Peak Hour

Major Street: Highway 211 Minor Street: SE Gunderson Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 675 PM Peak Hour Volumes: 22

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	6,750	8,850	
Minor Street*	220	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	6,750	13,300	
Minor Street*	220	1,350	No
<i>Combination Warrant</i>			
Major Street	6,750	10,640	
Minor Street*	220	2,120	No

* Minor street right-turning traffic volumes reduced by 85% of the turn lane capacity.



Project: Bailey Meadows Subdivision
 Intersection: Highway 211 at SE Gunderson Road
 Date: 1/6/2020
 Scenario: 2022 Buildout conditions

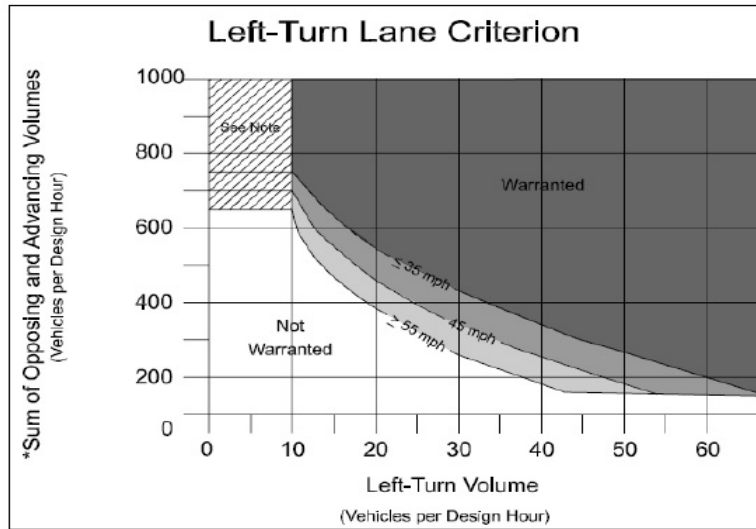
Speed? 45 mph

PM Peak Hour

Left-Turn Volume	26
Approaching DHV	250
# of Advancing Through Lanes	1
Opposing DHV	399
# of Opposing Through Lanes	1

O+A DHV 649

Lane Needed? **Yes**



Source: Oregon DOT Analysis Procedures Manual 2008

*** (Advancing Vol/ # of Advancing Through Lanes) + (Opposing Vol/ # of Opposing Through Lanes)**

Note: The criterion is not met from zero to ten left turn vehicles per hour, but careful consideration should be given to installing a left turn lane due to the increased potential for accidents in the through lanes. While the turn volumes are low, the adverse safety and operational impacts may require installation of a left turn. The final determination will be based on a field study.

Lanes, Volumes, Timings
 1: SE 362nd Drive & Dubarko Road

12/13/2019



Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	9	109	385	9	31	132
Future Volume (vph)	9	109	385	9	31	132
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	115	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.876		0.997			
Flt Protected	0.996				0.950	
Satd. Flow (prot)	1641	0	1857	0	1703	1792
Flt Permitted	0.996				0.950	
Satd. Flow (perm)	1641	0	1857	0	1703	1792
Link Speed (mph)	25		35		35	
Link Distance (ft)	435		701		662	
Travel Time (s)	11.9		13.7		12.9	
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles (%)	1%	1%	2%	2%	6%	6%
Adj. Flow (vph)	11	128	453	11	36	155
Shared Lane Traffic (%)						
Lane Group Flow (vph)	139	0	464	0	36	155
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(ft)	12		12		12	
Link Offset(ft)	0		0		0	
Crosswalk Width(ft)	16		16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15	9		9	15	
Sign Control	Stop		Free		Free	

Intersection Summary

Area Type:	Other
Control Type:	Unsignalized
Intersection Capacity Utilization	39.7%
ICU Level of Service	A
Analysis Period (min)	15

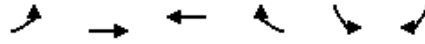
HCM 6th TWSC
1: SE 362nd Drive & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	2.7					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	9	109	385	9	31	132
Future Vol, veh/h	9	109	385	9	31	132
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	11	128	453	11	36	155
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	686	459	0	0	464	
Stage 1	459	-	-	-	-	
Stage 2	227	-	-	-	-	
Critical Hdwy	6.41	6.21	-	-	4.16	
Critical Hdwy Stg 1	5.41	-	-	-	-	
Critical Hdwy Stg 2	5.41	-	-	-	-	
Follow-up Hdwy	3.509	3.309	-	-	2.254	
Pot Cap-1 Maneuver	415	604	-	-	1077	
Stage 1	638	-	-	-	-	
Stage 2	813	-	-	-	-	
Platoon blocked, %			-	-	-	
Mov Cap-1 Maneuver	401	604	-	-	1077	
Mov Cap-2 Maneuver	401	-	-	-	-	
Stage 1	617	-	-	-	-	
Stage 2	813	-	-	-	-	
Approach	WB	NB		SB		
HCM Control Delay, s	13.1	0		1.6		
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	582	1077	-	
HCM Lane V/C Ratio	-	-	0.239	0.034	-	
HCM Control Delay (s)	-	-	13.1	8.5	-	
HCM Lane LOS	-	-	B	A	-	
HCM 95th %tile Q(veh)	-	-	0.9	0.1	-	

Lanes, Volumes, Timings
2: Dubarko Road & Ruben Lane

12/13/2019



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Volume (vph)	20	24	74	112	14	6
Future Volume (vph)	20	24	74	112	14	6
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr t			0.919		0.959	
Flt Protected		0.978			0.966	
Satd. Flow (prot)	0	1753	1712	0	1558	0
Flt Permitted		0.978			0.966	
Satd. Flow (perm)	0	1753	1712	0	1558	0
Link Speed (mph)		25	25		25	
Link Distance (ft)		560	633		717	
Travel Time (s)		15.3	17.3		19.6	
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles (%)	6%	6%	2%	2%	13%	13%
Adj. Flow (vph)	22	27	83	126	16	7
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	49	209	0	23	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		12	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		16	16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15			9	15	9
Sign Control		Free	Free		Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	27.4%			ICU Level of Service A		
Analysis Period (min)	15					

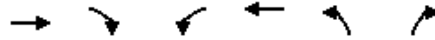
HCM 6th TWSC
2: Dubarko Road & Ruben Lane

12/13/2019

Intersection						
Int Delay, s/veh	1.4					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	20	24	74	112	14	6
Future Vol, veh/h	20	24	74	112	14	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	22	27	83	126	16	7
Major/Minor	Major1	Major2	Minor2			
Conflicting Flow All	209	0	-	0	217	146
Stage 1	-	-	-	-	146	-
Stage 2	-	-	-	-	71	-
Critical Hdwy	4.16	-	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	-	3.617	3.417
Pot Cap-1 Maneuver	1338	-	-	-	747	873
Stage 1	-	-	-	-	855	-
Stage 2	-	-	-	-	925	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	1338	-	-	-	734	873
Mov Cap-2 Maneuver	-	-	-	-	734	-
Stage 1	-	-	-	-	840	-
Stage 2	-	-	-	-	925	-
Approach	EB	WB	SB			
HCM Control Delay, s	3.5	0	9.8			
HCM LOS			A			
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1338	-	-	-	771	
HCM Lane V/C Ratio	0.017	-	-	-	0.029	
HCM Control Delay (s)	7.7	0	-	-	9.8	
HCM Lane LOS	A	A	-	-	A	
HCM 95th %tile Q(veh)	0.1	-	-	-	0.1	

Lanes, Volumes, Timings
 3: Melissa Avenue & Dubarko Road

12/13/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	8	8	18	41	61	33
Future Volume (vph)	8	8	18	41	61	33
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr't	0.932				0.952	
Flt Protected			0.985		0.969	
Satd. Flow (prot)	1451	0	0	1835	1718	0
Flt Permitted			0.985		0.969	
Satd. Flow (perm)	1451	0	0	1835	1718	0
Link Speed (mph)	25		25		25	
Link Distance (ft)	1479		1123		1279	
Travel Time (s)	40.3		30.6		34.9	
Peak Hour Factor	0.79	0.79	0.79	0.79	0.79	0.79
Heavy Vehicles (%)	22%	22%	2%	2%	2%	2%
Adj. Flow (vph)	10	10	23	52	77	42
Shared Lane Traffic (%)						
Lane Group Flow (vph)	20	0	0	75	119	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0		0		12	
Link Offset(ft)	0		0		0	
Crosswalk Width(ft)	16		16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	9		15		15	
Sign Control	Free		Free		Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	21.9%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th TWSC
3: Melissa Avenue & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	6					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	8	18	41	61	33
Future Vol, veh/h	8	8	18	41	61	33
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	10	23	52	77	42
Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	20	0	113	15
Stage 1	-	-	-	-	15	-
Stage 2	-	-	-	-	98	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1596	-	884	1065
Stage 1	-	-	-	-	1008	-
Stage 2	-	-	-	-	926	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1596	-	871	1065
Mov Cap-2 Maneuver	-	-	-	-	871	-
Stage 1	-	-	-	-	993	-
Stage 2	-	-	-	-	926	-
Approach	EB	WB	NB			
HCM Control Delay, s	0	2.2	9.4			
HCM LOS			A			
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	931	-	-	1596	-	
HCM Lane V/C Ratio	0.128	-	-	0.014	-	
HCM Control Delay (s)	9.4	-	-	7.3	0	
HCM Lane LOS	A	-	-	A	A	
HCM 95th %tile Q(veh)	0.4	-	-	0	-	

Lanes, Volumes, Timings
4: Dubarko Road & Bluff Road

12/13/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Volume (vph)	41	0	19	17	40	60
Future Volume (vph)	41	0	19	17	40	60
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr t					0.919	
Flt Protected				0.974	0.980	
Satd. Flow (prot)	1696	0	0	1698	1645	0
Flt Permitted				0.974	0.980	
Satd. Flow (perm)	1696	0	0	1698	1645	0
Link Speed (mph)	25			25	25	
Link Distance (ft)	750			780	615	
Travel Time (s)	20.5			21.3	16.8	
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles (%)	12%	12%	9%	9%	4%	4%
Adj. Flow (vph)	59	0	27	24	57	86
Shared Lane Traffic (%)						
Lane Group Flow (vph)	59	0	0	51	143	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Stop			Stop	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	21.2%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th AWSC
4: Dubarko Road & Bluff Road

12/13/2019

Intersection	
Intersection Delay, s/veh	7.7
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	41	0	19	17	40	60
Future Vol, veh/h	41	0	19	17	40	60
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	59	0	27	24	57	86
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.8	7.8	7.7
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	40%	0%	53%
Vol Thru, %	0%	100%	47%
Vol Right, %	60%	0%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	100	41	36
LT Vol	40	0	19
Through Vol	0	41	17
RT Vol	60	0	0
Lane Flow Rate	143	59	51
Geometry Grp	1	1	1
Degree of Util (X)	0.154	0.072	0.064
Departure Headway (Hd)	3.877	4.396	4.456
Convergence, Y/N	Yes	Yes	Yes
Cap	913	807	796
Service Time	1.95	2.466	2.528
HCM Lane V/C Ratio	0.157	0.073	0.064
HCM Control Delay	7.7	7.8	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.5	0.2	0.2

Lanes, Volumes, Timings
 5: Highway 211 & SE Gunderson Road

12/13/2019



Lane Group	SEL	SER	NEL	NET	SWT	SWR
Lane Configurations						
Traffic Volume (vph)	21	24	7	129	290	15
Future Volume (vph)	21	24	7	129	290	15
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750
Storage Length (ft)	0	0	100			100
Storage Lanes	1	0	1			1
Taper Length (ft)	25		25			
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.928					0.850
Flt Protected	0.977		0.950			
Satd. Flow (prot)	1556	0	1630	1716	1716	1458
Flt Permitted	0.977		0.950			
Satd. Flow (perm)	1556	0	1630	1716	1716	1458
Link Speed (mph)	30			30	30	
Link Distance (ft)	827			1043	1164	
Travel Time (s)	18.8			23.7	26.5	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	23	26	8	140	315	16
Shared Lane Traffic (%)						
Lane Group Flow (vph)	49	0	8	140	315	16
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.11	1.11	1.11	1.11	1.11	1.11
Turning Speed (mph)	15	9	15			9
Sign Control	Stop			Free	Free	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	26.6%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th TWSC
5: Highway 211 & SE Gunderson Road

12/13/2019

Intersection						
Int Delay, s/veh	1.1					
Movement	SEL	SER	NEL	NET	SWT	SWR
Lane Configurations	↔		↔	↑	↑	↔
Traffic Vol, veh/h	21	24	7	129	290	15
Future Vol, veh/h	21	24	7	129	290	15
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	100	-	-	100
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	23	26	8	140	315	16
Major/Minor	Minor2	Major1	Major2			
Conflicting Flow All	471	315	331	0	-	0
Stage 1	315	-	-	-	-	-
Stage 2	156	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	551	725	1228	-	-	-
Stage 1	740	-	-	-	-	-
Stage 2	872	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	547	725	1228	-	-	-
Mov Cap-2 Maneuver	547	-	-	-	-	-
Stage 1	735	-	-	-	-	-
Stage 2	872	-	-	-	-	-
Approach	SE	NE	SW			
HCM Control Delay, s	11.2	0.4	0			
HCM LOS	B					
Minor Lane/Major Mvmt	NEL	NET	SELn1	SWT	SWR	
Capacity (veh/h)	1228	-	629	-	-	
HCM Lane V/C Ratio	0.006	-	0.078	-	-	
HCM Control Delay (s)	8	-	11.2	-	-	
HCM Lane LOS	A	-	B	-	-	
HCM 95th %tile Q(veh)	0	-	0.3	-	-	

Lanes, Volumes, Timings
1: SE 362nd Drive & Dubarko Road

12/13/2019



Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	23	111	293	22	201	557
Future Volume (vph)	23	111	293	22	201	557
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	115	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.888		0.991			
Flt Protected	0.992				0.950	
Satd. Flow (prot)	1641	0	1846	0	1787	1881
Flt Permitted	0.992				0.950	
Satd. Flow (perm)	1641	0	1846	0	1787	1881
Link Speed (mph)	25		35		35	
Link Distance (ft)	435		701		662	
Travel Time (s)	11.9		13.7		12.9	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	2%	2%	2%	2%	1%	1%
Adj. Flow (vph)	25	121	318	24	218	605
Shared Lane Traffic (%)						
Lane Group Flow (vph)	146	0	342	0	218	605
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(ft)	12		12		12	
Link Offset(ft)	0		0		0	
Crosswalk Width(ft)	16		16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15	9		9	15	
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	46.0%			ICU Level of Service A		
Analysis Period (min)	15					

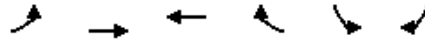
HCM 6th TWSC
1: SE 362nd Drive & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	3.5					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	23	111	293	22	201	557
Future Vol, veh/h	23	111	293	22	201	557
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	25	121	318	24	218	605
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	1371	330	0	0	342	
Stage 1	330	-	-	-	-	
Stage 2	1041	-	-	-	-	
Critical Hdwy	6.42	6.22	-	-	4.11	
Critical Hdwy Stg 1	5.42	-	-	-	-	
Critical Hdwy Stg 2	5.42	-	-	-	-	
Follow-up Hdwy	3.518	3.318	-	-	2.209	
Pot Cap-1 Maneuver	161	712	-	-	1223	
Stage 1	728	-	-	-	-	
Stage 2	340	-	-	-	-	
Platoon blocked, %			-	-	-	
Mov Cap-1 Maneuver	132	712	-	-	1223	
Mov Cap-2 Maneuver	132	-	-	-	-	
Stage 1	598	-	-	-	-	
Stage 2	340	-	-	-	-	
Approach	WB	NB		SB		
HCM Control Delay, s	18.7	0		2.3		
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	406	1223	-	
HCM Lane V/C Ratio	-	-	0.359	0.179	-	
HCM Control Delay (s)	-	-	18.7	8.6	-	
HCM Lane LOS	-	-	C	A	-	
HCM 95th %tile Q(veh)	-	-	1.6	0.6	-	

Lanes, Volumes, Timings
2: Dubarko Road & Ruben Lane

12/13/2019



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↘	
Traffic Volume (vph)	17	181	88	64	90	35
Future Volume (vph)	17	181	88	64	90	35
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr t			0.943		0.962	
Flt Protected		0.996			0.965	
Satd. Flow (prot)	0	1874	1792	0	1746	0
Flt Permitted		0.996			0.965	
Satd. Flow (perm)	0	1874	1792	0	1746	0
Link Speed (mph)		25	25		25	
Link Distance (ft)		560	633		717	
Travel Time (s)		15.3	17.3		19.6	
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles (%)	1%	1%	0%	0%	1%	1%
Adj. Flow (vph)	19	203	99	72	101	39
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	222	171	0	140	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		12	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		16	16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15			9	15	9
Sign Control		Free	Free		Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	36.1%			ICU Level of Service A		
Analysis Period (min)	15					

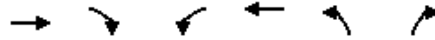
HCM 6th TWSC
2: Dubarko Road & Ruben Lane

12/13/2019

Intersection						
Int Delay, s/veh	3.4					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	17	181	88	64	90	35
Future Vol, veh/h	17	181	88	64	90	35
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	19	203	99	72	101	39
Major/Minor	Major1	Major2	Minor2			
Conflicting Flow All	171	0	-	0	376	135
Stage 1	-	-	-	-	135	-
Stage 2	-	-	-	-	241	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1412	-	-	-	627	917
Stage 1	-	-	-	-	894	-
Stage 2	-	-	-	-	801	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	1412	-	-	-	618	917
Mov Cap-2 Maneuver	-	-	-	-	618	-
Stage 1	-	-	-	-	881	-
Stage 2	-	-	-	-	801	-
Approach	EB	WB	SB			
HCM Control Delay, s	0.7	0	11.7			
HCM LOS	B					
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1412	-	-	-	680	
HCM Lane V/C Ratio	0.014	-	-	-	0.207	
HCM Control Delay (s)	7.6	0	-	-	11.7	
HCM Lane LOS	A	A	-	-	B	
HCM 95th %tile Q(veh)	0	-	-	-	0.8	

Lanes, Volumes, Timings
 3: Melissa Avenue & Dubarko Road

12/13/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	90	72	28	62	35	21
Future Volume (vph)	90	72	28	62	35	21
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.940				0.949	
Flt Protected			0.985		0.970	
Satd. Flow (prot)	1768	0	0	1872	1749	0
Flt Permitted			0.985		0.970	
Satd. Flow (perm)	1768	0	0	1872	1749	0
Link Speed (mph)	25		25		25	
Link Distance (ft)	1479		1123		1279	
Travel Time (s)	40.3		30.6		34.9	
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles (%)	1%	1%	0%	0%	0%	0%
Adj. Flow (vph)	106	85	33	73	41	25
Shared Lane Traffic (%)						
Lane Group Flow (vph)	191	0	0	106	66	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0		0		12	
Link Offset(ft)	0		0		0	
Crosswalk Width(ft)	16		16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	9		15		15	
Sign Control	Free		Free		Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	27.3%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th TWSC
3: Melissa Avenue & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	2.6					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	90	72	28	62	35	21
Future Vol, veh/h	90	72	28	62	35	21
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	106	85	33	73	41	25
Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	191	0	288	149
Stage 1	-	-	-	-	149	-
Stage 2	-	-	-	-	139	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1395	-	707	903
Stage 1	-	-	-	-	884	-
Stage 2	-	-	-	-	893	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1395	-	689	903
Mov Cap-2 Maneuver	-	-	-	-	689	-
Stage 1	-	-	-	-	862	-
Stage 2	-	-	-	-	893	-
Approach	EB	WB	NB			
HCM Control Delay, s	0	2.4	10.2			
HCM LOS			B			
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	756	-	-	1395	-	
HCM Lane V/C Ratio	0.087	-	-	0.024	-	
HCM Control Delay (s)	10.2	-	-	7.6	0	
HCM Lane LOS	B	-	-	A	A	
HCM 95th %tile Q(veh)	0.3	-	-	0.1	-	

Lanes, Volumes, Timings
4: Dubarko Road & Bluff Road

12/13/2019

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↗			↖	↗	
Traffic Volume (vph)	29	94	28	33	59	31
Future Volume (vph)	29	94	28	33	59	31
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr _t	0.897				0.954	
Flt Protected				0.978	0.968	
Satd. Flow (prot)	1704	0	0	1858	1737	0
Flt Permitted				0.978	0.968	
Satd. Flow (perm)	1704	0	0	1858	1737	0
Link Speed (mph)	25			25	25	
Link Distance (ft)	750			780	615	
Travel Time (s)	20.5			21.3	16.8	
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles (%)	0%	0%	0%	0%	1%	1%
Adj. Flow (vph)	34	111	33	39	69	36
Shared Lane Traffic (%)						
Lane Group Flow (vph)	145	0	0	72	105	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Stop			Stop	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	25.8%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th AWSC
4: Dubarko Road & Bluff Road

12/13/2019

Intersection	
Intersection Delay, s/veh	7.7
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	29	94	28	33	59	31
Future Vol, veh/h	29	94	28	33	59	31
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	34	111	33	39	69	36
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.4	7.8	7.9
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	66%	0%	46%
Vol Thru, %	0%	24%	54%
Vol Right, %	34%	76%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	90	123	61
LT Vol	59	0	28
Through Vol	0	29	33
RT Vol	31	94	0
Lane Flow Rate	106	145	72
Geometry Grp	1	1	1
Degree of Util (X)	0.124	0.148	0.086
Departure Headway (Hd)	4.213	3.682	4.29
Convergence, Y/N	Yes	Yes	Yes
Cap	841	959	825
Service Time	2.29	1.761	2.368
HCM Lane V/C Ratio	0.126	0.151	0.087
HCM Control Delay	7.9	7.4	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.4	0.5	0.3

Lanes, Volumes, Timings
 5: Highway 211 & SE Gunderson Road

12/13/2019



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	22	15	26	373	250	26
Future Volume (vph)	22	15	26	373	250	26
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750
Storage Length (ft)	0	0	100			100
Storage Lanes	1	0	1			1
Taper Length (ft)	25		25			
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.946					0.850
Flt Protected	0.971		0.950			
Satd. Flow (prot)	1576	0	1630	1716	1716	1458
Flt Permitted	0.971		0.950			
Satd. Flow (perm)	1576	0	1630	1716	1716	1458
Link Speed (mph)	30			45	45	
Link Distance (ft)	1495			875	917	
Travel Time (s)	34.0			13.3	13.9	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	24	16	28	405	272	28
Shared Lane Traffic (%)						
Lane Group Flow (vph)	40	0	28	405	272	28
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.11	1.11	1.11	1.11	1.11	1.11
Turning Speed (mph)	15	9	15			9
Sign Control	Stop			Free	Free	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	31.3%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th TWSC
5: Highway 211 & SE Gunderson Road

12/13/2019

Intersection						
Int Delay, s/veh	1					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	RT		RT	LT	LT	RT
Traffic Vol, veh/h	22	15	26	373	250	26
Future Vol, veh/h	22	15	26	373	250	26
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	100	-	-	100
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	24	16	28	405	272	28
Major/Minor	Minor2	Major1	Major2			
Conflicting Flow All	733	272	300	0	-	0
Stage 1	272	-	-	-	-	-
Stage 2	461	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	388	767	1261	-	-	-
Stage 1	774	-	-	-	-	-
Stage 2	635	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	379	767	1261	-	-	-
Mov Cap-2 Maneuver	379	-	-	-	-	-
Stage 1	757	-	-	-	-	-
Stage 2	635	-	-	-	-	-
Approach	EB	NB	SB			
HCM Control Delay, s	13.2	0.5	0			
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1261	-	477	-	-	
HCM Lane V/C Ratio	0.022	-	0.084	-	-	
HCM Control Delay (s)	7.9	-	13.2	-	-	
HCM Lane LOS	A	-	B	-	-	
HCM 95th %tile Q(veh)	0.1	-	0.3	-	-	

Bailey Meadows Subdivision

Traffic Impact Analysis
Sandy, Oregon

Date:

June 20, 2019

Prepared for:

Cody Bjugan, Allied Homes & Development

Prepared by:

Jessica Hijar
Todd Mobley, PE



RENEWS: 12/31/2020



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Executive Summary

1. A 100-lot single family detached swelling unit subdivision is proposed for the following tax lots in Sandy, Oregon: 24E23 800, 801, 802, 803, and 804.
2. Access to the project is planned via an existing right-of-way street stub on Melissa Avenue that was created to provide access to the subject site as part of the adjoining Nicholas Glen No. 2 subdivision.
3. The proposed subdivision is calculated to generate 74 trips during the morning peak hour, 99 trips during the evening peak hour, and 944 trips each weekday.
4. Based on a review of the most recent five years of crash history, no significant safety issues or trends are evident at the study intersections.
5. Due to insufficient major and minor street volumes, preliminary traffic signal warrants were not met at the study intersections under all analysis scenarios.
6. Left-turn lane warrants were analyzed for the intersection of Melissa Avenue at Dubarko Road and not met under any analysis scenario.
7. All study intersections, including the intersection of Melissa Avenue at Dubarko Road, are currently operating within the City's performance standards and are projected to continue operating acceptably through year 2022, with or without the addition of site trips from the proposed development.



Project Description

Introduction

The proposed development will include the construction of a 100-lot subdivision to be located on tax lots 24E23 800, 801, 802, 803, and 804 in Sandy, Oregon. The site is currently within the City of Sandy Urban Growth Boundary, the city limits, and is zoned Single Family Residential (SFR), which allows the subdivision as proposed. The project will be built in three phases, with the expected completion year of 2022.

This report includes traffic counts and a full operational analysis at the intersections listed below. This scope was developed based on City of Sandy's Traffic Impact Analysis (TIA) requirements and was approved by Replinger and Associates, the City's consulting transportation engineer. Coordination of the scope of work with the Oregon Department of Transportation (ODOT) was not necessary since no intersections on the state highway are affected.

1. SE 362nd Drive at Dubarko Road,
2. Ruben Lane at Dubarko Road,
3. Dubarko Road at Melissa Avenue, and
4. Dubarko Road at Bluff Road.

The purpose of this study is to determine whether the transportation system within the vicinity of the site is capable of supporting the existing uses as well as the proposed subdivision and to determine if mitigation is necessary. Detailed information on traffic counts, trip generation calculations, safety analyses, and level-of-service calculations is included in the appendix to this report.

Location Description

The subject site is located south of Rachel Drive and west of Ponder Lane in Sandy, Oregon. Although roadway stubs will be provided within the site for future roadway connections, access to the project is planned via an existing right-of-way street stub on Melissa Avenue that was created to provide access to the subject site as part of the adjoining Nicholas Glen No. 2 subdivision.

Access to the subdivision cannot be provided via SE Ponder Lane in the southeast corner of the site since the existing right-of-way along SE Ponder Lane does not allow for two directions of travel and the current configuration of SE Ponder Lane at Highway 211 cannot support additional vehicle trips. There is not sufficient right-of-way available to realign Ponder Lane at its intersection with Highway 211. It is expected that additional access will be available to the east of the site as other properties develop.

Vicinity Streets

Five roadways have been identified in the traffic study scope. Table 1 provides a description of each of the roadways.



Table 1: Vicinity Roadway Descriptions

Street Name	Jurisdiction	Classification	Speed (MPH)	Curbs	Sidewalks	Bicycle Lanes
SE 362 nd Drive	City of Sandy	Rural Minor Arterial	35 mph posted	Partial	Partial	Partial
Ruben Lane	City of Sandy	Collector	25 mph posted	Yes	Partial	Yes
Dubarko Road	City of Sandy	Minor Arterial	25 mph posted	Yes	Yes	Partial
Melissa Avenue	City of Sandy	Local Road	25 mph statutory	Yes	Yes	No
Bluff Road	City of Sandy	Minor Arterial	25 mph posted	Partial	Partial	Partial

Study Intersections

Four nearby intersections were identified in discussions with City staff that are expected to be impacted by the proposed project. Table 2 below provides a summary of each of the study intersections.

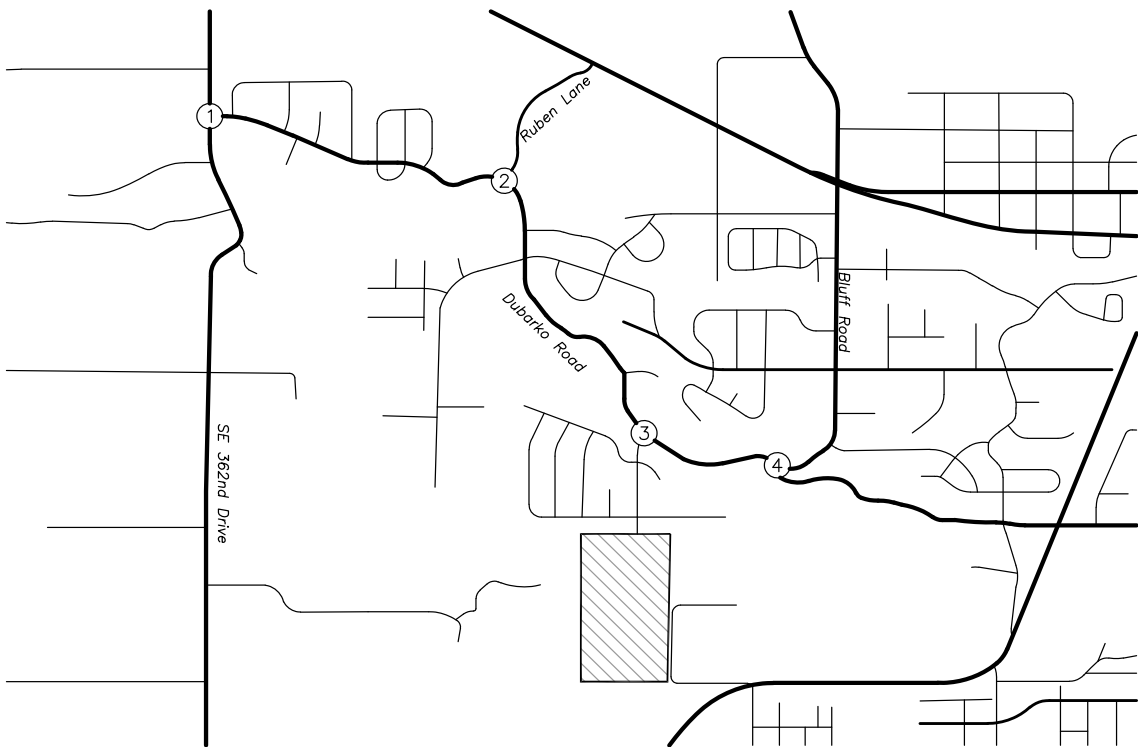
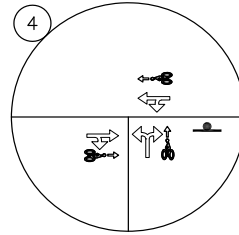
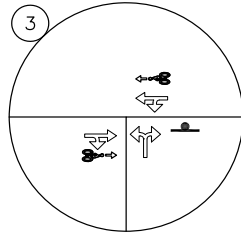
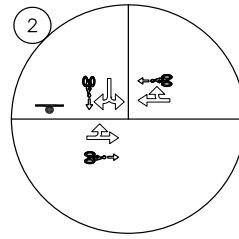
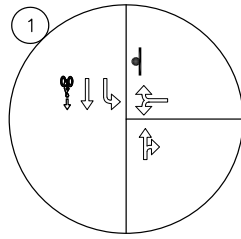
Table 2: Vicinity Intersection Descriptions

Number	Intersection	Geometry	Traffic Control	Stopped Approaches
1	SE 362 nd Drive at Dubarko Road	Three-Legged	Two-Way Stop Controlled	Westbound
2	Ruben Lane at Dubarko Road	Three-Legged	Two-Way Stop Controlled	Southbound
3	Dubarko Road at Melissa Avenue	Three-Legged	Two-Way Stop Controlled	Northbound
4	Dubarko Road at Bluff Rod	Three-Legged	All-Way Stop Controlled	All

The figure on the following page shows the site vicinity and the study intersection configurations.

LEGEND

-  STUDY INTERSECTION (EXISTING)
-  STOP SIGN
-  BIKE LANE
-  PROJECT SITE
-  ARTERIAL ROADWAY
-  COLLECTOR ROADWAY
-  LOCAL ROADWAY



VICINITY MAP



FIGURE 1

PAGE 4



Site Trips

Trip Generation

To estimate the number of trips that will be generated by the proposed use, trip rates from the *Trip Generation Manual*¹ were used. Data from land use codes 210, *Single-Family Detached Housing*, was used to estimate the proposed development’s trip generation based on the number of dwelling units.

The trip generation calculations show that the proposed subdivision is projected to generate 74 morning peak hour trips, 99 evening peak hour trips, and 944 average weekday trips. The trip generation estimates are summarized in Table 3 below and detailed trip generation calculations are included as an attachment to this report.

Table 3: Trip Generation Summary

Land Use Code	Size	Morning Peak Hour			Evening Peak Hour			Weekday Total
		In	Out	Total	In	Out	Total	
210 – Single-Family Detached Housing	100 units	19	55	74	62	37	99	944

Custom Trip Rates

Based on traffic counts collected at the existing intersection of Melissa Avenue at Dubarko Road and 24-hour counts collected along Melissa Avenue, a localized trip rate was derived for the existing subdivision that accesses Dubarko Road via Melissa Avenue. The custom trip rate was calculated to be 0.49 trips per unit during the morning peak hour, 0.63 trips per unit during the evening peak hour, and 6.90 trips per unit during each weekday. A comparison of the ITE trip rates and the trip rates based on localized data is provided in the following table.

Table 4: Trip Rate Comparison

Data	Morning Trip Rate	Evening Trip Rate	Weekday Trip Rate
ITE	0.74 trips/unit	0.99 trips/unit	9.44 trips/unit
Local Data	0.49 trips/unit	0.63 trips/unit	6.90 trips/unit

Since the localized data shows lower trip rates during all analysis periods, it can be expected that the proposed subdivision will yield site trips at a similar rate. Although this lower trip generation rate was not used for analysis, it should be noted that the trip generation based on ITE rates represents a conservative, worst-case analysis.

¹ Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 10th Edition, 2017.

Trip Distribution

The directional distribution of site trips to and from the proposed development was calculated based on travel patterns of trips to and from the existing neighborhood that is served by Melissa Avenue. In addition, the locations of likely trip destinations, locations of major transportation facilities in the site vicinity, and existing travel patterns at the study intersections.

The following trip distribution was estimated and used for analysis:

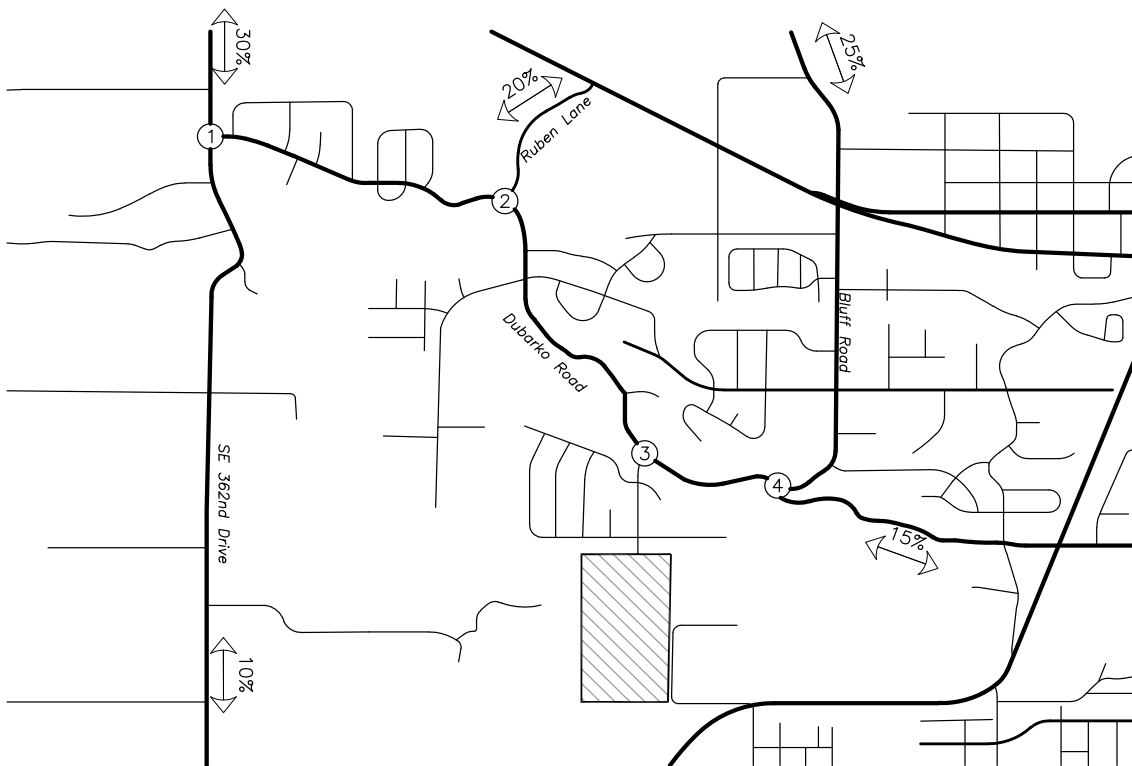
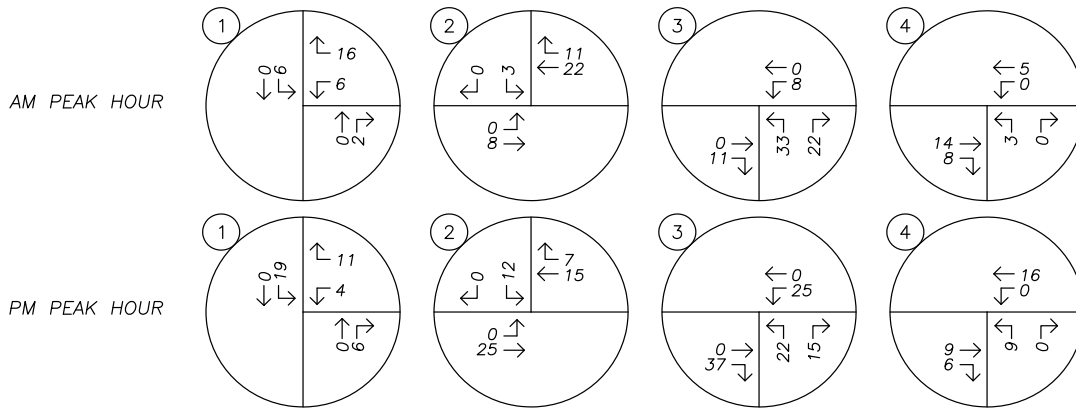
- Approximately 30 percent of site trips will travel to/from the north along SE 362nd Drive;
- Approximately 25 percent of site trips will travel to/from the north along Bluff Road;
- Approximately 20 percent of site trips will travel to/from the north on Ruben Lane;
- Approximately 15 percent of site trips will travel to/from the east along Dubarko Road; and
- Approximately 10 percent of site trips will travel to/from the south along SE 362nd Drive.

Figure 2 on page 7 shows the distribution and assignment of site trips for the proposed development.

LEGEND

XX% PERCENT OF PROJECT TRIPS

TRIP GENERATION			
	IN	OUT	TOTAL
AM	19	55	74
PM	62	37	99



SITE TRIP DISTRIBUTION & ASSIGNMENT
Proposed Development Plan – Site Trips
AM & PM Peak Hours



no scale

FIGURE 2

PAGE 7



Traffic Volumes

Existing Conditions

Traffic counts were conducted at the intersection of Melissa Avenue at Dubarko Road on Thursday, April 25th, 2019 from 7:00 AM to 9:00 AM, and from 4:00 PM to 6:00 PM. Traffic counts were conducted at all other study intersections on Wednesday, May 22nd, 2019 from 4:00 PM to 6:00 PM, and on Thursday, May 23rd, 2019 from 7:00 AM to 9:00 AM. Each intersection's respective morning and evening peak hours were used for analysis.

Background Conditions

In order to calculate the future traffic volumes on local streets, an exponential growth rate of two percent per year for an assumed period of three years was applied to the measured existing traffic volumes to approximate year 2022 background conditions.

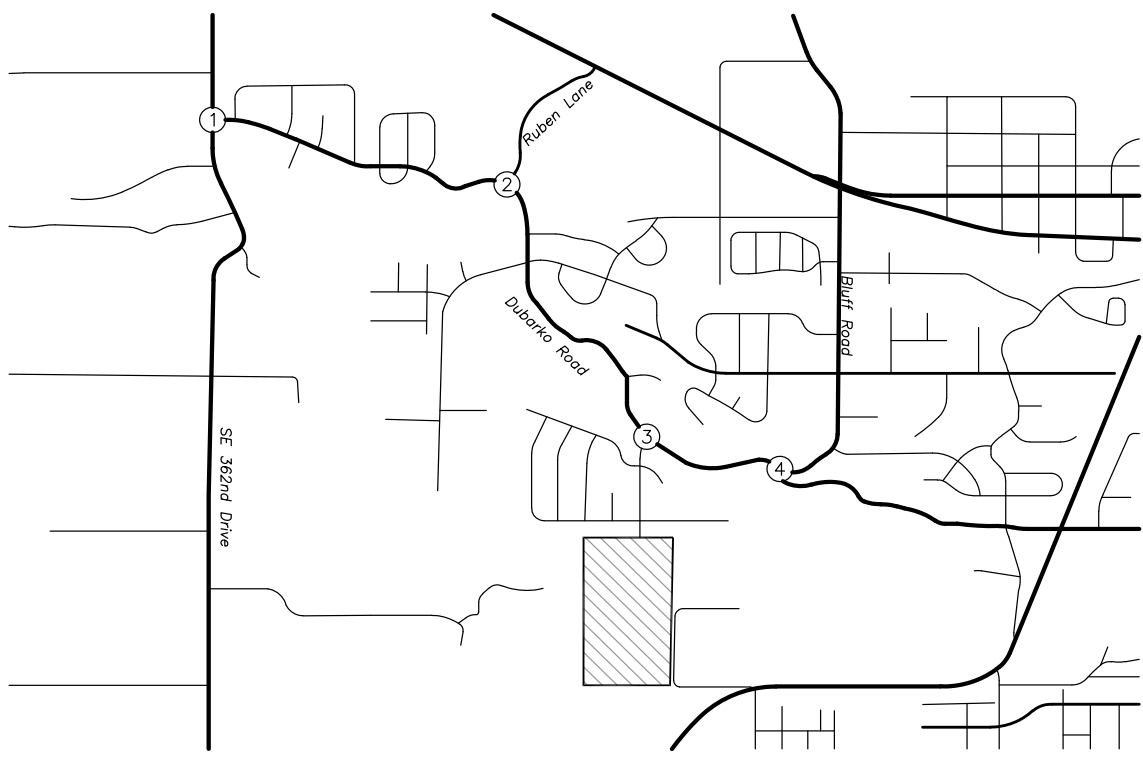
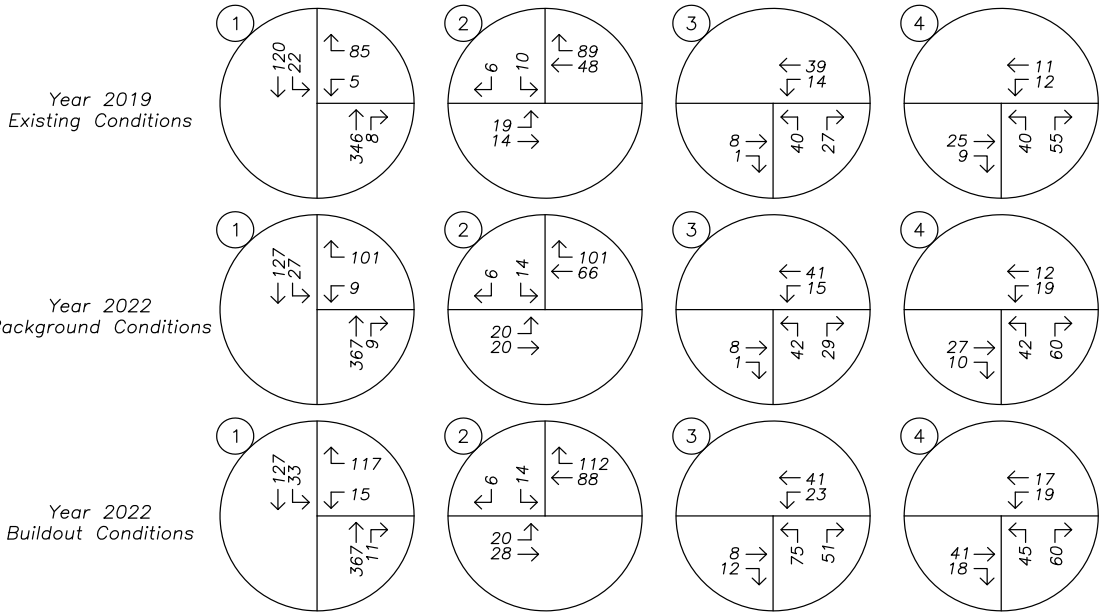
In-Process Trips

In-process trips associated with previously approved developments were added to the background volumes in order to represent future traffic volumes at the study intersections prior to the approval of the subject development. Trips associated with the approved 138-unit Sandy Heights Apartments were added to the study intersections.

Buildout Conditions

Trips to be generated by the proposed development, as described earlier within the *Site Trips* section, were added to the projected year 2022 background traffic volumes to obtain the expected year 2022 buildout volumes.

Figure 3 on page 9 shows the existing, year 2022 background, and year 2022 buildout traffic volumes for the morning peak hour. Figure 4 on page 10 shows the existing, year 2022 background, and year 2022 buildout traffic volumes for the evening peak hour.

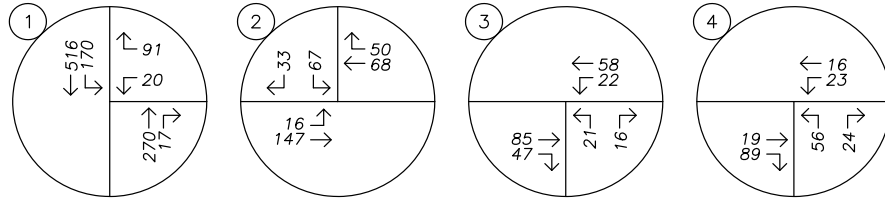


TRAFFIC VOLUMES
 All Analysis Scenarios
 AM Peak Hour

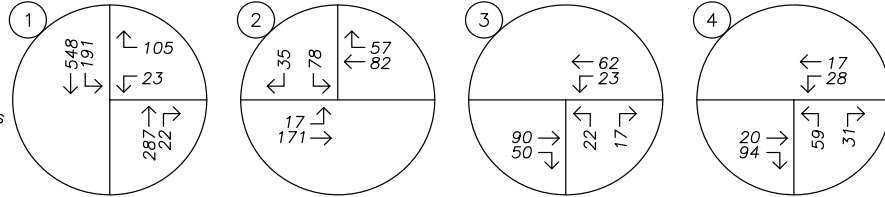


FIGURE 3
PAGE 9

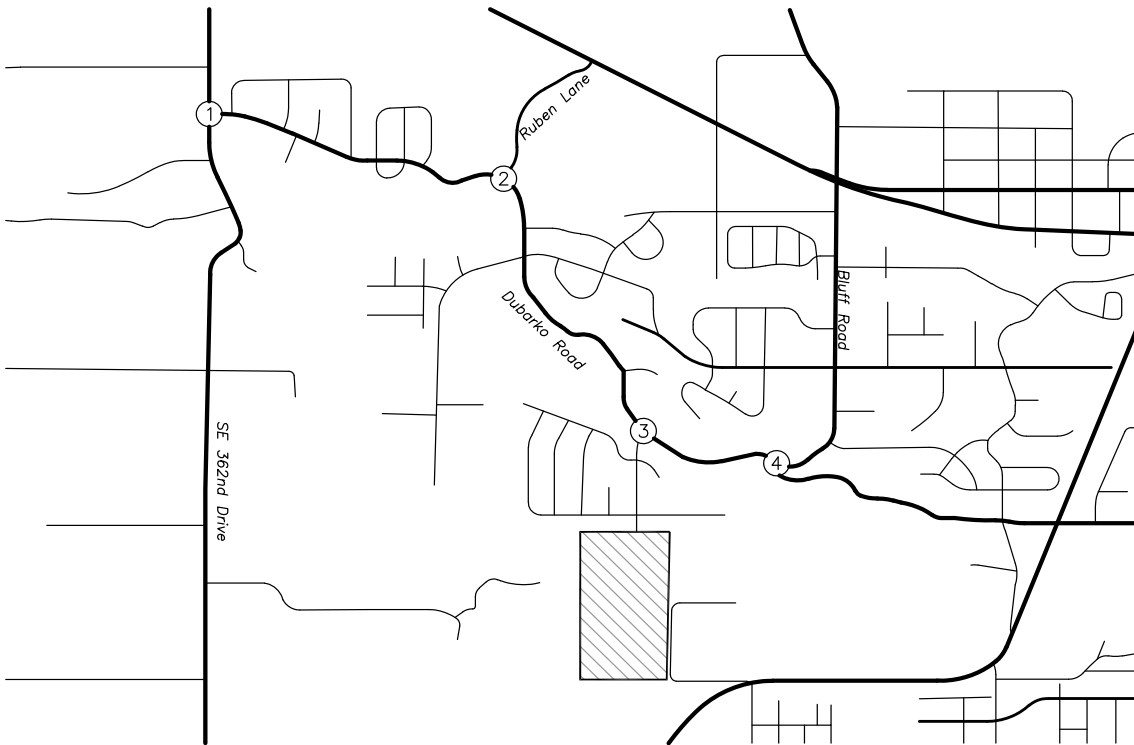
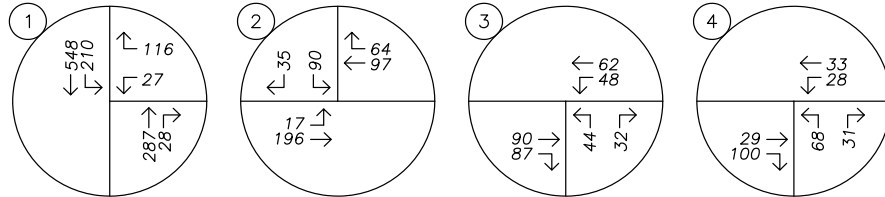
Year 2019
Existing Conditions



Year 2022
Background Conditions



Year 2022
Buildout Conditions



TRAFFIC VOLUMES
All Analysis Scenarios
PM Peak Hour



FIGURE
4

PAGE
10



Safety Analysis

Crash History Review

Using data obtained from the ODOT's Crash Analysis and Reporting Unit, a review of the most recent available five years of crash history (January 2012 to December 2016) at the study intersections was performed. The crash data was evaluated based on the number of crashes, the type of collisions, the severity of the collisions, and the resulting crash rate for the intersection. Crash rates provide the ability to compare safety risks at different intersections by accounting for both the number of crashes that have occurred during the study period and the number of vehicles that typically travel through the intersection. Crash rates were calculated using the common assumption that traffic counted during the evening peak hour represents approximately 10 percent of the annual average daily traffic (AADT) at the intersection. Crash rates in excess of 1.0 crashes per million entering vehicles (CMEV) may be indicative of design deficiencies and therefore require a need for further investigation and possible mitigation.

Table 5: Crash Analysis Summary

Intersection	Crash Type		Crash Severity	Total	AADT	Crash Rate
	Turn	Sideswipe	PDO			
Dubarko Road at SE 362 nd Drive	0	1	1	1	10,840	0.05
Dubarko Road at Melissa Avenue	2	0	2	2	2,490	0.44

The calculated crash rates at the intersections of Dubarko Road at SE 362nd Drive and at Melissa Avenue are not indicative of safety deficiencies or design flaws. No mitigation is recommended.

No reported crashes were found at the intersections of Dubarko Road at Ruben Lane and Dubarko Road at Bluff Road during the analysis period. Accordingly, no safety concerns were identified at these study intersections.

Warrant Analysis

Traffic Signal Warrants

Traffic signal warrants were examined for all study intersections based on the methodologies in the *Manual on Uniform Traffic Control Devices*² (MUTCD). Warrant 1, *Eight Hour Vehicular Volumes*, was used from the MUTCD. Warrants were evaluated based on the common assumption that traffic counted during the evening peak hour represents ten percent of the AADT. Volumes were used for the year 2022 buildout conditions. Traffic signal warrants were not met at any of the study intersections due to low major and minor street

² Federal Highway Administration (FTA), America Traffic Safety Services Association (ATSSA), Institute of Transportation Engineers (ITE), American Association of State Highway and Transportation Officials (AASHTO), *Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD), 2009 Edition, 2010.



traffic volumes. Detailed information on the traffic signal warrant analysis is included in the attached appendix.

Left-Turn Lane Warrants

Left-turn lane warrants were examined for the westbound left-turn lane at the intersection of Melissa Avenue at Dubarko Road. A left-turn refuge is primarily a safety consideration for the major-street approach, removing left-turning vehicles from the through traffic stream. Warrants were based on the methodology outlined in the National Cooperative Highway Research Program (NCHRP) Report Number 457³. These turn-lane warrants were evaluated based on the number of left-turning vehicles, the number of advancing and opposing vehicles, and the roadway travel speed.

Left-turn lanes were not warranted during any of the analysis scenarios. No new left-turn lanes are recommended.

³ Bonneson, James A. and Michael D. Fontaine, *NCHRP Report 457: An Engineering Study Guide for Evaluating Intersection Improvements*, Transportation Research Board, 2001.



Operational Analysis

Delay & Capacity Analysis

A capacity and delay analysis was conducted for the study intersection per the unsignalized intersection analysis methodologies in the *Highway Capacity Manual*⁴ (HCM). Intersections are generally evaluated based on the average control delay experienced by vehicles and are assigned a grade according to their operation. The level of service (LOS) of an intersection can range from LOS A, which indicates very little or no delay experienced by vehicles, to LOS F, which indicates a high degree of congestion and delay. The volume-to-capacity (v/c) ratio is a measure that compares the traffic volumes (demand) against the available capacity of an intersection.

The City of Sandy’s Transportation System Plan states that both signalized and unsignalized intersections are required to operate at LOS D or better.

Based on the results of the operational analysis, shown in Table 6, the study intersections are currently operating acceptably and are projected to continue operating acceptably through the 2022 buildout year of the site. Detailed calculations as well as tables showing the relationship between delay and LOS are included in the appendix to this report.

Table 6: Intersection Capacity Analysis Summary

	Morning Peak Hour			Evening Peak Hour		
	Delay	LOS	V/C	Delay	LOS	V/C
SE 362nd Drive at Dubarko Road						
Existing Conditions	12	B	0.17	16	C	0.27
Year 2022 Background Conditions	13	B	0.22	18	C	0.34
Year 2022 Buildout Conditions	13	B	0.27	21	C	0.40
Ruben Lane at Dubarko Road						
Existing Conditions	9	A	0.02	11	B	0.15
Year 2022 Background Conditions	10	A	0.03	11	B	0.18
Year 2022 Buildout Conditions	10	A	0.03	12	B	0.21
Dubarko Road at Melissa Avenue						
Existing Conditions	9	A	0.09	10	A	0.05
Year 2022 Background Conditions	9	A	0.09	10	A	0.06
Year 2022 Buildout Conditions	10	A	0.17	11	B	0.12
Dubarko Road at Bluff Road						
Existing Conditions	8	A	0.15	8	A	0.13
Year 2022 Background Conditions	8	A	0.16	8	A	0.14
Year 2022 Buildout Conditions	8	A	0.17	8	A	0.16

⁴ Transportation Research Board, *Highway Capacity Manual, 6th Edition, 2016.*



Conclusions

Based on a review of the most recent five years of crash history, no significant safety issues or trends are evident at the study intersections.

Due to insufficient major and minor street volumes, traffic signal warrants were not met at the study intersections under all analysis scenarios.

Left-turn lane warrants were analyzed for the intersection of Melissa Avenue at Dubarko Road and not estimated to be met under any analysis scenario.

All study intersections, including the intersection of Melissa Avenue and Dubarko Road are currently operating within the City's performance standards and are projected to continue operating acceptably through year 2022, with or without the addition of site trips from the proposed development.

1e

Appendix



TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing
Land Use Code: 210
Setting/Location: General Urban/Suburban
Variable: Dwelling Units
Variable Value: 100

AM PEAK HOUR

Trip Rate: 0.74

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	19	55	74

PM PEAK HOUR

Trip Rate: 0.99

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	62	37	99

WEEKDAY

Trip Rate: 9.44

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	472	472	944

SATURDAY

Trip Rate: 9.54

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	477	477	954

Source: Trip Generation Manual, Tenth Edition

All Traffic Data Services, Inc.
alltrafficdata.net

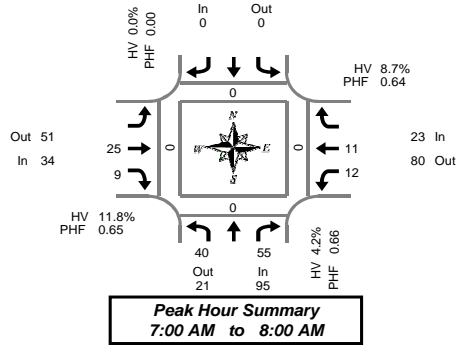
Melissa Ave S-O Dubarko Rd

Start Time	25-Apr-19 Thu	NB	SB	Total					
12:00 AM		2	5	7					
01:00		1	1	2					
02:00		1	0	1					
03:00		7	2	9					
04:00		20	1	21					
05:00		30	5	35					
06:00		57	11	68					
07:00		67	15	82					
08:00		37	17	54					
09:00		30	17	47					
10:00		25	18	43					
11:00		23	22	45					
12:00 PM		35	25	60					
01:00		16	24	40					
02:00		29	46	75					
03:00		35	58	93					
04:00		44	64	108					
05:00		30	54	84					
06:00		32	74	106					
07:00		28	40	68					
08:00		16	36	52					
09:00		9	30	39					
10:00		5	12	17					
11:00		0	4	4					
Total		579	581	1160					
Percent		49.9%	50.1%						
AM Peak	-	07:00	11:00	-	-	-	-	-	07:00
Vol.	-	67	22	-	-	-	-	-	82
PM Peak	-	16:00	18:00	-	-	-	-	-	16:00
Vol.	-	44	74	-	-	-	-	-	108
Grand Total		579	581						1160
Percent		49.9%	50.1%						
ADT		ADT 11,874	AADT 11,874						

Total Vehicle Summary



Clay Carney
(603) 833-2740



Dubarko Rd & Bluff Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Peak Hour Summary
7:00 AM to 8:00 AM

5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	3	4	0			0	2	1	0	0	1	0	11	0	0	0	0
7:05 AM	1	8	0			0	2	0	0	1	0	0	12	0	0	0	0
7:10 AM	3	7	0			0	5	1	0	2	1	0	19	0	0	0	0
7:15 AM	8	6	0			0	4	0	0	0	1	0	19	0	0	0	0
7:20 AM	2	7	0			0	0	0	0	1	1	0	11	0	0	0	0
7:25 AM	6	7	0			0	3	2	0	4	2	0	24	0	0	0	0
7:30 AM	3	2	0			0	6	1	0	1	0	0	13	0	0	0	0
7:35 AM	1	3	0			0	1	0	0	1	1	0	7	0	0	0	0
7:40 AM	3	1	0			0	1	1	0	1	1	0	8	0	0	0	0
7:45 AM	1	2	0			0	0	2	0	1	0	0	6	0	0	0	0
7:50 AM	5	6	0			0	1	0	0	0	3	0	15	0	0	0	0
7:55 AM	4	2	0			0	0	1	0	0	0	0	7	0	0	0	0
8:00 AM	2	1	0			0	1	2	0	2	0	0	8	0	0	0	0
8:05 AM	2	1	0			0	0	1	0	0	0	0	4	0	0	0	0
8:10 AM	1	5	0			0	2	0	0	1	2	0	11	0	0	0	0
8:15 AM	2	7	0			0	0	0	0	2	1	0	12	0	0	0	0
8:20 AM	3	2	0			0	3	0	0	1	0	0	9	0	0	0	0
8:25 AM	3	5	0			0	1	3	0	1	0	0	13	0	0	0	0
8:30 AM	0	5	0			0	0	2	0	1	0	0	8	0	0	0	0
8:35 AM	3	0	0			0	0	2	0	0	0	0	5	0	0	0	0
8:40 AM	3	2	0			0	0	2	0	0	1	0	8	0	0	0	0
8:45 AM	1	1	0			0	1	1	0	3	1	0	8	0	0	0	0
8:50 AM	0	1	0			0	0	1	0	1	0	0	3	0	0	0	0
8:55 AM	1	0	0			0	0	2	0	0	0	0	3	0	0	0	0
Total Survey	61	85	0			0	33	25	0	24	16	0	244	0	0	0	0

15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	7	19	0			0	9	2	0	3	2	0	42	0	0	0	0
7:15 AM	16	20	0			0	7	2	0	5	4	0	54	0	0	0	0
7:30 AM	7	6	0			0	8	2	0	3	2	0	28	0	0	0	0
7:45 AM	10	10	0			0	1	3	0	1	3	0	28	0	0	0	0
8:00 AM	5	7	0			0	3	3	0	3	2	0	23	0	0	0	0
8:15 AM	8	14	0			0	4	3	0	4	1	0	34	0	0	0	0
8:30 AM	6	7	0			0	0	6	0	1	1	0	21	0	0	0	0
8:45 AM	2	2	0			0	1	4	0	4	1	0	14	0	0	0	0
Total Survey	61	85	0			0	33	25	0	24	16	0	244	0	0	0	0

Peak Hour Summary

7:00 AM to 8:00 AM

By Approach	Northbound Dubarko Rd				Southbound Dubarko Rd				Eastbound Bluff Rd				Westbound Bluff Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	95	21	116	0	0	0	0	0	34	51	85	0	23	80	103	0	0	0	0	0	
%HV	4.2%				0.0%				11.8%				8.7%				6.6%				
PHF	0.66				0.00				0.65				0.64				0.70				

By Movement	Northbound Dubarko Rd				Southbound Dubarko Rd				Eastbound Bluff Rd				Westbound Bluff Rd				Total
	L	R	Total	Bikes			Total	Bikes	T	R	Total	Bikes	L	T	Total	Bikes	
Volume	40	55	95	0			0	0	25	9	34	0	12	11	23	0	
%HV	2.5%	NA	5.5%	4.2%	NA	NA	NA	0.0%	NA	12.0%	11.1%	11.8%	8.3%	9.1%	NA	8.7%	6.6%
PHF	0.63	0.65	0.66				0.00		0.57	0.75	0.65		0.50	0.69	0.64	0.70	

Rolling Hour Summary

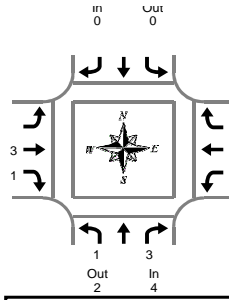
7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	40	55	0			0	25	9	0	12	11	0	152	0	0	0	0
7:15 AM	38	43	0			0	19	10	0	12	11	0	133	0	0	0	0
7:30 AM	30	37	0			0	16	11	0	11	8	0	113	0	0	0	0
7:45 AM	29	38	0			0	8	15	0	9	7	0	106	0	0	0	0
8:00 AM	21	30	0			0	8	16	0	12	5	0	92	0	0	0	0

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Dubarko Rd & Bluff Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Peak Hour Summary
7:00 AM to 8:00 AM

Heavy Vehicle 5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	0	0	0			0	0	0	0	0	1	0	1
7:05 AM	0	1	1			0	0	0	0	1	0	0	1
7:10 AM	0	0	0			0	1	0	1	0	0	0	0
7:15 AM	1	0	1			0	1	0	1	0	0	0	2
7:20 AM	0	0	0			0	0	0	0	0	0	0	0
7:25 AM	0	0	0			0	0	0	0	0	0	0	0
7:30 AM	0	0	0			0	1	0	1	0	0	0	1
7:35 AM	0	1	1			0	0	0	0	0	0	0	1
7:40 AM	0	0	0			0	0	1	1	0	0	0	1
7:45 AM	0	0	0			0	0	0	0	0	0	0	0
7:50 AM	0	1	1			0	0	0	0	0	0	0	1
7:55 AM	0	0	0			0	0	0	0	0	0	0	0
8:00 AM	0	0	0			0	0	0	0	0	0	0	0
8:05 AM	0	0	0			0	0	0	0	0	0	0	0
8:10 AM	0	1	1			0	0	0	0	0	0	0	1
8:15 AM	1	0	1			0	0	0	0	0	0	0	1
8:20 AM	0	0	0			0	1	0	1	0	0	0	1
8:25 AM	0	1	1			0	0	0	0	0	0	0	1
8:30 AM	0	1	1			0	0	0	0	0	0	0	1
8:35 AM	0	0	0			0	0	0	0	0	0	0	0
8:40 AM	0	0	0			0	0	0	0	0	0	0	0
8:45 AM	0	0	0			0	0	0	0	0	0	0	0
8:50 AM	0	0	0			0	0	0	0	0	0	0	0
8:55 AM	0	0	0			0	0	0	0	0	0	0	0
Total Survey	2	6	8			0	4	1	5	1	1	2	15

Heavy Vehicle 15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	0	1	1			0	1	0	1	1	1	0	2
7:15 AM	1	0	1			0	1	0	1	0	0	0	2
7:30 AM	0	1	1			0	1	1	2	0	0	0	3
7:45 AM	0	1	1			0	0	0	0	0	0	0	1
8:00 AM	0	1	1			0	0	0	0	0	0	0	1
8:15 AM	1	1	2			0	1	0	1	0	0	0	3
8:30 AM	0	1	1			0	0	0	0	0	0	0	1
8:45 AM	0	0	0			0	0	0	0	0	0	0	0
Total Survey	2	6	8			0	4	1	5	1	1	2	15

Heavy Vehicle Peak Hour Summary

7:00 AM to 8:00 AM

By Approach	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	4	2	6	0	0	0	4	2	6	2	6	8	10
PHF	0.50			0.00			0.50			0.25			0.50

By Movement	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	1	3	4			0	3	1	4	1	1	2	10
PHF	0.25	0.75	0.50			0.00	0.38	0.25	0.50	0.25	0.25	0.25	0.50

Heavy Vehicle Rolling Hour Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	1	3	4			0	3	1	4	1	1	2	10
7:15 AM	1	3	4			0	2	1	3	0	0	0	7
7:30 AM	1	4	5			0	2	1	3	0	0	0	8
7:45 AM	1	4	5			0	1	0	1	0	0	0	6
8:00 AM	1	3	4			0	1	0	1	0	0	0	5

Peak Hour Summary

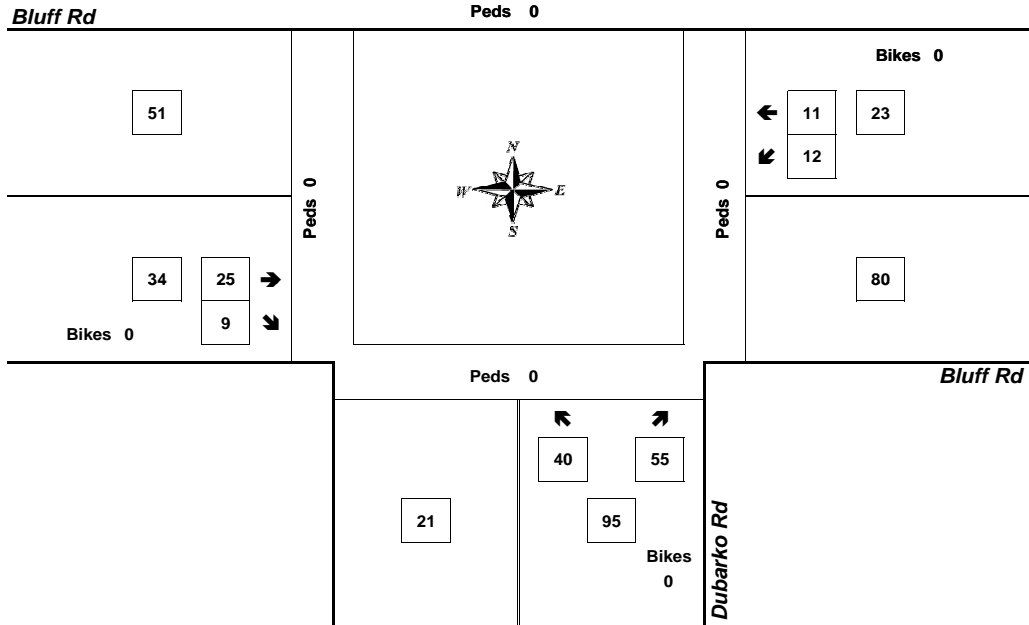


Clay Carney
(503) 833-2740

Dubarko Rd & Bluff Rd

7:00 AM to 8:00 AM
Thursday, May 23, 2019

Bikes
0



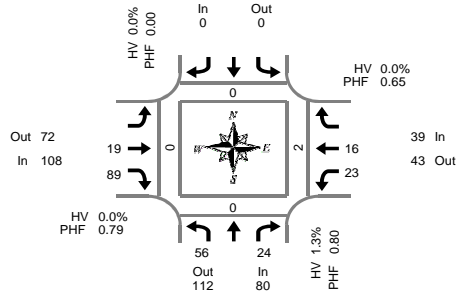
Approach	PHF	HV%	Volume
EB	0.65	11.8%	34
WB	0.64	8.7%	23
NB	0.66	4.2%	95
SB	0.00	0.0%	0
Intersection	0.70	6.6%	152

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary



Clay Carney
(603) 833-2740



Peak Hour Summary
4:45 PM to 5:45 PM

Dubarko Rd & Bluff Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	4	0	0			0			0	4	7	0	5	0	0	0	0
4:05 PM	2	0	0			0			0	1	4	0	3	3	0	0	0
4:10 PM	7	1	0			0			0	1	4	0	2	0	0	0	0
4:15 PM	5	1	0			0			0	2	7	0	1	1	0	0	0
4:20 PM	3	0	0			0			0	0	5	0	2	3	0	0	0
4:25 PM	7	2	0			0			0	3	8	0	3	0	0	0	0
4:30 PM	6	2	0			0			0	0	6	0	1	0	0	0	0
4:35 PM	2	2	0			0			0	3	9	0	1	0	0	0	0
4:40 PM	7	3	0			0			0	2	7	0	1	0	0	0	0
4:45 PM	7	0	0			0			0	0	10	0	3	0	0	0	0
4:50 PM	8	4	0			0			0	2	5	0	1	0	0	0	0
4:55 PM	3	1	0			0			0	0	6	0	0	1	0	0	0
5:00 PM	4	3	0			0			0	1	5	0	3	2	0	0	0
5:05 PM	6	1	1			0			0	3	8	0	1	2	0	0	1
5:10 PM	1	0	0			0			0	4	9	0	1	0	0	0	0
5:15 PM	3	0	0			0			0	1	9	0	1	2	0	0	0
5:20 PM	7	4	0			0			0	3	6	0	1	3	0	0	0
5:25 PM	1	2	0			0			0	0	8	0	3	1	0	0	0
5:30 PM	5	2	0			0			0	1	6	0	5	1	0	0	0
5:35 PM	3	0	0			0			0	2	9	0	2	3	0	0	0
5:40 PM	8	7	0			0			0	2	8	0	2	1	0	0	1
5:45 PM	7	1	0			0			0	0	3	0	0	1	0	0	0
5:50 PM	6	2	0			0			0	1	6	0	1	0	0	0	0
5:55 PM	3	0	0			0			0	1	2	0	1	2	0	0	0
Total Survey	115	38	1			0			0	37	157	0	44	26	0	0	2

15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	13	1	0			0			0	6	15	0	10	3	0	0	0
4:15 PM	15	3	0			0			0	5	20	0	6	4	0	0	0
4:30 PM	15	7	0			0			0	5	22	0	3	0	0	0	0
4:45 PM	18	5	0			0			0	2	21	0	4	1	0	0	0
5:00 PM	11	4	1			0			0	8	22	0	5	4	0	0	1
5:15 PM	11	6	0			0			0	4	23	0	5	6	0	0	0
5:30 PM	16	9	0			0			0	5	23	0	9	5	0	0	1
5:45 PM	16	3	0			0			0	2	11	0	2	3	0	0	0
Total Survey	115	38	1			0			0	37	157	0	44	26	0	0	2

Peak Hour Summary

4:45 PM to 5:45 PM

By Approach	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total	Pedestrians Crosswalk			
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total		Bikes	North	South	East
Volume	80	112	192	1	0	0	0	0	108	72	180	0	39	43	82	0	227
%HV		1.3%				0.0%			0.0%		0.0%			0.0%			0.4%
PHF		0.80				0.00			0.79		0.65			0.65			0.85

By Movement	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	56	24	80			0	19	89	108	23	16	39	227
%HV	1.8%	NA	0.0%	1.3%	NA	NA	0.0%	NA	0.0%	0.0%	0.0%	NA	0.4%
PHF	0.78	0.67	0.80			0.00	0.59	0.86	0.79	0.58	0.67	0.65	0.85

Rolling Hour Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	61	16	0			0			0	18	78	0	23	8	0	0	0
4:15 PM	59	19	1			0			0	20	85	0	18	9	0	0	1
4:30 PM	55	22	1			0			0	19	88	0	17	11	0	0	0
4:45 PM	56	24	1			0			0	19	89	0	23	16	0	0	2
5:00 PM	54	22	1			0			0	19	79	0	21	18	0	0	2

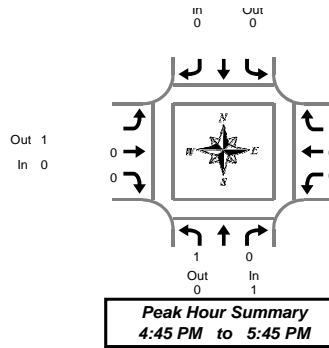
Heavy Vehicle Summary



Clay Carney
(503) 833-2740

Dubarko Rd & Bluff Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM



Heavy Vehicle 5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0			0	2	0	2	0	0	0	2
4:05 PM	0	0	0			0	0	0	0	0	0	0	0
4:10 PM	0	0	0			0	0	0	0	0	0	0	0
4:15 PM	0	0	0			0	0	0	0	1	0	1	1
4:20 PM	0	0	0			0	0	0	0	0	0	0	0
4:25 PM	0	0	0			0	0	0	0	0	0	0	0
4:30 PM	0	0	0			0	0	0	0	1	0	1	1
4:35 PM	0	0	0			0	0	0	0	0	0	0	0
4:40 PM	0	0	0			0	0	0	0	0	0	0	0
4:45 PM	0	0	0			0	0	0	0	0	0	0	0
4:50 PM	0	0	0			0	0	0	0	0	0	0	0
4:55 PM	0	0	0			0	0	0	0	0	0	0	0
5:00 PM	0	0	0			0	0	0	0	0	0	0	0
5:05 PM	0	0	0			0	0	0	0	0	0	0	0
5:10 PM	0	0	0			0	0	0	0	0	0	0	0
5:15 PM	0	0	0			0	0	0	0	0	0	0	0
5:20 PM	0	0	0			0	0	0	0	0	0	0	0
5:25 PM	0	0	0			0	0	0	0	0	0	0	0
5:30 PM	0	0	0			0	0	0	0	0	0	0	0
5:35 PM	0	0	0			0	0	0	0	0	0	0	0
5:40 PM	1	0	1			0	0	0	0	0	0	0	1
5:45 PM	0	0	0			0	0	0	0	0	0	0	0
5:50 PM	0	0	0			0	0	0	0	0	0	0	0
5:55 PM	0	0	0			0	0	0	0	0	0	0	0
Total Survey	1	0	1			0	2	0	2	2	0	2	5

Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0			0	2	0	2	0	0	0	2
4:15 PM	0	0	0			0	0	0	0	1	0	1	1
4:30 PM	0	0	0			0	0	0	0	1	0	1	1
4:45 PM	0	0	0			0	0	0	0	0	0	0	0
5:00 PM	0	0	0			0	0	0	0	0	0	0	0
5:15 PM	0	0	0			0	0	0	0	0	0	0	0
5:30 PM	1	0	1			0	0	0	0	0	0	0	1
5:45 PM	0	0	0			0	0	0	0	0	0	0	0
Total Survey	1	0	1			0	2	0	2	2	0	2	5

Heavy Vehicle Peak Hour Summary 4:45 PM to 5:45 PM

By Approach	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	1	0	1	0	0	0	0	1	1	0	0	0	1
PHF	0.25			0.00			0.00			0.00			0.25

By Movement	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	1	0	1			0	0	0	0	0	0	0	1
PHF	0.25		0.25			0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.25

Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0			0	2	0	2	2	0	2	4
4:15 PM	0	0	0			0	0	0	0	2	0	2	2
4:30 PM	0	0	0			0	0	0	0	1	0	1	1
4:45 PM	1	0	1			0	0	0	0	0	0	0	1
5:00 PM	1	0	1			0	0	0	0	0	0	0	1

Peak Hour Summary



Clay Carney
(503) 833-2740

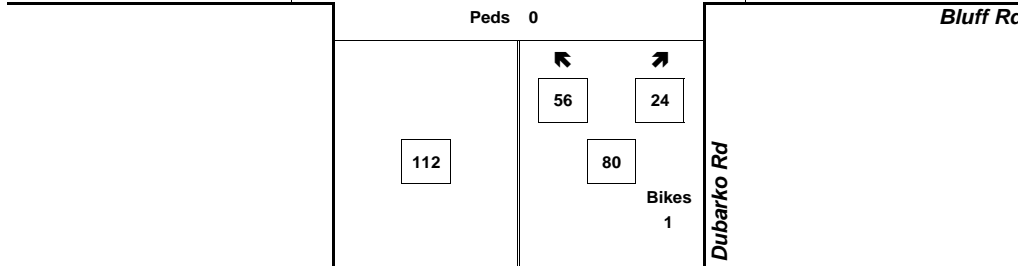
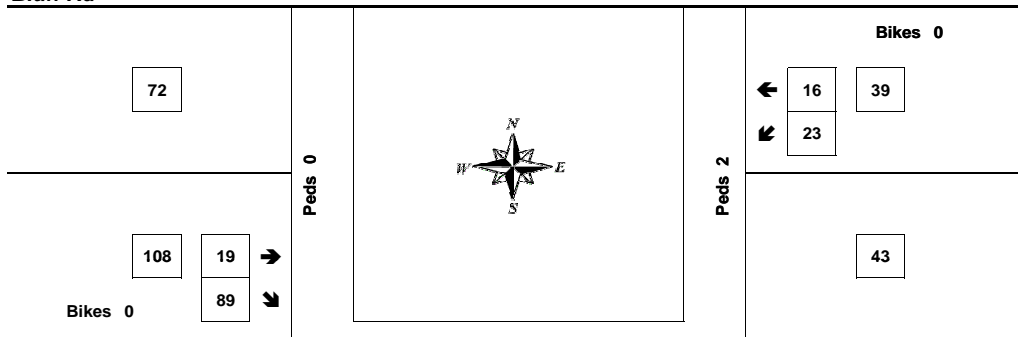
Dubarko Rd & Bluff Rd

4:45 PM to 5:45 PM
Wednesday, May 22, 2019

Bikes
0

Bluff Rd

Peds 0



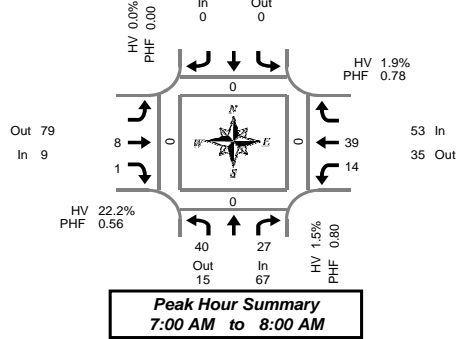
Approach	PHF	HV%	Volume
EB	0.79	0.0%	108
WB	0.65	0.0%	39
NB	0.80	1.3%	80
SB	0.00	0.0%	0
Intersection	0.85	0.4%	227

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary



Clay Carney
(603) 833-2740



Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
7:00 AM to 9:00 AM

5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	5	2	0			0	0	0	0	2	3	0	12	0	0	0	0
7:05 AM	4	6	0			0	0	0	0	2	4	0	16	0	0	0	0
7:10 AM	2	2	0			0	1	0	0	1	2	0	8	0	0	0	0
7:15 AM	4	1	0			0	0	0	0	0	4	0	9	0	0	0	0
7:20 AM	2	3	0			0	2	0	0	2	3	0	12	0	0	0	0
7:25 AM	2	3	0			0	0	1	0	0	6	0	12	0	0	0	0
7:30 AM	6	4	0			0	1	0	0	3	3	0	17	0	0	0	0
7:35 AM	0	0	0			0	1	0	0	1	3	0	5	0	0	0	0
7:40 AM	2	1	0			0	1	0	0	0	4	0	8	0	0	0	0
7:45 AM	4	1	0			0	0	0	0	0	2	0	7	0	0	0	0
7:50 AM	6	1	0			0	1	0	0	2	3	0	13	0	0	0	0
7:55 AM	3	3	0			0	1	0	0	1	2	0	10	0	0	0	0
8:00 AM	3	0	0			0	0	0	0	0	1	0	4	0	0	0	0
8:05 AM	4	0	0			0	1	0	0	1	2	0	8	0	0	0	0
8:10 AM	3	1	0			0	0	1	0	0	2	0	7	0	0	0	0
8:15 AM	1	0	0			0	1	1	0	1	3	0	7	0	0	0	0
8:20 AM	1	3	0			0	3	1	0	1	4	0	13	0	0	0	0
8:25 AM	3	2	0			0	2	0	0	1	4	0	12	0	0	0	0
8:30 AM	3	3	0			0	5	0	0	0	2	0	13	0	0	0	0
8:35 AM	2	1	0			0	4	1	0	0	1	0	9	0	0	0	0
8:40 AM	0	2	0			0	4	1	0	1	3	0	11	0	0	0	0
8:45 AM	0	2	0			0	5	1	0	0	5	0	13	0	0	0	0
8:50 AM	0	1	0			0	2	2	0	1	2	0	8	0	0	0	0
8:55 AM	2	0	0			0	0	0	0	3	3	0	8	0	0	0	0
Total Survey	62	42	0			0	35	9	0	23	71	0	242	0	0	0	0

15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	11	10	0			0	1	0	0	5	9	0	36	0	0	0	0
7:15 AM	8	7	0			0	2	1	0	2	13	0	33	0	0	0	0
7:30 AM	8	5	0			0	3	0	0	4	10	0	30	0	0	0	0
7:45 AM	13	5	0			0	2	0	0	3	7	0	30	0	0	0	0
8:00 AM	10	1	0			0	1	1	0	1	5	0	19	0	0	0	0
8:15 AM	5	5	0			0	6	2	0	3	11	0	32	0	0	0	0
8:30 AM	5	6	0			0	13	2	0	1	6	0	33	0	0	0	0
8:45 AM	2	3	0			0	7	3	0	4	10	0	29	0	0	0	0
Total Survey	62	42	0			0	35	9	0	23	71	0	242	0	0	0	0

Peak Hour Summary

7:00 AM to 8:00 AM

By Approach	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	67	15	82	0	0	0	0	0	9	79	88	0	53	35	88	0	129
%HV	1.5%				0.0%				22.2%				1.9%			3.1%	
PHF	0.80				0.00				0.56				0.78			0.79	

By Movement	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total				
	L	R	Total			Total	T	R	Total	L	T	Total					
Volume	40	27	67			0	8	1	9	14	39	53	129				
%HV	2.5%	NA	0.0%	1.5%	NA	NA	NA	0.0%	NA	12.5%	#####	22.2%	7.1%	0.0%	NA	1.9%	3.1%
PHF	0.77		0.68	0.80		0.00	0.67	0.25	0.56	0.70	0.75	0.78	0.79				

Rolling Hour Summary

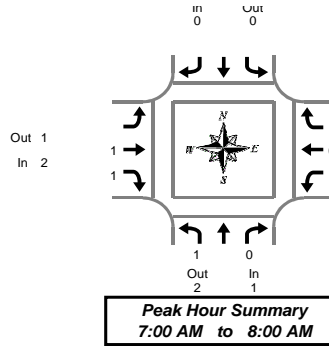
7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	40	27	0			0	8	1	0	14	39	0	129	0	0	0	0
7:15 AM	39	18	0			0	8	2	0	10	35	0	112	0	0	0	0
7:30 AM	36	16	0			0	12	3	0	11	33	0	111	0	0	0	0
7:45 AM	33	17	0			0	22	5	0	8	29	0	114	0	0	0	0
8:00 AM	22	15	0			0	27	8	0	9	32	0	113	0	0	0	0

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
7:00 AM to 9:00 AM

Peak Hour Summary
7:00 AM to 8:00 AM

Heavy Vehicle 5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total	Total	T	R	Total	L	T	Total		
7:00 AM	1	0	1	0	0	0	0	0	1	0	0	2
7:05 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:10 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:20 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:25 AM	0	0	0	0	0	0	1	1	0	0	0	1
7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:35 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:40 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:50 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:55 AM	0	0	0	0	0	1	0	1	0	0	0	1
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:05 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:10 AM	1	0	1	0	0	0	0	0	0	0	0	1
8:15 AM	1	0	1	0	0	0	0	0	1	0	1	2
8:20 AM	0	1	1	0	0	0	0	0	0	0	0	1
8:25 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	1	1	0	0	0	0	0	0	0	0	1
8:35 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:40 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:50 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:55 AM	0	0	0	0	0	0	0	0	0	0	0	0
Total Survey	3	2	5	0	0	1	1	2	2	0	2	9

Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total	Total	T	R	Total	L	T	Total		
7:00 AM	1	0	1	0	0	0	0	0	1	0	0	2
7:15 AM	0	0	0	0	0	0	1	1	0	0	0	1
7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:45 AM	0	0	0	0	0	1	0	1	0	0	0	1
8:00 AM	1	0	1	0	0	0	0	0	0	0	0	1
8:15 AM	1	1	2	0	0	0	0	0	1	0	1	3
8:30 AM	0	1	1	0	0	0	0	0	0	0	0	1
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0
Total Survey	3	2	5	0	0	1	1	2	2	0	2	9

Heavy Vehicle Peak Hour Summary 7:00 AM to 8:00 AM

By Approach	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	1	2	3	0	0	0	2	1	3	1	1	2	4
PHF	0.25			0.00			0.50			0.25			0.50

By Movement	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	L	R	Total	Total	T	R	Total	L	T	Total		
Volume	1	0	1	0	0	1	1	2	1	0	1	4
PHF	0.25		0.25	0.00		0.25	0.25	0.50	0.25	0.00	0.25	0.50

Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total	Total	T	R	Total	L	T	Total		
7:00 AM	1	0	1	0	0	1	1	2	1	0	1	4
7:15 AM	1	0	1	0	0	1	1	2	0	0	0	3
7:30 AM	2	1	3	0	0	1	0	1	1	0	1	5
7:45 AM	2	2	4	0	0	1	0	1	1	0	1	6
8:00 AM	2	2	4	0	0	0	0	0	1	0	1	5

Peak Hour Summary



Clay Carney
(503) 833-2740

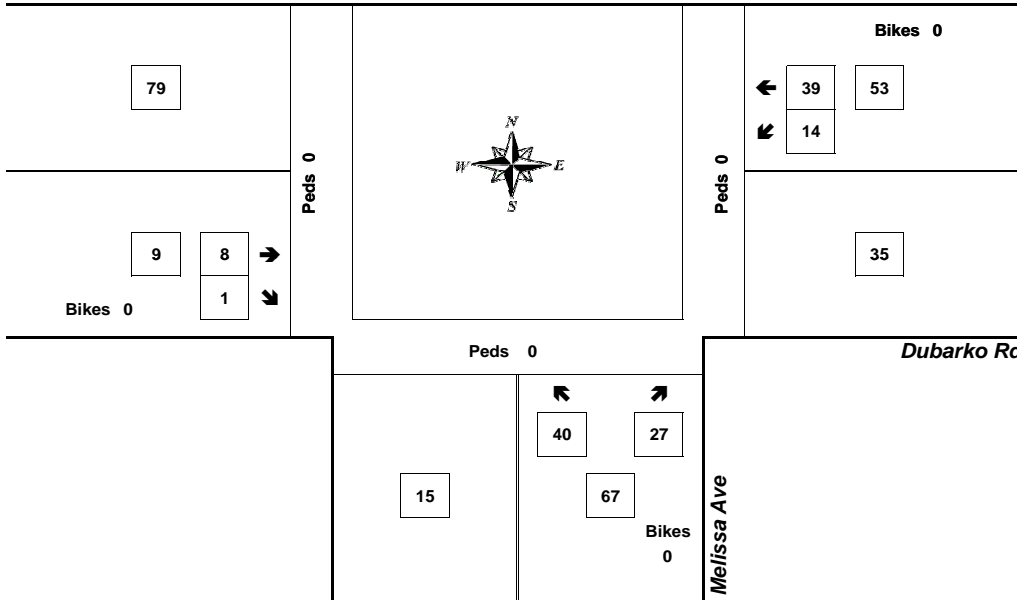
Melissa Ave & Dubarko Rd

7:00 AM to 8:00 AM
Thursday, April 25, 2019

Bikes
0

Dubarko Rd

Peds 0



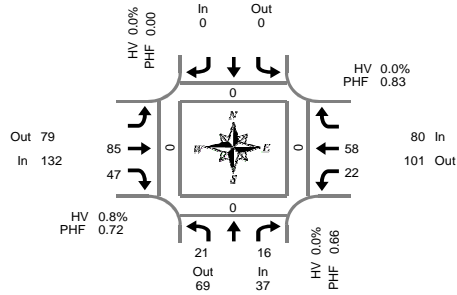
Approach	PHF	HV%	Volume
EB	0.56	22.2%	9
WB	0.78	1.9%	53
NB	0.80	1.5%	67
SB	0.00	0.0%	0
Intersection	0.79	3.1%	129

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary



Clay Carney
(503) 833-2740



Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
4:00 PM to 6:00 PM

Peak Hour Summary 4:40 PM to 5:40 PM

5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	1	3	0			0	12	4	0	3	6	0	29	0	0	0	0
4:05 PM	0	2	0			0	4	2	0	0	3	0	11	0	0	0	0
4:10 PM	4	2	0			0	3	2	0	0	7	0	18	0	0	0	1
4:15 PM	2	2	0			0	5	4	0	2	2	0	17	0	1	0	0
4:20 PM	2	2	0			0	7	1	0	0	1	0	13	0	0	0	0
4:25 PM	3	2	0			0	5	2	0	0	5	0	17	0	0	0	0
4:30 PM	0	1	0			0	7	4	0	2	4	0	18	0	0	0	0
4:35 PM	1	0	0			0	8	2	0	3	5	0	19	0	0	0	0
4:40 PM	1	2	0			0	5	7	0	5	6	0	26	0	0	0	0
4:45 PM	5	2	0			0	4	5	0	0	4	0	20	0	0	0	0
4:50 PM	2	1	0			0	7	8	0	3	6	0	27	0	0	0	0
4:55 PM	2	2	0			0	7	5	0	0	5	0	21	0	0	0	0
5:00 PM	0	0	0			0	14	5	0	1	1	0	21	0	0	0	0
5:05 PM	1	0	0			0	9	1	0	0	5	0	16	0	0	0	0
5:10 PM	2	1	0			0	5	3	0	3	7	0	21	0	0	0	0
5:15 PM	0	1	0			0	4	1	0	1	3	0	10	0	0	0	0
5:20 PM	3	3	0			0	10	4	0	3	4	0	27	0	0	0	0
5:25 PM	1	1	0			0	4	2	0	1	5	0	14	0	0	0	0
5:30 PM	2	1	0			0	7	3	0	3	7	0	23	0	0	0	0
5:35 PM	2	2	0			0	9	3	0	2	5	0	23	0	0	0	0
5:40 PM	3	0	0			0	3	6	0	0	1	0	13	0	0	0	0
5:45 PM	1	1	0			0	8	2	0	4	5	0	21	0	0	0	1
5:50 PM	3	0	0			0	5	2	0	0	5	0	15	0	0	0	0
5:55 PM	2	0	0			0	9	4	0	0	2	0	17	0	0	0	1
Total Survey	43	31	0			0	161	82	0	36	104	0	457	0	1	0	3

15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	5	7	0			0	19	8	0	3	16	0	58	0	0	0	0
4:15 PM	7	6	0			0	17	7	0	2	8	0	47	0	1	0	0
4:30 PM	2	3	0			0	20	13	0	10	15	0	63	0	0	0	0
4:45 PM	9	5	0			0	18	18	0	3	15	0	68	0	0	0	0
5:00 PM	3	1	0			0	28	9	0	4	13	0	58	0	0	0	0
5:15 PM	4	5	0			0	18	7	0	5	12	0	51	0	0	0	0
5:30 PM	7	3	0			0	19	12	0	5	13	0	59	0	0	0	0
5:45 PM	6	1	0			0	22	8	0	4	12	0	53	0	0	0	2
Total Survey	43	31	0			0	161	82	0	36	104	0	457	0	1	0	3

Peak Hour Summary 4:40 PM to 5:40 PM

By Approach	Northbound Melissa Ave				Southbound Melissa Ave				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	37	69	106	0	0	0	0	0	132	79	211	0	80	101	181	0	249	0	0	0	0
%HV	0.0%				0.0%				0.8%				0.0%				0.4%				
PHF	0.66				0.00				0.72				0.83				0.85				

By Movement	Northbound Melissa Ave				Southbound Melissa Ave				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total
	L	R	Total	Bikes			Total	Bikes	T	R	Total	Bikes	L	T	Total	Bikes	
Volume	21	16	37	0	NA	NA	NA	0.0%	NA	85	47	132	0	22	58	80	249
%HV	0.0%	NA	0.0%	0.0%	NA	NA	NA	0.0%	NA	1.2%	0.0%	0.8%	0.0%	0.0%	NA	0.0%	0.4%
PHF	0.58	0.80	0.66	0.00			0.00		0.71	0.59	0.72	0.69	0.69	0.85	0.83	0.85	0.85

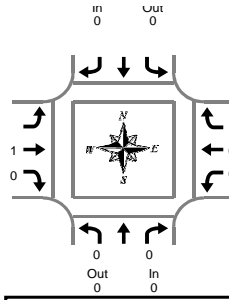
Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	23	21	0			0	74	46	0	18	54	0	236	0	1	0	1
4:15 PM	21	15	0			0	83	47	0	19	51	0	236	0	1	0	1
4:30 PM	18	14	0			0	84	47	0	22	55	0	240	0	0	0	0
4:45 PM	23	14	0			0	83	46	0	17	53	0	236	0	0	0	0
5:00 PM	20	10	0			0	87	36	0	18	50	0	221	0	0	0	2

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Out 0
In 1

Peak Hour Summary
4:40 PM to 5:40 PM

Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0			0	0	1	1	0	1	1	2
4:05 PM	0	0	0			0	0	0	0	0	1	1	1
4:10 PM	1	0	1			0	0	0	0	0	0	0	1
4:15 PM	0	0	0			0	0	0	0	0	0	0	0
4:20 PM	0	0	0			0	0	0	0	0	0	0	0
4:25 PM	0	0	0			0	0	0	0	0	0	0	0
4:30 PM	0	0	0			0	0	0	0	0	0	0	0
4:35 PM	0	0	0			0	0	0	0	0	0	0	0
4:40 PM	0	0	0			0	0	0	0	0	0	0	0
4:45 PM	0	0	0			0	0	0	0	0	0	0	0
4:50 PM	0	0	0			0	0	0	0	0	0	0	0
4:55 PM	0	0	0			0	0	0	0	0	0	0	0
5:00 PM	0	0	0			0	0	0	0	0	0	0	0
5:05 PM	0	0	0			0	0	0	0	0	0	0	0
5:10 PM	0	0	0			0	0	0	0	0	0	0	0
5:15 PM	0	0	0			0	1	1	1	0	0	0	1
5:20 PM	0	0	0			0	0	0	0	0	0	0	0
5:25 PM	0	0	0			0	0	0	0	0	0	0	0
5:30 PM	0	0	0			0	0	0	0	0	0	0	0
5:35 PM	0	0	0			0	0	0	0	0	0	0	0
5:40 PM	0	0	0			0	0	0	0	0	0	0	0
5:45 PM	0	0	0			0	0	0	0	0	0	0	0
5:50 PM	0	0	0			0	0	0	0	0	0	0	0
5:55 PM	0	0	0			0	0	0	0	0	0	0	0
Total Survey	1	0	1			0	1	1	2	0	2	2	5

Heavy Vehicle 15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	1	0	1			0	0	1	1	0	2	2	4
4:15 PM	0	0	0			0	0	0	0	0	0	0	0
4:30 PM	0	0	0			0	0	0	0	0	0	0	0
4:45 PM	0	0	0			0	0	0	0	0	0	0	0
5:00 PM	0	0	0			0	0	0	0	0	0	0	0
5:15 PM	0	0	0			0	1	1	1	0	0	0	1
5:30 PM	0	0	0			0	0	0	0	0	0	0	0
5:45 PM	0	0	0			0	0	0	0	0	0	0	0
Total Survey	1	0	1			0	1	1	2	0	2	2	5

Heavy Vehicle Peak Hour Summary

4:40 PM to 5:40 PM

By Approach	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	0	0	0	1	0	1	0	1	1	1
PHF	0.00			0.00			0.25			0.00			0.25

By Movement	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	0	0	0			0	1	0	1	0	0	0	1
PHF	0.00			0.00			0.25	0.00	0.25	0.00	0.00	0.00	0.25

Heavy Vehicle Rolling Hour Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	1	0	1			0	0	1	1	0	2	2	4
4:15 PM	0	0	0			0	0	0	0	0	0	0	0
4:30 PM	0	0	0			0	1	0	1	0	0	0	1
4:45 PM	0	0	0			0	1	0	1	0	0	0	1
5:00 PM	0	0	0			0	1	0	1	0	0	0	1

Peak Hour Summary



Clay Carney
(503) 833-2740

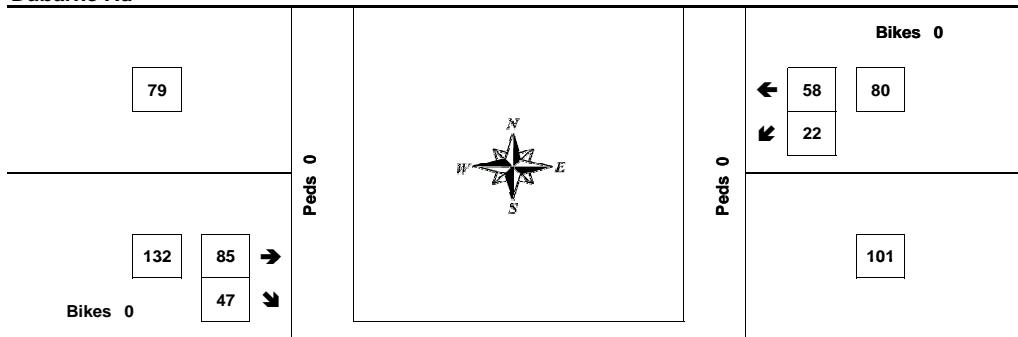
Melissa Ave & Dubarko Rd

4:40 PM to 5:40 PM
Thursday, April 25, 2019

Bikes
0

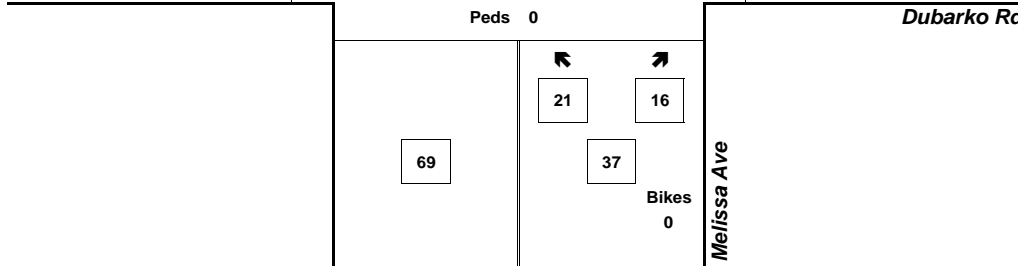
Dubarko Rd

Peds 0



Bikes 0

Peds 0



Dubarko Rd

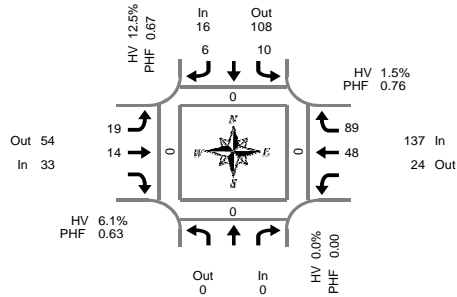
Approach	PHF	HV%	Volume
EB	0.72	0.8%	132
WB	0.83	0.0%	80
NB	0.66	0.0%	37
SB	0.00	0.0%	0
Intersection	0.85	0.4%	249

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary



Clay Carney
(603) 833-2740



Ruben Ln & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Peak Hour Summary
7:05 AM to 8:05 AM

5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	Bikes	L	R	Total	Bikes	L	T	Total	Bikes	L	T	Total	Bikes	L	R	Total		North	South	East	West
7:00 AM	0	2	0	0	0	0	1	0	0	0	4	8	0	0	15	0	0	1	0		
7:05 AM	0	0	0	0	0	0	0	1	0	0	5	9	0	0	15	0	0	0	0		
7:10 AM	0	1	0	0	0	0	1	2	0	0	4	8	0	0	16	0	0	0	0		
7:15 AM	0	1	0	0	0	0	1	0	0	0	7	12	0	0	21	0	0	0	0		
7:20 AM	0	3	0	0	0	2	1	0	0	0	3	6	0	0	15	0	0	0	0		
7:25 AM	0	0	1	0	0	2	1	0	0	0	4	6	0	0	14	0	0	0	0		
7:30 AM	0	0	0	0	0	0	1	0	0	0	2	8	0	0	11	0	0	0	0		
7:35 AM	0	1	4	0	0	3	3	0	0	0	2	5	0	0	18	0	0	0	0		
7:40 AM	0	0	0	0	0	1	1	0	0	0	3	8	0	0	13	0	0	0	0		
7:45 AM	0	0	0	0	0	4	1	0	0	0	4	4	0	0	13	0	0	0	0		
7:50 AM	0	1	0	0	0	2	2	0	0	0	4	9	0	0	18	0	0	0	0		
7:55 AM	0	1	0	0	0	1	0	0	0	0	4	10	0	0	16	0	0	0	0		
8:00 AM	0	2	1	0	0	2	1	0	0	0	6	4	0	0	16	0	0	0	0		
8:05 AM	0	2	1	0	0	1	2	0	0	0	0	5	0	0	11	0	0	0	0		
8:10 AM	0	3	0	0	0	2	0	0	0	0	1	3	0	0	9	0	0	0	0		
8:15 AM	0	0	0	0	0	3	4	0	0	0	4	2	0	0	13	0	0	0	0		
8:20 AM	0	0	0	0	0	0	2	0	0	0	5	8	0	0	15	0	0	0	0		
8:25 AM	0	0	0	0	0	3	2	0	0	0	2	5	0	0	12	0	0	0	0		
8:30 AM	0	2	0	0	0	0	4	0	0	0	3	5	0	0	14	0	0	0	0		
8:35 AM	0	1	1	0	0	2	1	0	0	0	1	4	0	0	10	0	0	0	0		
8:40 AM	0	2	0	0	0	1	2	0	0	0	3	5	0	0	13	0	0	0	0		
8:45 AM	0	3	2	0	0	2	2	0	0	0	2	4	0	0	15	0	0	0	0		
8:50 AM	0	1	0	0	0	4	3	0	0	0	3	5	0	0	16	0	0	0	0		
8:55 AM	0	2	1	0	0	1	3	0	0	0	2	5	0	0	14	0	0	0	0		
Total Survey	0	28	11	0	39	39	0	78	148	0	343	0	0	1	0						

15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	Bikes	L	R	Total	Bikes	L	T	Total	Bikes	L	T	Total	Bikes	L	R	Total		North	South	East	West
7:00 AM	0	3	0	0	2	3	0	0	0	13	25	0	0	46	0	0	1	0			
7:15 AM	0	4	1	0	5	2	0	0	0	14	24	0	0	50	0	0	0	0			
7:30 AM	0	1	4	0	4	5	0	0	0	7	21	0	0	42	0	0	0	0			
7:45 AM	0	2	0	0	7	3	0	0	0	12	23	0	0	47	0	0	0	0			
8:00 AM	0	7	2	0	5	3	0	0	0	7	12	0	0	36	0	0	0	0			
8:15 AM	0	0	0	0	6	8	0	0	0	11	15	0	0	40	0	0	0	0			
8:30 AM	0	5	1	0	3	7	0	0	0	7	14	0	0	37	0	0	0	0			
8:45 AM	0	6	3	0	7	8	0	0	0	7	14	0	0	45	0	0	0	0			
Total Survey	0	28	11	0	39	39	0	78	148	0	343	0	0	1	0						

Peak Hour Summary

7:05 AM to 8:05 AM

By Approach	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	0	0	0	0	16	108	124	0	33	54	87	0	137	24	161	0	186	0	0	0	0
%HV						12.5%				6.1%				1.5%			3.2%				
PHF						0.67				0.63				0.76			0.89				

By Movement	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total
	Total	L	R	Total	L	T	Total	L	T	Total	T	R	Total				
Volume	0	10	6	16	19	14	33	0	48	89	137	0	186				
%HV	NA	20.0%	NA	12.5%	0.0%	14.3%	NA	6.1%	NA	2.1%	1.1%	1.5%	3.2%				
PHF	0.00	0.50	0.30	0.67	0.59	0.70	0.63	0.75	0.77	0.76	0.89						

Rolling Hour Summary

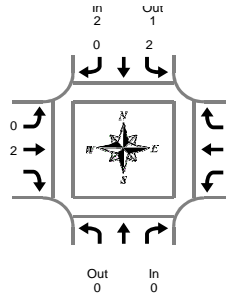
7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	Bikes	L	R	Total	Bikes	L	T	Total	Bikes	L	T	Total	Bikes	L	R	Total		North	South	East	West
7:00 AM	0	10	5	0	18	13	0	0	0	46	93	0	0	185	0	0	1	0			
7:15 AM	0	14	7	0	21	13	0	0	0	40	80	0	0	175	0	0	0	0			
7:30 AM	0	10	6	0	22	19	0	0	0	37	71	0	0	165	0	0	0	0			
7:45 AM	0	14	3	0	21	21	0	0	0	37	64	0	0	160	0	0	0	0			
8:00 AM	0	18	6	0	21	26	0	0	0	32	55	0	0	158	0	0	0	0			

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Ruben Ln & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Peak Hour Summary
7:05 AM to 8:05 AM

Heavy Vehicle 5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total		
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total			
7:00 AM	0	0	0	0	0	0	0	0	0	0	1	1	1		
7:05 AM	0	0	0	0	0	0	0	0	0	0	1	1	1		
7:10 AM	0	1	0	0	1	0	0	0	0	0	0	0	1		
7:15 AM	0	0	0	0	0	0	0	0	0	1	0	1	1		
7:20 AM	0	1	0	0	1	0	0	0	0	0	0	0	1		
7:25 AM	0	0	0	0	0	0	0	1	1	0	0	0	1		
7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
7:35 AM	0	0	0	0	0	0	0	1	1	0	0	0	1		
7:40 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
7:50 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
7:55 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:05 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:10 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:15 AM	0	0	0	0	0	0	0	0	0	0	1	1	1		
8:20 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:25 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:35 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:40 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:50 AM	0	0	0	0	0	0	0	0	0	1	0	1	1		
8:55 AM	0	0	0	0	0	0	0	0	0	0	1	1	1		
Total Survey			0	2		0	2		0	2		2	4	6	10

Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total		
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total			
7:00 AM	0	1	0	0	1	0	0	0	0	0	2	2	3		
7:15 AM	0	1	0	0	1	0	0	1	1	1	0	1	3		
7:30 AM	0	0	0	0	0	0	0	1	1	0	0	0	1		
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:15 AM	0	0	0	0	0	0	0	0	0	0	1	1	1		
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0		
8:45 AM	0	0	0	0	0	0	0	0	0	1	1	2	2		
Total Survey			0	2		0	2		0	2		2	4	6	10

Heavy Vehicle Peak Hour Summary 7:05 AM to 8:05 AM

By Approach	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	2	1	3	2	1	3	2	4	6	6
PHF	0.00			0.25			0.25			0.25			0.50

By Movement	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total	
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total		
Volume			0	2		0	2	0	2		1	1	2	6
PHF			0.00	0.25		0.00	0.25	0.00	0.25		0.25	0.25	0.25	0.50

Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
7:00 AM	0	2	0	0	2	0	0	2	2	1	2	3	7
7:15 AM	0	1	0	0	1	0	0	2	2	1	0	1	4
7:30 AM	0	0	0	0	0	0	0	1	1	0	1	1	2
7:45 AM	0	0	0	0	0	0	0	0	0	0	1	1	1
8:00 AM	0	0	0	0	0	0	0	0	0	1	2	3	3

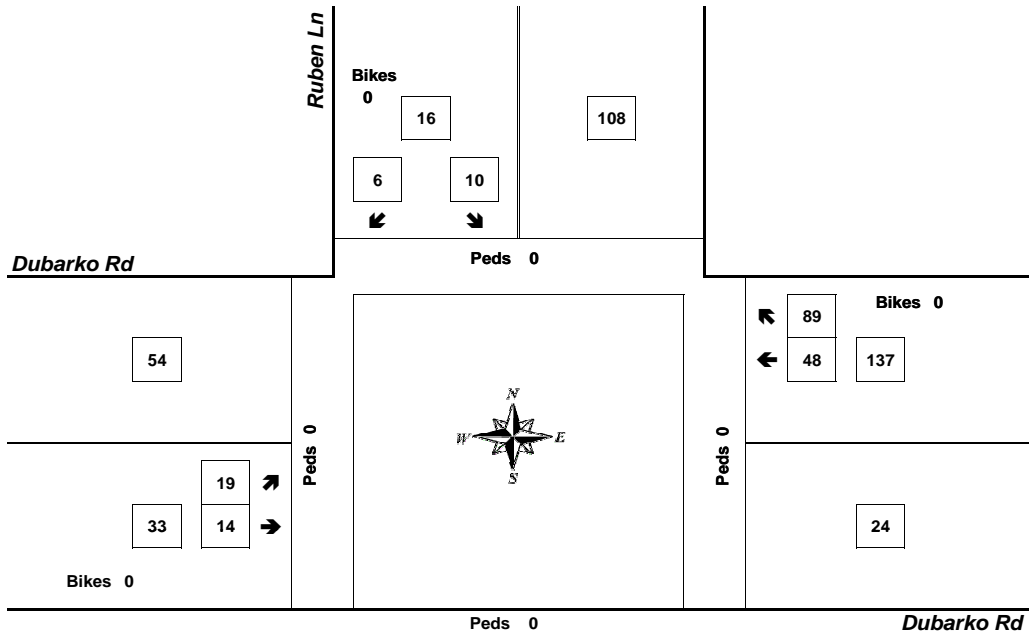
Peak Hour Summary



Clay Carney
(503) 833-2740

Ruben Ln & Dubarko Rd

7:05 AM to 8:05 AM
Thursday, May 23, 2019



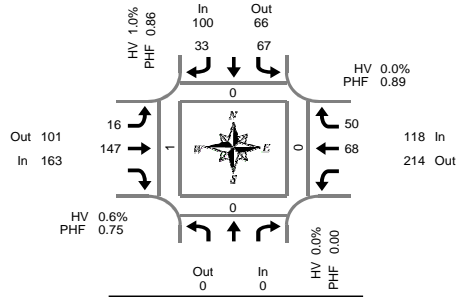
Approach	PHF	HV%	Volume
EB	0.63	6.1%	33
WB	0.76	1.5%	137
NB	0.00	0.0%	0
SB	0.67	12.5%	16
Intersection	0.89	3.2%	186

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary



Clay Carney
(503) 833-2740



Ruben Ln & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Peak Hour Summary
4:25 PM to 5:25 PM

5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	Total	Bikes	T	R	Total	Bikes		North	South	East	West
4:00 PM																					
4:05 PM																					
4:10 PM																					
4:15 PM																					
4:20 PM																					
4:25 PM																					
4:30 PM																					
4:35 PM																					
4:40 PM																					
4:45 PM																					
4:50 PM																					
4:55 PM																					
5:00 PM																					
5:05 PM																					
5:10 PM																					
5:15 PM																					
5:20 PM																					
5:25 PM																					
5:30 PM																					
5:35 PM																					
5:40 PM																					
5:45 PM																					
5:50 PM																					
5:55 PM																					
Total Survey																					

15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	Total	Bikes	T	R	Total	Bikes		North	South	East	West
4:00 PM																					
4:15 PM																					
4:30 PM																					
4:45 PM																					
5:00 PM																					
5:15 PM																					
5:30 PM																					
5:45 PM																					
Total Survey																					

Peak Hour Summary 4:25 PM to 5:25 PM

By Approach	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	0	0	0	0	100	66	166	0	163	101	264	0	118	214	332	0	381	0	0	0	1
%HV	0.0%				1.0%				0.6%				0.0%				0.5%				
PHF	0.00				0.86				0.75				0.89				0.89				

By Movement	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	Total	Bikes	T	R	Total	Bikes	
Volume	0	67	67	0	33	100	16	147	163	101	264	0	118	214	332	0	381
%HV	NA	NA	NA	0.0%	0.0%	NA	3.0%	1.0%	6.3%	0.0%	NA	0.6%	NA	0.0%	0.0%	0.0%	0.5%
PHF		0.00	0.80		0.75	0.86		0.57	0.75		0.75		0.89	0.83	0.89		0.89

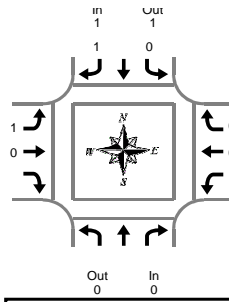
Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	Total	Bikes	T	R	Total	Bikes		North	South	East	West
4:00 PM																					
4:15 PM																					
4:30 PM																					
4:45 PM																					
5:00 PM																					
Total Survey																					

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Ruben Ln & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Peak Hour Summary
4:25 PM to 5:25 PM

Heavy Vehicle 5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
4:00 PM			0	0	1	1	0	0	0	0	0	0	1
4:05 PM			0	0	0	0	0	0	0	0	0	0	0
4:10 PM			0	0	0	0	0	0	0	0	0	0	0
4:15 PM			0	1	0	1	0	0	0	0	0	0	1
4:20 PM			0	0	0	0	0	0	0	0	0	0	0
4:25 PM			0	0	0	0	0	0	0	0	0	0	0
4:30 PM			0	0	0	0	0	0	0	0	0	0	0
4:35 PM			0	0	1	1	0	0	0	0	0	0	1
4:40 PM			0	0	0	0	0	0	0	0	0	0	0
4:45 PM			0	0	0	0	0	0	0	0	0	0	0
4:50 PM			0	0	0	0	1	0	1	0	0	0	1
4:55 PM			0	0	0	0	0	0	0	0	0	0	0
5:00 PM			0	0	0	0	0	0	0	0	0	0	0
5:05 PM			0	0	0	0	0	0	0	0	0	0	0
5:10 PM			0	0	0	0	0	0	0	0	0	0	0
5:15 PM			0	0	0	0	0	0	0	0	0	0	0
5:20 PM			0	0	0	0	0	0	0	0	0	0	0
5:25 PM			0	0	0	0	0	1	1	0	0	0	1
5:30 PM			0	0	0	0	0	0	0	0	0	0	0
5:35 PM			0	0	0	0	0	0	0	0	0	0	0
5:40 PM			0	0	0	0	0	0	0	0	1	1	1
5:45 PM			0	0	0	0	0	0	0	0	0	0	0
5:50 PM			0	0	0	0	0	2	2	0	0	0	2
5:55 PM			0	0	0	0	0	0	0	0	0	0	0
Total Survey			0	1	2	3	1	3	4	0	1	1	8

Heavy Vehicle 15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
4:00 PM			0	0	1	1	0	0	0	0	0	0	1
4:15 PM			0	1	0	1	0	0	0	0	0	0	1
4:30 PM			0	0	1	1	0	0	0	0	0	0	1
4:45 PM			0	0	0	0	1	0	1	0	0	0	1
5:00 PM			0	0	0	0	0	0	0	0	0	0	0
5:15 PM			0	0	0	0	0	1	1	0	0	0	1
5:30 PM			0	0	0	0	0	0	0	0	1	1	1
5:45 PM			0	0	0	0	0	2	2	0	0	0	2
Total Survey			0	1	2	3	1	3	4	0	1	1	8

Heavy Vehicle Peak Hour Summary

4:25 PM to 5:25 PM

By Approach	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	1	1	2	1	1	2	0	0	0	2
PHF	0.00			0.25			0.25			0.00			0.50

By Movement	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
Volume			0	0	1	1	1	0	1	0	0	0	2
PHF			0.00	0.00	0.25	0.25	0.25	0.00	0.25		0.00	0.00	0.50

Heavy Vehicle Rolling Hour Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
4:00 PM			0	1	2	3	1	0	1	0	0	0	4
4:15 PM			0	1	1	2	1	0	1	0	0	0	3
4:30 PM			0	1	1	1	1	1	2	0	0	0	3
4:45 PM			0	0	0	0	1	1	2	0	1	1	3
5:00 PM			0	0	0	0	0	3	3	0	1	1	4

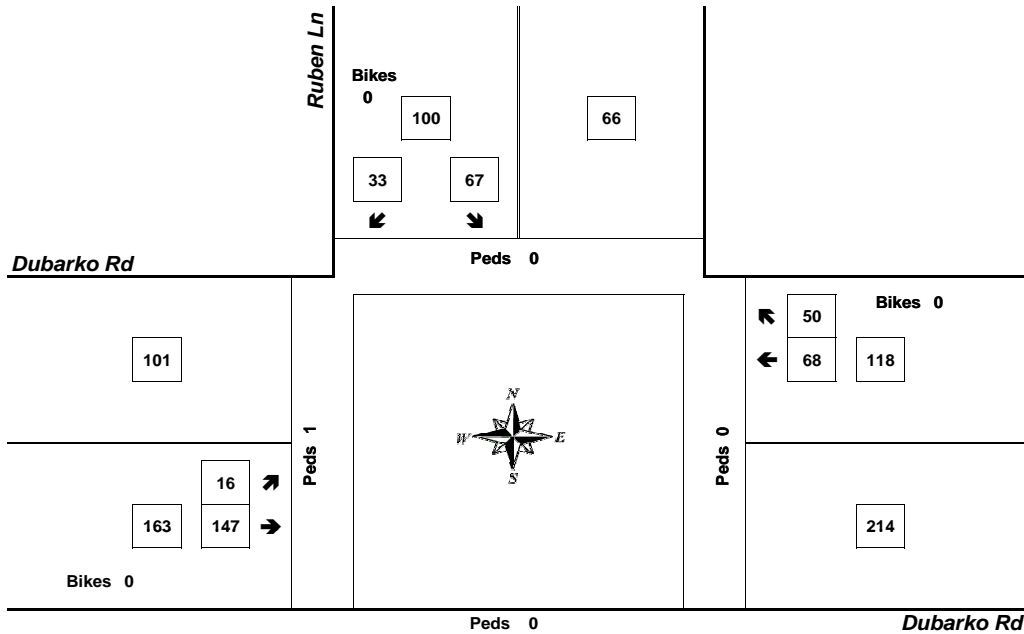
Peak Hour Summary



Clay Carney
(503) 833-2740

Ruben Ln & Dubarko Rd

4:25 PM to 5:25 PM
Wednesday, May 22, 2019



Approach	PHF	HV%	Volume
EB	0.75	0.6%	163
WB	0.89	0.0%	118
NB	0.00	0.0%	0
SB	0.86	1.0%	100
Intersection	0.89	0.5%	381

Count Period: 4:00 PM to 6:00 PM

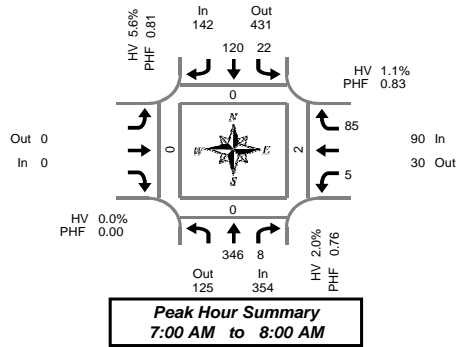
Total Vehicle Summary



Clay Carney
(603) 833-2740

SE 362nd Ave & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM



5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
7:00 AM	33	0	0	0	10	0		0	1	11	0	55	0	0	0	0	
7:05 AM	50	1	0	1	7	0		0	0	8	0	67	0	0	0	0	
7:10 AM	32	0	0	3	9	0		0	1	6	0	51	0	0	0	0	
7:15 AM	34	0	0	3	6	0		0	0	9	0	52	0	0	1	0	
7:20 AM	32	1	0	4	13	0		0	0	6	0	56	0	0	0	0	
7:25 AM	25	1	0	1	12	0		0	0	9	0	48	0	0	1	0	
7:30 AM	21	0	0	2	12	0		0	1	7	0	43	0	0	0	0	
7:35 AM	24	1	0	4	8	0		0	0	7	0	44	0	0	0	0	
7:40 AM	34	0	0	1	8	0		0	2	4	0	49	0	0	0	0	
7:45 AM	26	2	0	1	17	0		0	0	5	0	51	0	0	0	0	
7:50 AM	17	2	0	2	11	0		0	0	10	0	42	0	0	0	0	
7:55 AM	18	0	0	0	7	0		0	0	3	0	28	0	0	0	0	
8:00 AM	26	0	0	4	7	0		0	1	8	0	46	0	0	0	0	
8:05 AM	27	2	0	2	15	0		0	1	4	0	51	0	0	1	0	
8:10 AM	33	0	0	1	6	0		0	1	0	0	41	0	0	0	0	
8:15 AM	24	2	0	4	16	0		0	0	3	0	49	0	0	0	0	
8:20 AM	29	0	0	4	6	0		0	1	6	0	46	0	0	0	0	
8:25 AM	33	1	0	3	7	0		0	0	4	0	48	0	0	0	0	
8:30 AM	21	2	0	3	11	0		0	0	6	0	43	0	0	0	0	
8:35 AM	24	2	0	2	15	0		0	0	6	0	49	0	0	0	0	
8:40 AM	21	2	0	1	12	0		0	1	2	0	39	0	0	0	0	
8:45 AM	21	2	0	5	16	0		0	1	7	0	52	0	0	0	0	
8:50 AM	26	2	0	5	16	0		0	0	3	0	52	0	0	0	0	
8:55 AM	16	1	0	1	18	0		0	1	5	0	42	0	0	0	0	
Total Survey	647	24	0	57	265	0		0	12	139	0	1,144	0	0	3	0	

15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
7:00 AM	115	1	0	4	26	0		0	2	25	0	173	0	0	0	0	
7:15 AM	91	2	0	8	31	0		0	0	24	0	156	0	0	2	0	
7:30 AM	79	1	0	7	28	0		0	3	18	0	136	0	0	0	0	
7:45 AM	61	4	0	3	35	0		0	0	18	0	121	0	0	0	0	
8:00 AM	86	2	0	7	28	0		0	3	12	0	138	0	0	1	0	
8:15 AM	86	3	0	11	29	0		0	1	13	0	143	0	0	0	0	
8:30 AM	66	6	0	6	38	0		0	1	14	0	131	0	0	0	0	
8:45 AM	63	5	0	11	50	0		0	2	15	0	146	0	0	0	0	
Total Survey	647	24	0	57	265	0		0	12	139	0	1,144	0	0	3	0	

Peak Hour Summary 7:00 AM to 8:00 AM

By Approach	Northbound SE 362nd Ave				Southbound SE 362nd Ave				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	354	125	479	0	142	431	573	0	0	0	0	0	90	30	120	0	586	0	0	2	0
%HV	2.0%				5.6%				0.0%				1.1%				2.7%				
PHF		0.76			0.81				0.00				0.83				0.85				

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	T	R	Total	L	T	Total		Total	L	R	Total		
Volume	346	8	354	22	120	142		142	5	85	90	586	
%HV	NA	2.0%	0.0%	2.0%	13.6%	4.2%	NA	5.6%	NA	NA	NA	2.7%	
PHF		0.75	0.50	0.76	0.55	0.81		0.81		0.42	0.85	0.85	

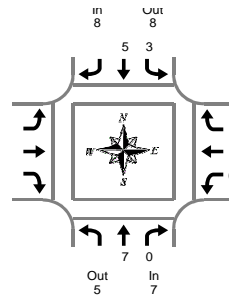
Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
7:00 AM	346	8	0	22	120	0		0	5	85	0	586	0	0	2	0	
7:15 AM	317	9	0	25	122	0		0	6	72	0	551	0	0	3	0	
7:30 AM	312	10	0	28	120	0		0	7	61	0	538	0	0	1	0	
7:45 AM	299	15	0	27	130	0		0	5	57	0	533	0	0	1	0	
8:00 AM	301	16	0	35	145	0		0	7	54	0	558	0	0	1	0	

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Out 0
In 0

**Peak Hour Summary
7:00 AM to 8:00 AM**

SE 362nd Ave & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Heavy Vehicle 5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	Total	L	R	Total	
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:05 AM	2	0	2	0	0	0	0	0	0	0	0	2
7:10 AM	1	0	1	0	0	0	0	0	0	0	0	1
7:15 AM	1	0	1	0	0	0	0	0	0	0	0	1
7:20 AM	1	0	1	1	0	1	1	0	0	1	1	3
7:25 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:30 AM	0	0	0	1	2	3	0	0	0	0	0	3
7:35 AM	1	0	1	1	0	1	0	0	0	0	0	2
7:40 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:45 AM	1	0	1	0	2	2	0	0	0	0	0	3
7:50 AM	0	0	0	0	1	1	0	0	0	0	0	1
7:55 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM	0	0	0	0	1	1	0	0	0	0	0	1
8:05 AM	1	0	1	0	0	0	0	0	0	0	0	1
8:10 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	3	1	4	0	1	1	0	0	0	0	0	5
8:20 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:25 AM	0	0	0	0	2	2	0	0	1	1	1	3
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:35 AM	0	0	0	0	2	2	0	0	0	0	0	2
8:40 AM	1	0	1	0	0	0	0	0	0	0	0	1
8:45 AM	1	0	1	0	0	0	0	0	0	0	0	1
8:50 AM	1	0	1	0	1	1	0	0	0	0	0	2
8:55 AM	6	0	6	0	1	1	0	0	1	1	1	8
Total Survey	20	1	21	3	13	16	0	0	3	3	40	40

Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	Total	L	R	Total	
7:00 AM	3	0	3	0	0	0	0	0	0	0	0	3
7:15 AM	2	0	2	1	0	1	0	0	1	1	1	4
7:30 AM	1	0	1	2	2	4	0	0	0	0	0	5
7:45 AM	1	0	1	0	3	3	0	0	0	0	0	4
8:00 AM	1	0	1	0	1	1	0	0	0	0	0	2
8:15 AM	3	1	4	0	3	3	0	0	1	1	1	8
8:30 AM	1	0	1	0	2	2	0	0	0	0	0	3
8:45 AM	8	0	8	0	2	2	0	0	1	1	1	11
Total Survey	20	1	21	3	13	16	0	0	3	3	40	40

Heavy Vehicle Peak Hour Summary 7:00 AM to 8:00 AM

By Approach	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Total	
	In	Out	Total	In	Out	Total	In	Out	Total	Total			
Volume	7	5	12	8	8	16	0	0	0	1	3	4	16
PHF	0.44			0.50			0.00		0.25			0.67	

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Total
	T	R	Total	L	T	Total	Total	Total	L	R	Total	
Volume	7	0	7	3	5	8	0	0	1	1	1	16
PHF	0.44	0.00	0.44	0.38	0.42	0.50	0.00	0.00	0.25	0.25	0.67	

Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	Total	L	R	Total	
7:00 AM	7	0	7	3	5	8	0	0	1	1	1	16
7:15 AM	5	0	5	3	6	9	0	0	1	1	1	15
7:30 AM	6	1	7	2	9	11	0	0	1	1	1	19
7:45 AM	6	1	7	0	9	9	0	0	1	1	1	17
8:00 AM	13	1	14	0	8	8	0	0	2	2	2	24

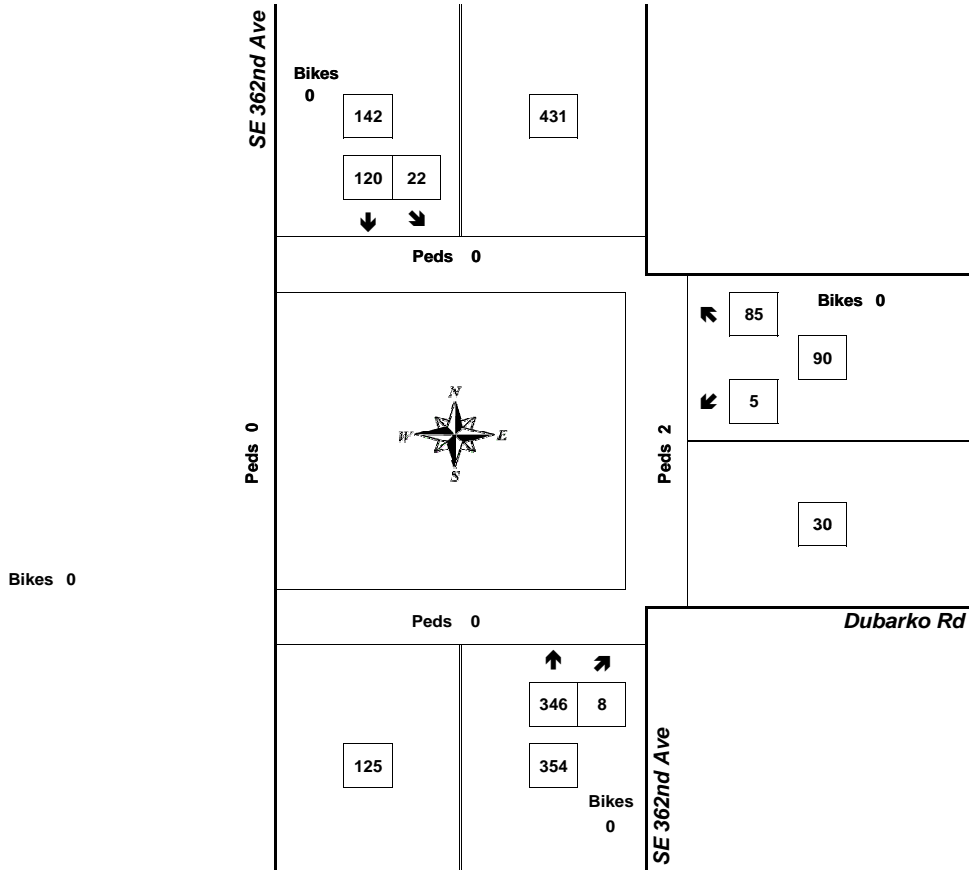
Peak Hour Summary



Clay Carney
(503) 833-2740

SE 362nd Ave & Dubarko Rd

7:00 AM to 8:00 AM
Thursday, May 23, 2019



Approach	PHF	HV%	Volume
EB	0.00	0.0%	0
WB	0.83	1.1%	90
NB	0.76	2.0%	354
SB	0.81	5.6%	142
Intersection	0.85	2.7%	586

Count Period: 7:00 AM to 9:00 AM

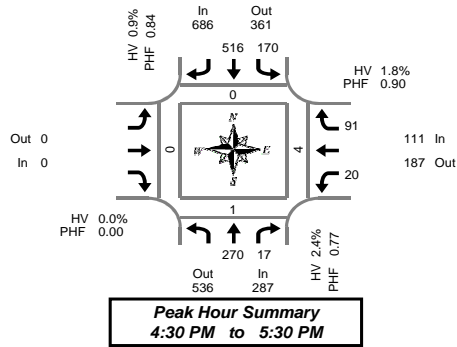
Total Vehicle Summary



Clay Carney
(603) 833-2740

SE 362nd Ave & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM



**5-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
4:00 PM	25	0	0	11	35	0		0	1	6	0	78	1	0	3	0	
4:05 PM	21	2	0	7	36	0		0	1	5	0	72	0	0	0	0	
4:10 PM	19	2	0	8	36	0		0	1	6	0	72	0	0	0	0	
4:15 PM	26	3	0	8	32	0		0	0	4	0	73	0	0	1	0	
4:20 PM	22	1	0	14	45	0		0	3	4	0	89	0	0	0	0	
4:25 PM	21	2	0	15	34	0		0	0	5	0	77	0	0	0	0	
4:30 PM	19	2	0	18	30	0		0	1	8	0	78	0	0	2	0	
4:35 PM	27	0	0	9	42	0		0	0	9	0	87	0	0	0	0	
4:40 PM	17	3	0	12	33	0		0	2	9	0	76	0	0	0	0	
4:45 PM	28	0	0	7	46	0		0	1	6	0	88	0	0	0	0	
4:50 PM	28	2	0	14	33	0		0	3	7	0	87	0	0	0	0	
4:55 PM	30	2	0	19	51	0		0	4	3	0	100	0	0	0	0	
5:00 PM	30	1	0	15	42	0		0	3	11	0	102	0	0	0	0	
5:05 PM	21	4	0	16	45	0		0	0	7	0	93	0	0	0	0	
5:10 PM	21	1	0	20	49	0		0	2	6	0	99	0	0	0	0	
5:15 PM	16	1	0	14	60	0		0	1	7	0	99	0	0	0	0	
5:20 PM	17	1	0	19	42	0		0	2	12	0	93	0	1	0	0	
5:25 PM	16	0	0	16	43	0		0	1	6	0	82	0	0	2	0	
5:30 PM	19	0	0	16	24	0		0	2	4	0	65	0	0	0	0	
5:35 PM	16	1	0	12	33	0		0	2	7	0	71	0	0	0	0	
5:40 PM	26	0	0	9	39	0		0	1	6	0	81	0	0	0	0	
5:45 PM	18	2	0	13	36	0		0	2	5	0	76	0	0	0	0	
5:50 PM	19	2	0	17	43	0		0	1	7	0	89	0	0	0	0	
5:55 PM	17	3	0	17	29	0		0	1	7	0	74	0	0	0	0	
Total Survey	519	35	0	317	938	0		0	35	157	0	2,001	1	1	8	0	

**15-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
4:00 PM	65	4	0	26	107	0		0	3	17	0	222	1	0	3	0	
4:15 PM	69	6	0	37	111	0		0	3	13	0	239	0	0	1	0	
4:30 PM	63	5	0	39	105	0		0	3	26	0	241	0	0	2	0	
4:45 PM	86	4	0	31	130	0		0	8	16	0	275	0	0	0	0	
5:00 PM	72	6	0	51	136	0		0	5	24	0	294	0	0	0	0	
5:15 PM	49	2	0	49	145	0		0	4	25	0	274	0	1	2	0	
5:30 PM	61	1	0	37	96	0		0	5	17	0	217	0	0	0	0	
5:45 PM	54	7	0	47	108	0		0	4	19	0	239	0	0	0	0	
Total Survey	519	35	0	317	938	0		0	35	157	0	2,001	1	1	8	0	

**Peak Hour Summary
4:30 PM to 5:30 PM**

By Approach	Northbound SE 362nd Ave				Southbound SE 362nd Ave				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	287	536	823	0	686	361	1,047	0	0	0	0	0	111	187	298	0	1,084	0	1	4	0
%HV	2.4%				0.9%				0.0%				1.8%				1.4%				
PHF	0.77				0.84				0.00				0.90				0.92				

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	T	R	Total	L	T	Total		Total	L	R	Total		
Volume	270	17	287	170	516	686		0	20	91	111	1,084	
%HV	NA	2.6%	0.0%	2.4%	1.2%	0.8%	NA	0.9%	NA	NA	NA	1.4%	
PHF	0.77	0.61	0.77	0.80	0.84	0.84		0.00	0.50	0.88	0.90	0.92	

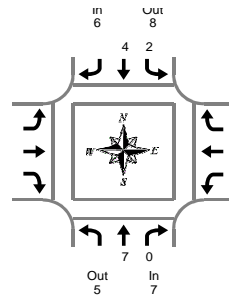
**Rolling Hour Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
4:00 PM	283	19	0	133	453	0		0	17	72	0	977	1	0	6	0	
4:15 PM	290	21	0	158	482	0		0	19	79	0	1,049	1	0	3	0	
4:30 PM	270	17	0	170	516	0		0	20	91	0	1,084	0	1	4	0	
4:45 PM	268	13	0	168	507	0		0	22	82	0	1,060	0	1	2	0	
5:00 PM	236	16	0	184	485	0		0	18	85	0	1,024	0	1	2	0	

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Out 0
In 0

**Peak Hour Summary
4:30 PM to 5:30 PM**

SE 362nd Ave & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total		
4:00 PM	2	0	2	0	1	1		0	0	0	0	3
4:05 PM	0	0	0	0	0	0		0	0	1	1	1
4:10 PM	2	0	2	0	1	1		0	0	0	0	3
4:15 PM	1	0	1	0	1	1		0	0	0	0	2
4:20 PM	0	0	0	0	1	1		0	0	0	0	1
4:25 PM	0	0	0	0	0	0		0	0	0	0	0
4:30 PM	0	0	0	0	3	3		0	0	0	0	3
4:35 PM	1	0	1	0	0	0		0	0	0	0	1
4:40 PM	0	0	0	1	0	1		0	1	0	1	2
4:45 PM	0	0	0	0	0	0		0	0	0	0	0
4:50 PM	0	0	0	0	0	0		0	0	0	0	0
4:55 PM	0	0	0	0	1	1		0	0	0	0	1
5:00 PM	0	0	0	0	0	0		0	0	0	0	0
5:05 PM	2	0	2	0	0	0		0	0	0	0	2
5:10 PM	0	0	0	0	0	0		0	0	0	0	0
5:15 PM	1	0	1	0	0	0		0	0	0	0	1
5:20 PM	1	0	1	0	0	0		0	0	1	1	2
5:25 PM	2	0	2	1	0	1		0	0	0	0	3
5:30 PM	1	0	1	0	1	1		0	0	0	0	2
5:35 PM	0	0	0	0	0	0		0	0	0	0	0
5:40 PM	0	0	0	0	0	0		0	0	0	0	0
5:45 PM	0	0	0	0	0	0		0	0	0	0	0
5:50 PM	0	0	0	1	0	1		0	0	0	0	1
5:55 PM	1	0	1	0	1	1		0	0	0	0	2
Total Survey	14	0	14	3	10	13		0	1	2	3	30

Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total		
4:00 PM	4	0	4	0	2	2		0	0	1	1	7
4:15 PM	1	0	1	0	2	2		0	0	0	0	3
4:30 PM	1	0	1	1	3	4		0	1	0	1	6
4:45 PM	0	0	0	0	1	1		0	0	0	0	1
5:00 PM	2	0	2	0	0	0		0	0	0	0	2
5:15 PM	4	0	4	1	0	1		0	0	1	1	6
5:30 PM	1	0	1	0	1	1		0	0	0	0	2
5:45 PM	1	0	1	1	1	2		0	0	0	0	3
Total Survey	14	0	14	3	10	13		0	1	2	3	30

Heavy Vehicle Peak Hour Summary 4:30 PM to 5:30 PM

By Approach	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	Total		
Volume	7	5	12	6	8	14	0	0	0	2	4	15
PHF	0.44			0.38			0.00		0.50			0.63

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Total
	T	R	Total	L	T	Total	Total	L	R	Total		
Volume	7	0	7	2	4	6	0	1	1	2	15	
PHF	0.44	0.00	0.44	0.50	0.33	0.38	0.00	0.25	0.25	0.50	0.63	

Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total		
4:00 PM	6	0	6	1	8	9		0	1	1	2	17
4:15 PM	4	0	4	1	6	7		0	1	0	1	12
4:30 PM	7	0	7	2	4	6		0	1	1	2	15
4:45 PM	7	0	7	1	2	3		0	0	1	1	11
5:00 PM	8	0	8	2	2	4		0	0	1	1	13

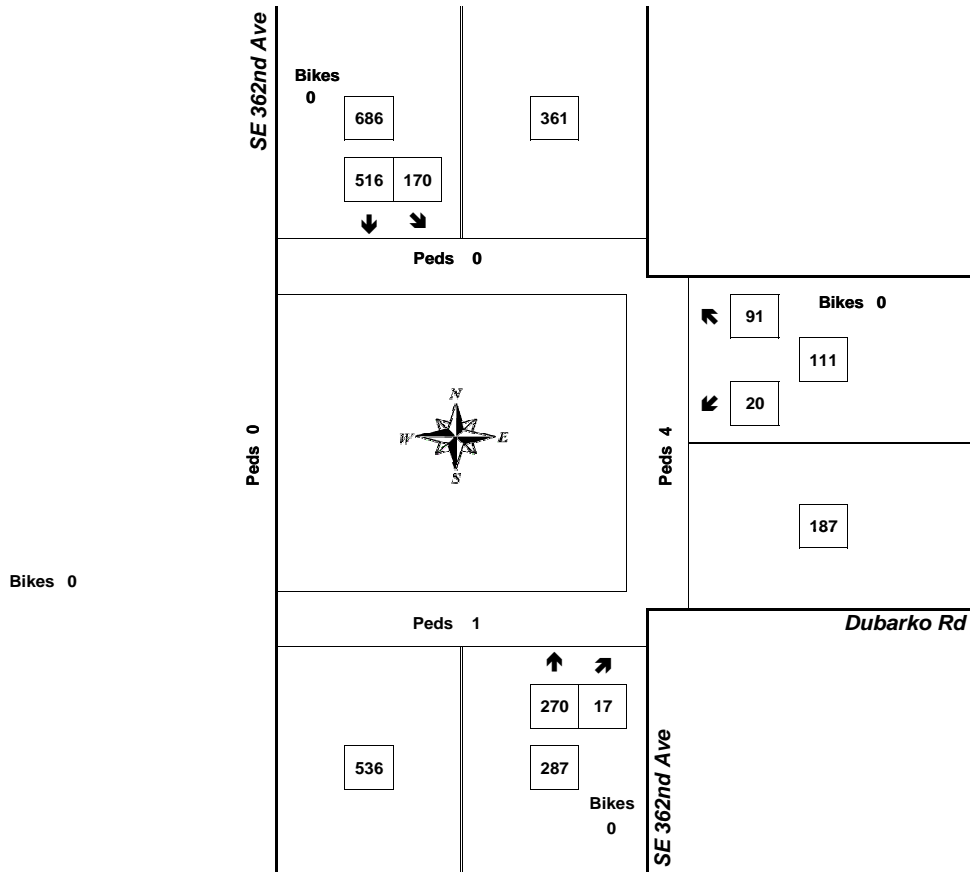
Peak Hour Summary



Clay Carney
(503) 833-2740

SE 362nd Ave & Dubarko Rd

4:30 PM to 5:30 PM
Wednesday, May 22, 2019



Approach	PHF	HV%	Volume
EB	0.00	0.0%	0
WB	0.90	1.8%	111
NB	0.77	2.4%	287
SB	0.84	0.9%	686
Intersection	0.92	1.4%	1,084

Count Period: 4:00 PM to 6:00 PM

CDS380
05/17/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
362ND DR at DUBARKO RD, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 2

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

CDS380
05/12/2019

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at BLUFF RD, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 1

CITY OF SANDY, CLACKAMAS COUNTY

SER#	P	R	J	S	W	DATE	CLASS	CITY STREET	RD CHAR	INT-TYPE	OFFRD	WTHR	CRASH	SPCL USE	MOVE	A	S	RD DPT	E	L	G	N	H	R	TIME	FROM	SECOND STREET	DIRECT	LEGS	TRAF-	RNDBT	SURF	COLL	OWNER	FROM	PRTC	INJ	G	E	LICNS	PED	UNLOC?	D	C	S	V	L	K	LAT	LONG	LRS	LOCTN	(#LANES)	CONTL	DRVWY	LIGHT	SVRTY	V#	TYPE	TO	P#	TYPE	SVRTY	E	X	RES	LOC	ERROR	ACT	EVENT	CAUSE
------	---	---	---	---	---	------	-------	-------------	---------	----------	-------	------	-------	----------	------	---	---	--------	---	---	---	---	---	---	------	------	---------------	--------	------	-------	-------	------	------	-------	------	------	-----	---	---	-------	-----	--------	---	---	---	---	---	---	-----	------	-----	-------	----------	-------	-------	-------	-------	----	------	----	----	------	-------	---	---	-----	-----	-------	-----	-------	-------

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CDS380
05/12/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at BLUFF RD, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 2

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CITY OF SANDY, CLACKAMAS COUNTY

DUBARKO RD at MELISSA AVE, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

1 - 2 of 2 Crash records shown.

SER#	S	D	M	CLASS	CITY STREET	INT-TYPE	SPCL USE											ACT	EVENT	CAUSE										
INVEST	E	A	U	I	C	O	DAY	DIST	FIRST STREET	RD CHAR	(MEDIAN)	INT-REL	OFFRD	WTHR	CRASH	TRLR	QTY	MOVE	A S											
RD DPT	E	L	G	N	H	R	TIME	FROM	SECOND STREET	DIRECT	LEGS	TRAF-	RNDBT	SURF	COLL	OWNER	FROM	PRTC	INJ	G	E	LICNS	PED							
UNLOC?	D	C	S	V	L	K	LAT	LONG	LRS	LOCTN	(#LANES)	CONTL	DRVWY	LIGHT	SVRTY	V#	TYPE	TO	P#	TYPE	SVRTY	E	X	RES	LOC	ERROR	ACT	EVENT	CAUSE	
00557	N	N	N				02/07/2014	16	DUBARKO RD	INTER	3-LEG	N	N	SNOW	ANGL-STP	01	NONE	0	TURN-L									124	08	
NONE							FR	0	MELISSA AVE	S		STOP SIGN	N	ICE	TURN	PRVTE	SE-S										000	124	00	
N							3P			06	0		N	DAY	PDO	PSNGR	CAR			01	DRVR	NONE	59	M	OR-Y	002	017		08	
N							45 23 30.2562959	-122 16 36.081048																						
																02	NONE	0	STOP									011		00
																PRVTE	S -N			01	DRVR	NONE	57	F	OR-Y	000	000		00	
																PSNGR	CAR													
01045	N	N	N				03/26/2015	16	DUBARKO RD	INTER	3-LEG	N	N	CLR	ANGL-OTH	01	NONE	0	STRGHT										02	
NONE							TH	0	MELISSA AVE	CN		STOP SIGN	N	DRY	TURN	PRVTE	NW-SE										000		00	
N							8A			04	0		N	DAWN	PDO	PSNGR	CAR			01	DRVR	NONE	23	F	OR-Y	000	000		00	
N							45 23 30.26 36.08	-122 16 36.08																						
																02	NONE	0	TURN-L									015		00
																PRVTE	S -NW			01	DRVR	NONE	00	F	UNK	028	000		02	
																PSNGR	CAR													

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CDS380
05/12/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at MELISSA AVE, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 2

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CDS380
05/12/2019

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at RUBEN LN, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

CITY OF SANDY, CLACKAMAS COUNTY

SER#	P	R	J	S	W	DATE	CLASS	CITY STREET	RD CHAR	INT-TYPE	OFFRD	WTHR	CRASH	SPCL USE	MOVE	A	S	RD DPT	E	L	G	N	H	R	TIME	FROM	SECOND STREET	DIRECT	LEGS	TRAF-	RNDBT	SURF	COLL	OWNER	FROM	PRTC	INJ	G	E	LICNS	PED	UNLOC?	D	C	S	V	L	K	LAT	LONG	LRS	LOCTN	(#LANES)	CONTL	DRVWY	LIGHT	SVRTY	V#	TYPE	TO	P#	TYPE	SVRTY	E	X	RES	LOC	ERROR	ACT	EVENT	CAUSE
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Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

CDS380
05/12/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at RUBEN LN, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 2

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: SE 362nd Drive Minor Street: Dubarko Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 538 PM Peak Hour Volumes: 103

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	5,380	8,850	
Minor Street*	1,030	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	5,380	13,300	
Minor Street*	1,030	1,350	No
<i>Combination Warrant</i>			
Major Street	5,380	10,640	
Minor Street*	1,030	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: Dubarko Road Minor Street: Ruben Lane
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 248 PM Peak Hour Volumes: 19

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	2,480	8,850	
Minor Street*	190	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	2,480	13,300	
Minor Street*	190	1,350	No
<i>Combination Warrant</i>			
Major Street	2,480	10,640	
Minor Street*	190	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: Dubarko Road Minor Street: Melissa Avenue
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 84 PM Peak Hour Volumes: 113

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	840	8,850	
Minor Street*	1,130	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	840	13,300	
Minor Street*	1,130	1,350	No
<i>Combination Warrant</i>			
Major Street	840	10,640	
Minor Street*	1,130	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: Dubarko Road Minor Street: Bluff Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 164 PM Peak Hour Volumes: 36

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	1,640	8,850	
Minor Street*	360	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	1,640	13,300	
Minor Street*	360	1,350	No
<i>Combination Warrant</i>			
Major Street	1,640	10,640	
Minor Street*	360	2,120	No

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: SE 362nd Drive Minor Street: Dubarko Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 1073 PM Peak Hour Volumes: 114

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	10,730	8,850	
Minor Street*	1,140	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	10,730	13,300	
Minor Street*	1,140	1,350	No
<i>Combination Warrant</i>			
Major Street	10,730	10,640	
Minor Street*	1,140	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: Dubarko Road Minor Street: Ruben Lane
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 374 PM Peak Hour Volumes: 116

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	3,740	8,850	
Minor Street*	1,160	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	3,740	13,300	
Minor Street*	1,160	1,350	No
<i>Combination Warrant</i>			
Major Street	3,740	10,640	
Minor Street*	1,160	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: Dubarko Road Minor Street: Melissa Avenue
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 287 PM Peak Hour Volumes: 68

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	2,870	8,850	
Minor Street*	680	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	2,870	13,300	
Minor Street*	680	1,350	No
<i>Combination Warrant</i>			
Major Street	2,870	10,640	
Minor Street*	680	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: Dubarko Road Minor Street: Bluff Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 220 PM Peak Hour Volumes: 61

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	2,200	8,850	
Minor Street*	610	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	2,200	13,300	
Minor Street*	610	1,350	No
<i>Combination Warrant</i>			
Major Street	2,200	10,640	
Minor Street*	610	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Left-Turn Lane Warrant Analysis

Project: 18197 - Ponder Subdivision
 Intersection: Melissa Avenue at Dubarko Road
 Date: 6/20/2019
 Scenario: 2021 Buildout AM

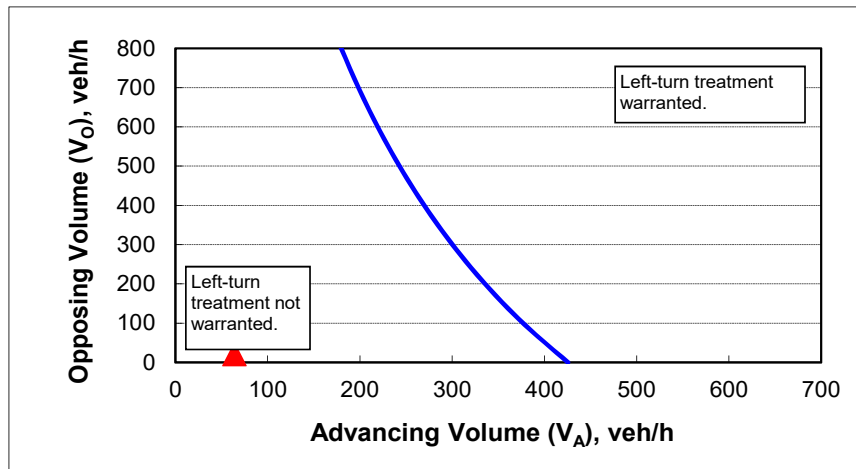
2-lane roadway (English)

INPUT

Variable	Value
85 th percentile speed, mph:	25
Left-turns in advancing volume (V_A), veh/hr:	23
Advancing volume (V_A), veh/h:	64
Opposing volume (V_O), veh/h:	20

OUTPUT

Variable	Value
Limiting advancing volume (V_A), veh/h:	415
Guidance for determining the need for a major-road left-turn bay:	
Left-turn treatment NOT warranted.	



CALIBRATION CONSTANTS (2-Lane Roadway)

Variable	Value
Average time for making left-turn, s:	3.0
Critical headway, s:	5.0
Average time for left-turn vehicle to clear the advancing lane, s:	1.9

Left-Turn Lane Warrant Analysis

Project: 18197 - Ponder Subdivision
 Intersection: Melissa Avenue at Dubarko Road
 Date: 6/20/2019
 Scenario: 2021 Buildout PM

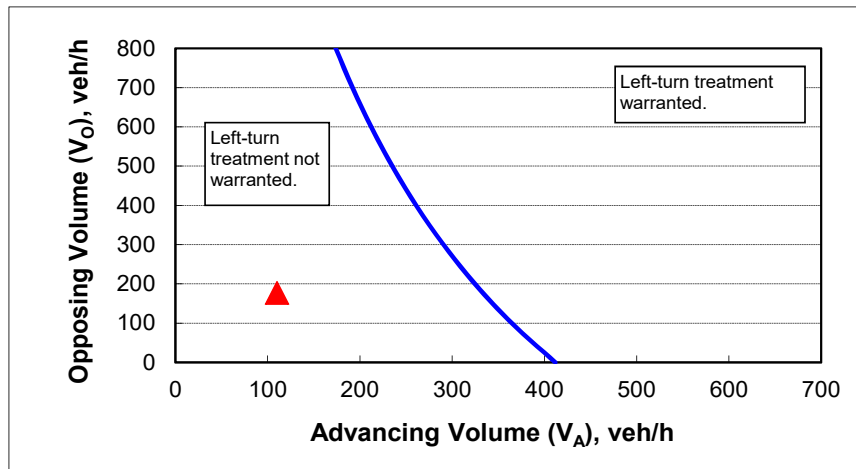
2-lane roadway (English)

INPUT

Variable	Value
85 th percentile speed, mph:	25
Left-turns in advancing volume (V_A), veh/hr:	48
Advancing volume (V_A), veh/h:	110
Opposing volume (V_O), veh/h:	177

OUTPUT

Variable	Value
Limiting advancing volume (V_A), veh/h:	333
Guidance for determining the need for a major-road left-turn bay:	
Left-turn treatment NOT warranted.	



CALIBRATION CONSTANTS (2-Lane Roadway)

Variable	Value
Average time for making left-turn, s:	3.0
Critical headway, s:	5.0
Average time for left-turn vehicle to clear the advancing lane, s:	1.9

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

05/28/2019

Intersection

Int Delay, s/veh	2.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	5	85	346	8	22	120
Future Vol, veh/h	5	85	346	8	22	120
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	6	100	407	9	26	141

Major/Minor

	Minor1	Major1		Major2	
Conflicting Flow All	605	412	0	0	416
Stage 1	412	-	-	-	-
Stage 2	193	-	-	-	-
Critical Hdwy	6.41	6.21	-	-	4.16
Critical Hdwy Stg 1	5.41	-	-	-	-
Critical Hdwy Stg 2	5.41	-	-	-	-
Follow-up Hdwy	3.509	3.309	-	-	2.254
Pot Cap-1 Maneuver	462	642	-	-	1122
Stage 1	671	-	-	-	-
Stage 2	842	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	451	642	-	-	1122
Mov Cap-2 Maneuver	451	-	-	-	-
Stage 1	671	-	-	-	-
Stage 2	822	-	-	-	-

Approach

	WB	NB	SB
HCM Control Delay, s	11.9	0	1.3
HCM LOS	B		

Minor Lane/Major Mvmt

	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	627	1122
HCM Lane V/C Ratio	-	-	0.169	0.023
HCM Control Delay (s)	-	-	11.9	8.3
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	0.6	0.1

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

05/28/2019

Intersection

Int Delay, s/veh 1.6

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	19	14	48	89	10	6
Future Vol, veh/h	19	14	48	89	10	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	21	16	54	100	11	7

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	154	0	-	0	162	104
Stage 1	-	-	-	-	104	-
Stage 2	-	-	-	-	58	-
Critical Hdwy	4.16	-	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	-	3.617	3.417
Pot Cap-1 Maneuver	1402	-	-	-	804	922
Stage 1	-	-	-	-	893	-
Stage 2	-	-	-	-	937	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1402	-	-	-	792	922
Mov Cap-2 Maneuver	-	-	-	-	792	-
Stage 1	-	-	-	-	893	-
Stage 2	-	-	-	-	923	-

Approach EB WB SB

HCM Control Delay, s	4.4	0	9.4
HCM LOS			A

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1402	-	-	-	836
HCM Lane V/C Ratio	0.015	-	-	-	0.022
HCM Control Delay (s)	7.6	0	-	-	9.4
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0.1

HCM 2010 TWSC
3: Melissa Avenue & Dubarko Road

05/28/2019

Intersection

Int Delay, s/veh 5.5

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	1	14	39	40	27
Future Vol, veh/h	8	1	14	39	40	27
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	1	18	49	51	34

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	11	0	96	11
Stage 1	-	-	-	-	11	-
Stage 2	-	-	-	-	85	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1608	-	903	1070
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	938	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1608	-	892	1070
Mov Cap-2 Maneuver	-	-	-	-	892	-
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	927	-

Approach EB WB NB

HCM Control Delay, s	0	1.9	9.1
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	956	-	-	1608	-
HCM Lane V/C Ratio	0.089	-	-	0.011	-
HCM Control Delay (s)	9.1	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.3	-	-	0	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

05/28/2019

Intersection	
Intersection Delay, s/veh	7.6
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	25	9	12	11	40	55
Future Vol, veh/h	25	9	12	11	40	55
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	36	13	17	16	57	79
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.5	7.7	7.6
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	42%	0%	52%
Vol Thru, %	0%	74%	48%
Vol Right, %	58%	26%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	95	34	23
LT Vol	40	0	12
Through Vol	0	25	11
RT Vol	55	9	0
Lane Flow Rate	136	49	33
Geometry Grp	1	1	1
Degree of Util (X)	0.145	0.057	0.04
Departure Headway (Hd)	3.844	4.21	4.435
Convergence, Y/N	Yes	Yes	Yes
Cap	927	844	801
Service Time	1.892	2.267	2.495
HCM Lane V/C Ratio	0.147	0.058	0.041
HCM Control Delay	7.6	7.5	7.7
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.5	0.2	0.1

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

05/28/2019

Intersection						
Int Delay, s/veh	2.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	20	91	270	17	170	516
Future Vol, veh/h	20	91	270	17	170	516
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	22	99	293	18	185	561

Major/Minor	Minor1	Major1	Major2		
Conflicting Flow All	1233	303	0	0	312
Stage 1	303	-	-	-	-
Stage 2	930	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.11
Critical Hdwy Stg 1	5.42	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.209
Pot Cap-1 Maneuver	195	737	-	-	1254
Stage 1	749	-	-	-	-
Stage 2	384	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	166	737	-	-	1254
Mov Cap-2 Maneuver	166	-	-	-	-
Stage 1	749	-	-	-	-
Stage 2	327	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	15.7	0	2.1
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	455	1254
HCM Lane V/C Ratio	-	-	0.265	0.147
HCM Control Delay (s)	-	-	15.7	8.4
HCM Lane LOS	-	-	C	A
HCM 95th %tile Q(veh)	-	-	1.1	0.5

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

05/28/2019

Intersection

Int Delay, s/veh 3.1

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	16	147	68	50	67	33
Future Vol, veh/h	16	147	68	50	67	33
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	18	165	76	56	75	37

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	133	0	-	0	305	104
Stage 1	-	-	-	-	104	-
Stage 2	-	-	-	-	201	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1458	-	-	-	689	953
Stage 1	-	-	-	-	923	-
Stage 2	-	-	-	-	835	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1458	-	-	-	679	953
Mov Cap-2 Maneuver	-	-	-	-	679	-
Stage 1	-	-	-	-	923	-
Stage 2	-	-	-	-	823	-

Approach EB WB SB

HCM Control Delay, s	0.7	0	10.6
HCM LOS			B

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1458	-	-	-	750
HCM Lane V/C Ratio	0.012	-	-	-	0.15
HCM Control Delay (s)	7.5	0	-	-	10.6
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.5

HCM 2010 TWSC
 3: Melissa Avenue & Dubarko Road

05/28/2019

Intersection

Int Delay, s/veh 2.1

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	85	47	22	58	21	16
Future Vol, veh/h	85	47	22	58	21	16
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	100	55	26	68	25	19

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	155	0	248	128
Stage 1	-	-	-	-	128	-
Stage 2	-	-	-	-	120	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1438	-	745	927
Stage 1	-	-	-	-	903	-
Stage 2	-	-	-	-	910	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1438	-	731	927
Mov Cap-2 Maneuver	-	-	-	-	731	-
Stage 1	-	-	-	-	903	-
Stage 2	-	-	-	-	893	-

Approach EB WB NB

HCM Control Delay, s	0	2.1	9.7
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	805	-	-	1438	-
HCM Lane V/C Ratio	0.054	-	-	0.018	-
HCM Control Delay (s)	9.7	-	-	7.5	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

05/28/2019

Intersection	
Intersection Delay, s/veh	7.4
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↷	
Traffic Vol, veh/h	19	89	23	16	56	24
Future Vol, veh/h	19	89	23	16	56	24
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	22	105	27	19	66	28
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.2	7.6	7.7
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	70%	0%	59%
Vol Thru, %	0%	18%	41%
Vol Right, %	30%	82%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	80	108	39
LT Vol	56	0	23
Through Vol	0	19	16
RT Vol	24	89	0
Lane Flow Rate	94	127	46
Geometry Grp	1	1	1
Degree of Util (X)	0.109	0.127	0.055
Departure Headway (Hd)	4.175	3.606	4.282
Convergence, Y/N	Yes	Yes	Yes
Cap	853	983	829
Service Time	2.228	1.668	2.345
HCM Lane V/C Ratio	0.11	0.129	0.055
HCM Control Delay	7.7	7.2	7.6
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.4	0.4	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh	2.5					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	9	101	367	9	27	127
Future Vol, veh/h	9	101	367	9	27	127
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	11	119	432	11	32	149

Major/Minor

	Minor1	Major1		Major2	
Conflicting Flow All	650	437	0	0	442
Stage 1	437	-	-	-	-
Stage 2	213	-	-	-	-
Critical Hdwy	6.41	6.21	-	-	4.16
Critical Hdwy Stg 1	5.41	-	-	-	-
Critical Hdwy Stg 2	5.41	-	-	-	-
Follow-up Hdwy	3.509	3.309	-	-	2.254
Pot Cap-1 Maneuver	435	622	-	-	1097
Stage 1	653	-	-	-	-
Stage 2	825	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	422	622	-	-	1097
Mov Cap-2 Maneuver	422	-	-	-	-
Stage 1	653	-	-	-	-
Stage 2	801	-	-	-	-

Approach

	WB	NB	SB
HCM Control Delay, s	12.7	0	1.5
HCM LOS	B		

Minor Lane/Major Mvmt

	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	599	1097
HCM Lane V/C Ratio	-	-	0.216	0.029
HCM Control Delay (s)	-	-	12.7	8.4
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	0.8	0.1

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh 1.5

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	20	20	66	101	14	6
Future Vol, veh/h	20	20	66	101	14	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	22	22	74	113	16	7

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	188	0	-	0	198	131
Stage 1	-	-	-	-	131	-
Stage 2	-	-	-	-	67	-
Critical Hdwy	4.16	-	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	-	3.617	3.417
Pot Cap-1 Maneuver	1362	-	-	-	766	890
Stage 1	-	-	-	-	869	-
Stage 2	-	-	-	-	929	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1362	-	-	-	754	890
Mov Cap-2 Maneuver	-	-	-	-	754	-
Stage 1	-	-	-	-	869	-
Stage 2	-	-	-	-	914	-

Approach EB WB SB

HCM Control Delay, s	3.8	0	9.7
HCM LOS			A

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1362	-	-	-	790
HCM Lane V/C Ratio	0.016	-	-	-	0.028
HCM Control Delay (s)	7.7	0	-	-	9.7
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0.1	-	-	-	0.1

HCM 2010 TWSC
 3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 5.6

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	1	15	41	42	29
Future Vol, veh/h	8	1	15	41	42	29
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	1	19	52	53	37

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	11	0	101	11
Stage 1	-	-	-	-	11	-
Stage 2	-	-	-	-	90	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1608	-	898	1070
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	934	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1608	-	887	1070
Mov Cap-2 Maneuver	-	-	-	-	887	-
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	923	-

Approach EB WB NB

HCM Control Delay, s	0	1.9	9.2
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	954	-	-	1608	-
HCM Lane V/C Ratio	0.094	-	-	0.012	-
HCM Control Delay (s)	9.2	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.3	-	-	0	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

Intersection	
Intersection Delay, s/veh	7.6
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	27	10	19	12	42	60
Future Vol, veh/h	27	10	19	12	42	60
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	39	14	27	17	60	86
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.6	7.8	7.6
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	41%	0%	61%
Vol Thru, %	0%	73%	39%
Vol Right, %	59%	27%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	102	37	31
LT Vol	42	0	19
Through Vol	0	27	12
RT Vol	60	10	0
Lane Flow Rate	146	53	44
Geometry Grp	1	1	1
Degree of Util (X)	0.156	0.062	0.055
Departure Headway (Hd)	3.864	4.233	4.475
Convergence, Y/N	Yes	Yes	Yes
Cap	919	838	794
Service Time	1.923	2.299	2.54
HCM Lane V/C Ratio	0.159	0.063	0.055
HCM Control Delay	7.6	7.6	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.6	0.2	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 3.4

Movement WBL WBR NBT NBR SBL SBT

Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	23	105	287	22	191	548
Future Vol, veh/h	23	105	287	22	191	548
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	25	114	312	24	208	596

Major/Minor Minor1 Major1 Major2

Conflicting Flow All	1335	324	0	0	336	0
Stage 1	324	-	-	-	-	-
Stage 2	1011	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.11	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.209	-
Pot Cap-1 Maneuver	169	717	-	-	1229	-
Stage 1	733	-	-	-	-	-
Stage 2	352	-	-	-	-	-
Platoon blocked, %			-	-	-	-
Mov Cap-1 Maneuver	140	717	-	-	1229	-
Mov Cap-2 Maneuver	140	-	-	-	-	-
Stage 1	733	-	-	-	-	-
Stage 2	292	-	-	-	-	-

Approach WB NB SB

HCM Control Delay, s	18.1	0	2.2
HCM LOS	C		

Minor Lane/Major Mvmt NBT NBRWBLn1 SBL SBT

Capacity (veh/h)	-	-	412	1229	-
HCM Lane V/C Ratio	-	-	0.338	0.169	-
HCM Control Delay (s)	-	-	18.1	8.5	-
HCM Lane LOS	-	-	C	A	-
HCM 95th %tile Q(veh)	-	-	1.5	0.6	-

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh 3.2

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	17	171	82	57	78	35
Future Vol, veh/h	17	171	82	57	78	35
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	19	192	92	64	88	39

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	156	0	-	0	354	124
Stage 1	-	-	-	-	124	-
Stage 2	-	-	-	-	230	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1430	-	-	-	646	929
Stage 1	-	-	-	-	904	-
Stage 2	-	-	-	-	811	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1430	-	-	-	636	929
Mov Cap-2 Maneuver	-	-	-	-	636	-
Stage 1	-	-	-	-	904	-
Stage 2	-	-	-	-	799	-

Approach EB WB SB

HCM Control Delay, s	0.7	0	11.2
HCM LOS			B

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1430	-	-	-	705
HCM Lane V/C Ratio	0.013	-	-	-	0.18
HCM Control Delay (s)	7.6	0	-	-	11.2
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.7

HCM 2010 TWSC
3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 2.1

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	90	50	23	62	22	17
Future Vol, veh/h	90	50	23	62	22	17
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	106	59	27	73	26	20

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	165	0	262	135
Stage 1	-	-	-	-	135	-
Stage 2	-	-	-	-	127	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1426	-	731	919
Stage 1	-	-	-	-	896	-
Stage 2	-	-	-	-	904	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1426	-	716	919
Mov Cap-2 Maneuver	-	-	-	-	716	-
Stage 1	-	-	-	-	896	-
Stage 2	-	-	-	-	886	-

Approach EB WB NB

HCM Control Delay, s	0	2	9.8
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	792	-	-	1426	-
HCM Lane V/C Ratio	0.058	-	-	0.019	-
HCM Control Delay (s)	9.8	-	-	7.6	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

Intersection	
Intersection Delay, s/veh	7.6
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	20	94	28	17	59	31
Future Vol, veh/h	20	94	28	17	59	31
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	24	111	33	20	69	36
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.3	7.7	7.8
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	66%	0%	62%
Vol Thru, %	0%	18%	38%
Vol Right, %	34%	82%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	90	114	45
LT Vol	59	0	28
Through Vol	0	20	17
RT Vol	31	94	0
Lane Flow Rate	106	134	53
Geometry Grp	1	1	1
Degree of Util (X)	0.122	0.135	0.063
Departure Headway (Hd)	4.162	3.631	4.314
Convergence, Y/N	Yes	Yes	Yes
Cap	854	975	822
Service Time	2.222	1.7	2.385
HCM Lane V/C Ratio	0.124	0.137	0.064
HCM Control Delay	7.8	7.3	7.7
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.4	0.5	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh	3					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	15	117	367	11	33	127
Future Vol, veh/h	15	117	367	11	33	127
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	18	138	432	13	39	149

Major/Minor

	Minor1	Major1		Major2	
Conflicting Flow All	665	438	0	0	445
Stage 1	438	-	-	-	-
Stage 2	227	-	-	-	-
Critical Hdwy	6.41	6.21	-	-	4.16
Critical Hdwy Stg 1	5.41	-	-	-	-
Critical Hdwy Stg 2	5.41	-	-	-	-
Follow-up Hdwy	3.509	3.309	-	-	2.254
Pot Cap-1 Maneuver	427	621	-	-	1094
Stage 1	653	-	-	-	-
Stage 2	813	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	412	621	-	-	1094
Mov Cap-2 Maneuver	412	-	-	-	-
Stage 1	653	-	-	-	-
Stage 2	784	-	-	-	-

Approach

	WB	NB	SB
HCM Control Delay, s	13.3	0	1.7
HCM LOS	B		

Minor Lane/Major Mvmt

	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	587	1094
HCM Lane V/C Ratio	-	-	0.265	0.035
HCM Control Delay (s)	-	-	13.3	8.4
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	1.1	0.1

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh 1.3

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	20	28	88	112	14	6
Future Vol, veh/h	20	28	88	112	14	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	22	31	99	126	16	7

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	225	0	-	0	238	162
Stage 1	-	-	-	-	162	-
Stage 2	-	-	-	-	76	-
Critical Hdwy	4.16	-	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	-	3.617	3.417
Pot Cap-1 Maneuver	1320	-	-	-	727	855
Stage 1	-	-	-	-	841	-
Stage 2	-	-	-	-	920	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1320	-	-	-	715	855
Mov Cap-2 Maneuver	-	-	-	-	715	-
Stage 1	-	-	-	-	841	-
Stage 2	-	-	-	-	904	-

Approach EB WB SB

HCM Control Delay, s	3.2	0	9.9
HCM LOS			A

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1320	-	-	-	752
HCM Lane V/C Ratio	0.017	-	-	-	0.03
HCM Control Delay (s)	7.8	0	-	-	9.9
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0.1	-	-	-	0.1

HCM 2010 TWSC
 3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 6.6

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	12	23	41	75	51
Future Vol, veh/h	8	12	23	41	75	51
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	15	29	52	95	65

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	25	0	128	18
Stage 1	-	-	-	-	18	-
Stage 2	-	-	-	-	110	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1589	-	866	1061
Stage 1	-	-	-	-	1005	-
Stage 2	-	-	-	-	915	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1589	-	850	1061
Mov Cap-2 Maneuver	-	-	-	-	850	-
Stage 1	-	-	-	-	1005	-
Stage 2	-	-	-	-	898	-

Approach EB WB NB

HCM Control Delay, s	0	2.6	9.7
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	924	-	-	1589	-
HCM Lane V/C Ratio	0.173	-	-	0.018	-
HCM Control Delay (s)	9.7	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.6	-	-	0.1	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

Intersection	
Intersection Delay, s/veh	7.8
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	41	18	19	17	45	60
Future Vol, veh/h	41	18	19	17	45	60
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	59	26	27	24	64	86
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.8	7.9	7.8
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	43%	0%	53%
Vol Thru, %	0%	69%	47%
Vol Right, %	57%	31%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	105	59	36
LT Vol	45	0	19
Through Vol	0	41	17
RT Vol	60	18	0
Lane Flow Rate	150	84	51
Geometry Grp	1	1	1
Degree of Util (X)	0.164	0.099	0.064
Departure Headway (Hd)	3.944	4.224	4.488
Convergence, Y/N	Yes	Yes	Yes
Cap	897	838	788
Service Time	2.024	2.302	2.572
HCM Lane V/C Ratio	0.167	0.1	0.065
HCM Control Delay	7.8	7.8	7.9
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.6	0.3	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh	3.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	27	116	287	28	210	548
Future Vol, veh/h	27	116	287	28	210	548
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	29	126	312	30	228	596

Major/Minor

	Minor1	Major1		Major2	
Conflicting Flow All	1379	327	0	0	342
Stage 1	327	-	-	-	-
Stage 2	1052	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.11
Critical Hdwy Stg 1	5.42	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.209
Pot Cap-1 Maneuver	159	714	-	-	1223
Stage 1	731	-	-	-	-
Stage 2	336	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	129	714	-	-	1223
Mov Cap-2 Maneuver	129	-	-	-	-
Stage 1	731	-	-	-	-
Stage 2	273	-	-	-	-

Approach

	WB	NB	SB
HCM Control Delay, s	20.5	0	2.4
HCM LOS	C		

Minor Lane/Major Mvmt

	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	385	1223
HCM Lane V/C Ratio	-	-	0.404	0.187
HCM Control Delay (s)	-	-	20.5	8.6
HCM Lane LOS	-	-	C	A
HCM 95th %tile Q(veh)	-	-	1.9	0.7

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh 3.2

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	17	196	97	64	90	35
Future Vol, veh/h	17	196	97	64	90	35
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	19	220	109	72	101	39

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	181	0	-	0	403	145
Stage 1	-	-	-	-	145	-
Stage 2	-	-	-	-	258	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1400	-	-	-	605	905
Stage 1	-	-	-	-	885	-
Stage 2	-	-	-	-	787	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1400	-	-	-	596	905
Mov Cap-2 Maneuver	-	-	-	-	596	-
Stage 1	-	-	-	-	885	-
Stage 2	-	-	-	-	775	-

Approach EB WB SB

HCM Control Delay, s	0.6	0	11.9
HCM LOS			B

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1400	-	-	-	659
HCM Lane V/C Ratio	0.014	-	-	-	0.213
HCM Control Delay (s)	7.6	0	-	-	11.9
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.8

HCM 2010 TWSC
3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 3.3

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	90	87	48	62	44	32
Future Vol, veh/h	90	87	48	62	44	32
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	106	102	56	73	52	38

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	208	0	343	157
Stage 1	-	-	-	-	157	-
Stage 2	-	-	-	-	186	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1375	-	657	894
Stage 1	-	-	-	-	876	-
Stage 2	-	-	-	-	851	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1375	-	629	894
Mov Cap-2 Maneuver	-	-	-	-	629	-
Stage 1	-	-	-	-	876	-
Stage 2	-	-	-	-	815	-

Approach EB WB NB

HCM Control Delay, s	0	3.4	10.7
HCM LOS			B

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	719	-	-	1375	-
HCM Lane V/C Ratio	0.124	-	-	0.041	-
HCM Control Delay (s)	10.7	-	-	7.7	0
HCM Lane LOS	B	-	-	A	A
HCM 95th %tile Q(veh)	0.4	-	-	0.1	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

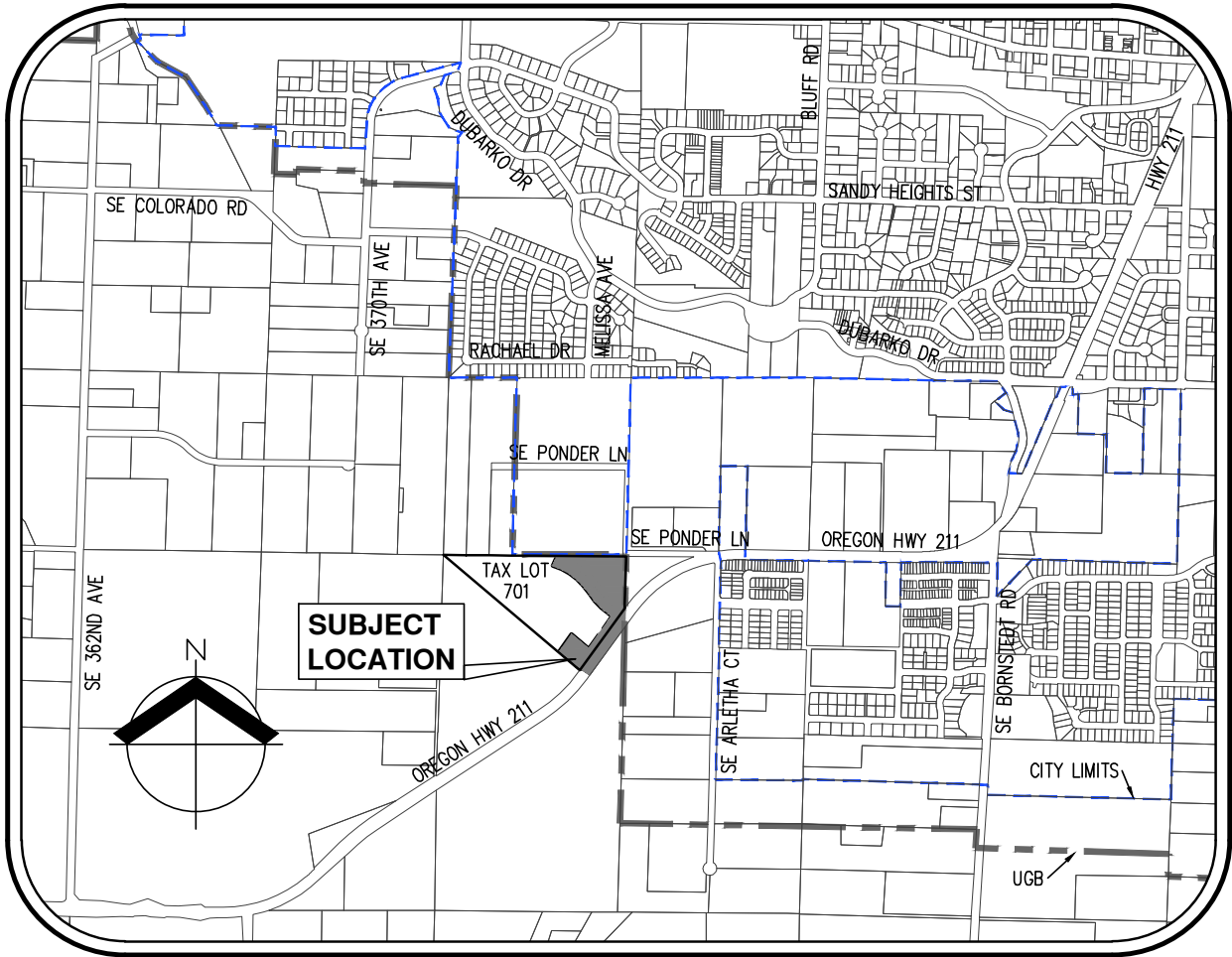
Intersection	
Intersection Delay, s/veh	7.7
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	29	100	28	33	68	31
Future Vol, veh/h	29	100	28	33	68	31
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	34	118	33	39	80	36
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.5	7.8	8
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	69%	0%	46%
Vol Thru, %	0%	22%	54%
Vol Right, %	31%	78%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	99	129	61
LT Vol	68	0	28
Through Vol	0	29	33
RT Vol	31	100	0
Lane Flow Rate	116	152	72
Geometry Grp	1	1	1
Degree of Util (X)	0.137	0.156	0.086
Departure Headway (Hd)	4.249	3.695	4.316
Convergence, Y/N	Yes	Yes	Yes
Cap	833	955	819
Service Time	2.33	1.78	2.401
HCM Lane V/C Ratio	0.139	0.159	0.088
HCM Control Delay	8	7.5	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.5	0.6	0.3

Exhibit G: Supplemental Materials



VICINITY MAP
 NOT TO SCALE



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AKS Job #7107

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Legal Description

A tract of land, and a portion of right-of-way, located in the Northeast One-Quarter of Section 23, Township 2 South, Range 4 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the northeast corner of Parcel 1 of Partition Plat 2018-030, Clackamas County Plat Records; thence along the north line of Document Number 93-28438, Clackamas County Deed Records, South 89°52'25" East 823.67 feet to the Point of Beginning; thence continuing along said north line, South 89°52'25" East 495.53 feet to the northeast corner of said deed; thence along the east line of said deed and the southerly extension thereof, South 01°24'04" West 532.91 feet to the southeasterly right-of-way line of Woodburn-Sandy Highway (40.00 feet from centerline); thence along said southeasterly right-of-way line, South 35°02'39" West 438.40 feet; thence leaving said southeasterly right-of-way line, North 54°57'21" West 80.00 feet to the northwesterly right-of-way line of Woodburn-Sandy Highway (40.00 feet from centerline), also being the southwesterly corner of said deed; thence along the southwesterly line of said deed, North 49°21'56" West 200.96 feet; thence leaving said southwesterly line, North 35°02'39" East 150.72 feet; thence South 49°21'56" East 160.76 feet to a line which is parallel with and 40.00 feet northwesterly of, when measured at right angles to, said northwesterly right-of-way line; thence along said parallel line, North 35°02'39" East 295.25 feet; thence leaving said parallel line, North 54°57'21" West 25.00 feet; thence along a curve to the right with a Radius of 533.00 feet, a Delta of 23°05'54", a Length of 214.88 feet, and a Chord of North 43°24'23" West 213.42 feet; thence along a curve to the left with a Radius of 467.00 feet, a Delta of 41°16'55", a Length of 336.48 feet, and a Chord of North 52°29'54" West 329.25 feet to a point of non-tangency (Radial Bearing of South 16°51'38" West); thence North 23°37'27" East 93.53 feet to the Point of Beginning.

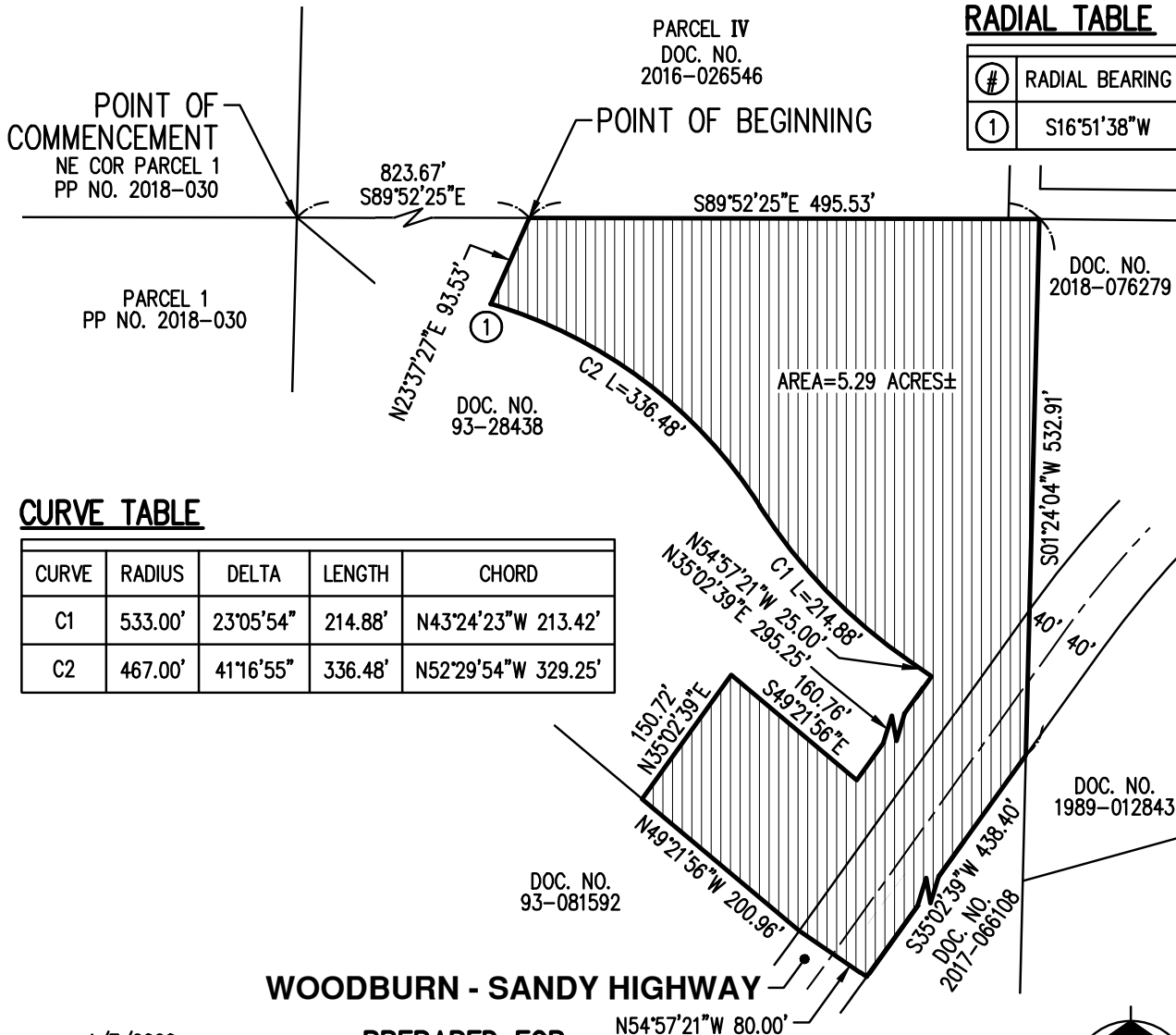
The above described tract of land contains 5.29 acres, more or less.

1/7/2020



EXHIBIT B

A TRACT OF LAND, AND A PORTION OF RIGHT-OF-WAY,
 LOCATED IN THE NORTHEAST 1/4 OF SECTION 23,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN,
 CLACKAMAS COUNTY, OREGON



RADIAL TABLE

#	RADIAL BEARING
①	S16°51'38"W

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	533.00'	23°05'54"	214.88'	N43°24'23"W 213.42'
C2	467.00'	41°16'55"	336.48'	N52°29'54"W 329.25'

1/7/2020

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Benjamin R Huff
 OREGON
 MARCH 14, 2017
 BENJAMIN R HUFF
 84738PLS

RENEWS: 6/30/21

PREPARED FOR

ALLIED HOMES & DEVELOPMENT
 12042 SE SUNNYSIDE ROAD, SUITE 706
 CLACKAMAS, OR 97015

N54°57'21"W 80.00'

SCALE: 1" = 150 FEET

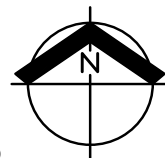


EXHIBIT MAP		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: WCB CHKD: BRH AKS JOB: 7107



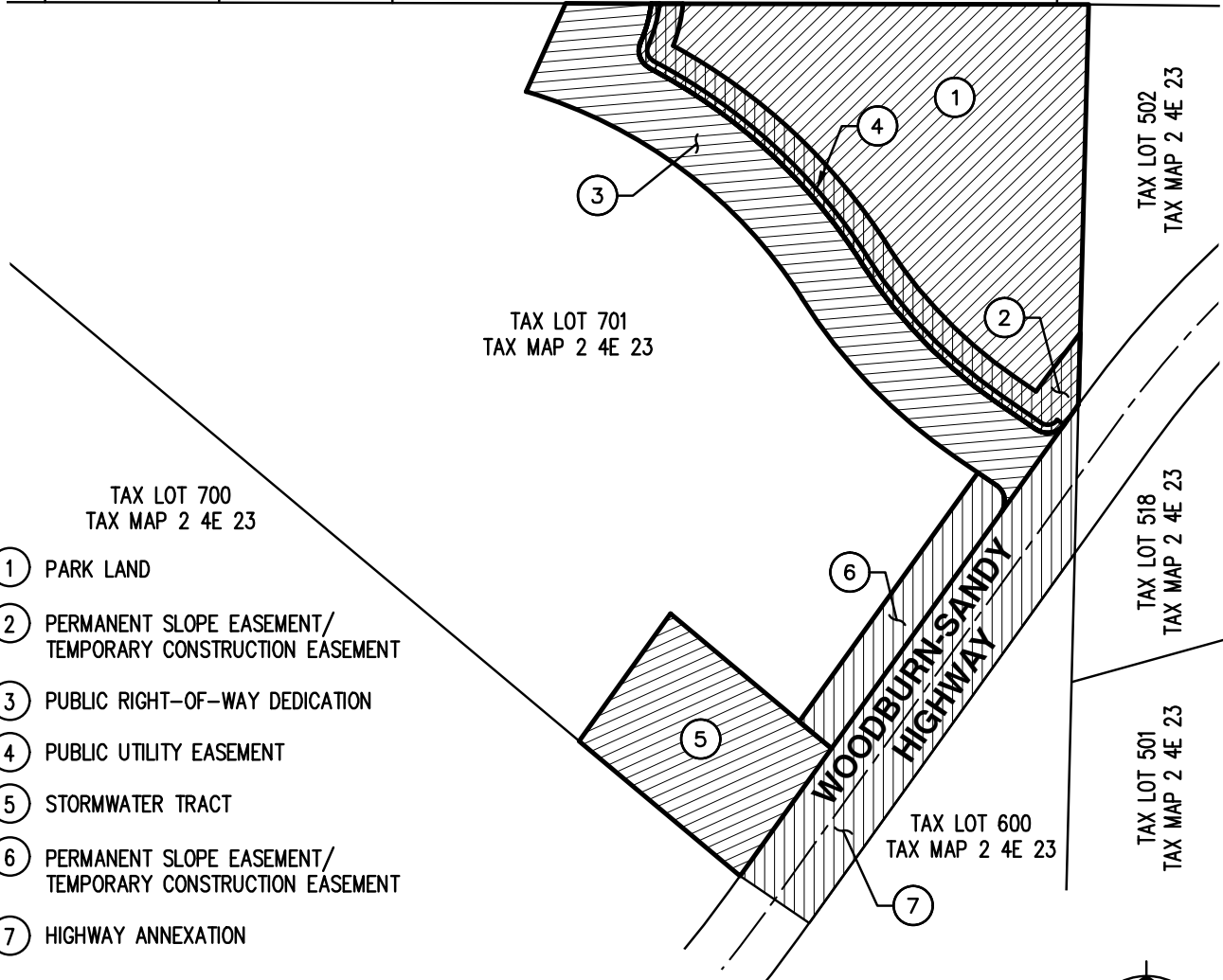
EXHIBIT KEY MAP

TAX LOT 807
TAX MAP 2 4E 23

TAX LOT 800
TAX MAP 2 4E 23

TAX LOT 803
TAX MAP 2 4E 23

PONDER LANE



TAX LOT 502
TAX MAP 2 4E 23

TAX LOT 701
TAX MAP 2 4E 23

TAX LOT 700
TAX MAP 2 4E 23

TAX LOT 518
TAX MAP 2 4E 23

TAX LOT 501
TAX MAP 2 4E 23

TAX LOT 600
TAX MAP 2 4E 23

- ① PARK LAND
- ② PERMANENT SLOPE EASEMENT/
TEMPORARY CONSTRUCTION EASEMENT
- ③ PUBLIC RIGHT-OF-WAY DEDICATION
- ④ PUBLIC UTILITY EASEMENT
- ⑤ STORMWATER TRACT
- ⑥ PERMANENT SLOPE EASEMENT/
TEMPORARY CONSTRUCTION EASEMENT
- ⑦ HIGHWAY ANNEXATION

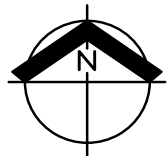
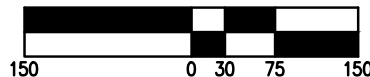
1/7/2020

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PREPARED FOR

ALLIED HOMES & DEVELOPMENT
12042 SE SUNNYSIDE ROAD, SUITE 706
CLACKAMAS, OR 97015

SCALE: 1" = 150 FEET



Benjamin R Huff

OREGON
MARCH 14, 2017
BENJAMIN R HUFF
84738PLS

RENEWS: 6/30/21

SE PONDER LANE - SANDY

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



EXHIBIT
KEY

DRWN: WCB
CHKD: BRH

AKS JOB:
7107

1. Existing Intersection Location



- Intersection not usable for new development given available width, very flat skew angle of approach, and topography.
- Rebuilding a new street and intersection in this location would involve properties that are not under control of the applicant or the City of Sandy

3. Proposed Alignment



Looking South



Looking North

- Location is far enough south to have adequate sight distance looking back to the north toward the curve. Excellent sight lines looking south.
- Superelevation is minimal due to location south of curve.

2. TSP-Identified Alignment



Looking North



Looking South



- Sight distance limited by horizontal and vertical curves in both directions. Sight distance is particularly poor for the future south leg, which would connect to Cascadia Village Drive.
- Superelevation (banking of the roadway around the curve) is very steep and makes this location problematic for an intersection due to difficult turning and crossing movements across the steep curve.

Exhibit FFFF

City of Sandy Annexation, Comprehensive Plan, and Zone Map Amendment

Date: January 2020

Submitted to: City of Sandy
Planning Department
39250 Pioneer Boulevard
Sandy, OR 97055

Applicant: Allied Homes & Development
12402 SE Sunnyside Road, Suite 706
Clackamas, OR 97015

AKS Job Number: 7107



AKS
ENGINEERING & FORESTRY
12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

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Exhibits

- Exhibit A:** City Application Forms and Checklists
 - Exhibit B:** Annexation Written Consent Form
 - Exhibit C:** Site Maps and Legal Description
 - Exhibit D:** Lancaster Mobley Engineering Traffic Documentation
 - Exhibit E:** Property Ownership Information
 - Exhibit F:** Clackamas County Assessor’s Map
 - Exhibit G:** Noticing Materials
-

Land Use Application for Annexation, Comprehensive Plan, and Zone Map Amendment

Submitted to: City of Sandy
Planning Department
39250 Pioneer Boulevard
Sandy, OR 97055

Applicant: Allied Homes & Development
12402 SE Sunnyside Road, Suite 706
Clackamas, OR 97015

Property Owners: Lawrence Pullen
36940 Deming Road
Sandy, OR 97055

Richard Pullen
36969 Deming Road
Sandy, OR 97055

Sherrene TenEyck
37020 SE Deming Road
Sandy, OR 97055

Applicant's Consultant: AKS Engineering & Forestry, LLC
12965 SW Herman Road, Suite 100
Tualatin, OR 97062

Contact: Chris Goodell, AICP, LEED^{AP}
Email: chrisg@aks-eng.com
Phone: (503) 563-6151

Applicant's Legal Counsel: Schwabe, Williamson & Wyatt
Pacwest Center 1211 SW 5th Avenue, Suite 190
Portland, OR 97204

Contact: Michael Robinson
Email: mrobinson@schwabe.com
Phone: (503) 796-3756

Site Location: North of Highway 211 and south of Ponder Lane



**Clackamas County
Assessor's Map:**

2 4E 23, Tax Lot 701

Site Size:

±14.30 acres

Land Use District:

Exclusive Farm Use (EFU)



I. Executive Summary

The City of Sandy is currently processing a land use application for the Bailey Meadows subdivision (local file No. 19-023 SUB/VAR/TREE) and the amendment of the Sandy Urban Growth Boundary (UGB) to accommodate a future public transportation facility (i.e., Gunderson Road) and parkland dedication on Tax Lot 701 that is currently outside the City limits and UGB. The alignment for the Gunderson Road extension falls within property that is located outside of Sandy's City limits and UGB. This property is currently designated Exclusive Farm Use (EFU) by Clackamas County, but is within the City of Sandy's Urban Reserve Area (URA). The portion of the property that is planned to be included within the amended UGB is limited to areas necessary to construct the Gunderson Road extension, including land for the roadway, associated storm drainage improvements, accompanying utilities, grading, etc. and area for parkland dedication.

Allied Homes & Development (Applicant) is submitting this application for an Annexation, Comprehensive Plan Map Amendment, and Zone Map Amendment for the subject portion of Tax Lot 701 to allow for the public facilities. This consolidated application involves updating the City's comprehensive plan map designation for the subject portion of the property from existing Clackamas County Exclusive Farm Use (EFU) designation to Low Density Residential (LDR) and Single Family Residential (SFR) zoning designation.

The City of Sandy Land Development Code (LDC) requires this application be considered through a Quasi-Judicial Type IV procedure, which applies to an individual property, involving hearings before the Planning Commission and the City Council. The City should also comply with the Type III noticing requirements outlined in LDC Chapter 17.12. This application includes the City application forms and written materials necessary for the City of Sandy staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the approval of the application.

II. Site Description/Setting

The property (Tax Lot 701) included in this application has a total area of ±14.30 acres, though only the acreage required for the road right-of-way and associated improvements and parkland dedication are planned to be incorporated within the Sandy UGB. Tax Lot 701 is located outside of, but adjacent to the UGB, immediately south of the active Bailey Meadows Subdivision application (City of Sandy Local Case File No. 19-023 SUB/VAR/TREE), northwest of OR 211, and west of the intersection of SE Ponder Lane and OR 211.

The property is fairly flat with vegetated areas on the northwest half and pasture on the eastern half. The property does not contain structures and access is served from OR 211 on the south side of the site.

III. Applicable Review Criteria

SANDY COMPREHENSIVE PLAN GOALS AND POLICIES

Goal 1 – Citizen Involvement

- POLICY 1:** The City of Sandy shall maintain a citizen involvement program to allow opportunity for citizen involvement in the ongoing planning process.
- POLICY 2:** Comprehensive Plan changes shall include the opportunity for participation of citizens affected by the change.
- POLICY 4:** The City shall disseminate information and public notice to the residents of the Sandy area concerning on-going planning activities and pending actions.



Response: The City of Sandy has an established citizen involvement program. The application will be processed according to Chapter 17.12 of the LDC, which involves public notification, public hearings, and decision appeal procedures, as established in City of Sandy LDC Section 17.12.30 and 17.12.40. Therefore, the application is consistent with Goal 1.

Goal 2 – Land Use Planning

POLICY 2: Changes to the Comprehensive Plan Map shall be consistent with the policies of the Comprehensive Plan, state law, and intergovernmental agreements.

Response: Changes to the Comprehensive Plan Map are consistent with SDC Chapter 17.12 and the applicable policies of the Comprehensive Plan, as detailed in this written narrative. Consistency with applicable State statute and rules and the Urban Growth Management Agreement (UGMA) between City of Sandy and Clackamas County have been addressed in this document. Therefore, Policy 2 above is met.

POLICY 10: Due to the demand which new development places upon the community's infrastructure, the city may impose off-site improvement requirements necessitated by a development. Each development shall provide for all onsite needs, and in areas which represent a critical link in the facility and service delivery systems, the city may require the over-sizing of these systems. The City may negotiate late-comer fees or other arrangements to compensate developers for over-sizing of facilities.

Response: The Applicant is submitting this application to satisfy an anticipated condition of approval associated with City of Sandy Local File No. 19-023 SUB/VAR/TREE. Although Bailey Meadows Subdivision provides for and meets SDC criteria for on-site needs, in this case the City and Applicant agree to an off-site improvement requirement (i.e., Gunderson Road extension and parkland dedication). The off-site extension of Gunderson Road is outside the UGB, as described in this written document, and require a UGB amendment to allow an urban facility to be built on land currently within the County's jurisdiction. The policy above is understood and met by this application submittal.

POLICY 14: Proposed plan elements such as parks, roadways, schools, etc., are intended to be conceptual. Actual locations and quantities should be determined through the development process.

Response: The alignment of the extension of Gunderson Road to OR 211, a proposed plan element in the City's TSP, is conceptual. The actual location should be determined through the development process, as outlined above. To provide this public transportation facility improvement, the road should be extended to match the conceptual alignment in the Sandy TSP. However, due to geometrical issues, safety concerns, and potential for transportation hazards, the alignment illustrated in the Sandy TSP is not practicable for construction. This application provides for a solution to extend Gunderson Road and determine the actual functionable location through site analysis and development review. The location shown in Exhibit C can be improved to provide the required site characteristics and execute the extension of the transportation network to satisfy the needs of citizens in the general area. Please see the TIA and Supplemental Materials of Exhibit C for further details.

Additionally, according to the Sandy Parks Master Plan adopted May 15, 1997, there is not a conceptual location for a park on or near the subject site. Therefore, the location



for the improvement should be determined through the development process. Though parkland dedication is not required of the Bailey Meadows Subdivision application, the Applicant is providing it and it must be brought within the Sandy UGB and annexed to allow for it. Policy 14 above is met.

Goal 5 – Natural Resources

Response: Goal 5 is not applicable to the decision. The decision does not affect a Goal 5 resource under OAR 660-023-0250(3)(a)-(c) because:

- a) The decision does not “create or amend” a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5.”
- b) The decision does not “allow” new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list.”
- c) While the decision “amends an acknowledged UGB” no “factual information [was] submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.”

Goal 6 – Air, Water, and Land Resources Quality

POLICY 4: Reduce congestion and delay on major streets to lessen localized pollution impacts of automobile travel through methods such as signal timing, access management, intersection improvements, etc.

Response: The City’s Comprehensive Plan with respect to Goal 6 and its development regulations governing land, air, and water quality are not affected by the decision. The intent of extending Gunderson Road to OR 211 is to enhance neighborhood circulation and provide local parkland, thereby reducing congestion and delay in the area. This mitigates localized pollution impacts of vehicle activity in the area.

Goal 7 – Areas Subject to Natural Hazards

Response: The City’s Comprehensive Plan, with respect to Goal 7 and its development regulations governing natural hazards, is not affected by the decision. The subject site does not contain mapped areas of steep slopes 25 percent or greater or other known hazard areas.

Goal 8 – Recreational Needs

POLICY 1: Ensure that new residential development contributes equitably to park land acquisition, development, and maintenance.

POLICY 2: Establish methods to maintain and enhance the quality and quantity of parks, open space, and recreational facilities and services. Ensure that these facilities and services serve the diverse recreational needs and interests of area residents and are accessible to all members of the community.

POLICY 10: The conceptual location of community and neighborhood parks and areas of open space have been indicated on the City of Sandy Land Use Map. Actual park locations may be determined based on more site-specific information.

Response: According to the Sandy Parks Master Plan adopted May 15, 1997, there is not a conceptual location for a park on or near the subject site. Therefore, the location for the improvement should be determined through the development process. Though parkland



dedication is not required of the Bailey Meadows Subdivision application, the Applicant is providing it and it must be brought within the Sandy UGB and annexed to allow for it. The City's Comprehensive Plan with respect to Goal 8 above is met.

Goal 9 – Economic Development

Response: The City's Comprehensive Plan with respect to Goal 9 and its employment lands are not affected by the decision.

Goal 10 – Housing

Response: The subject property associated with this application to be incorporated within the UGB will be strictly for the purpose of constructing a public transportation facility and parkland improvements and is not planned to include land for residential use. Therefore, the City's Comprehensive Plan with respect to Goal 10 and residential land is not affected by the decision.

Goal 11 – Public Facilities and Services

Response: The City's Comprehensive Plan contains an acknowledged Goal 11 element that includes policies to ensure sufficient and adequate public services are available (or will be available as appropriate) to serve lands within the UGB. The property north of the subject site, Bailey Meadows Subdivision, was found to be sufficiently served by public services at the time it was annexed into the City in June 2017. This application involves amending the City's UGB to permit the extension of a public transportation facility (i.e., Gunderson Road) to allow for a future connection to OR 211. If approved, the extension is intended as an additional access to the subdivision and to distribute traffic from local streets to the surrounding area. The extension is not required for subdivision approval. Additionally, providing parkland on the northeast portion of Tax Lot 701 will enhance quality of life for the residents in the area. The parkland dedication is not required for subdivision approval. Goal 11 is satisfied.

POLICY 3: Consider the needs of emergency service providers in the review of all development. Particular attention should be paid to:

- a) Street and driveway layout and site design features that ensure emergency vehicle access and building identification.
- b) Fire hydrant locations and fire flow.
- c) Security through appropriate lighting and landscape design.

Response: Policy 3 above, regarding emergency service provider access, is discussed in detail under Goal 12, Policy 2.

Goal 12 – Transportation

POLICY 1: Support a pattern of connected streets, sidewalks, and bicycle routes to: a) provide safe and convenient options for cars, bikes, and pedestrians; b) create a logical, recognizable pattern of circulation; and, c) spread traffic over local streets so that collector and arterial streets are not overburdened.

Response: This application involves the extension of a public transportation facility (i.e., Gunderson Road) to allow Bailey Meadows Subdivision a future connection to OR 211, as illustrated in the City of Sandy TSP. If approved, the extension is intended as an additional access to



the subdivision and to distribute traffic from local streets to the surrounding area. The extension is planned to support a pattern of connected streets as stated above but is not required for subdivision approval.

POLICY 2: Work with fire district, police, and other emergency service providers to ensure that adequate emergency access is possible on all streets.

Response: Appendix D, Section D107 of the Oregon Fire Code addresses standards regarding fire apparatus access roads for one or two-family developments. As discussed in the Bailey Meadows Subdivision application (City of Sandy Local File No. 19-023 SUB/VAR/TREE), the subdivision currently provides two separate and approved fire apparatus access roads (Melissa Avenue and SE Ponder Lane) and shall meet the requirements of Section D104.3.

The extension of Gunderson Road would provide an additional access to the subdivision. Therefore, if approved, the Gunderson Road extension will provide the secondary access to the subdivision and SE Ponder Lane will not be utilized to serve as an emergency access as described above.

Additionally, the nature of Policy 2 above requires coordination of the application by the City with affected governmental entities. Coordination requires notice of an application, an opportunity for an affected governmental entity to comment on the application, and the City's incorporation of the comments to a reasonable extent. The City can find that coordination of this application will be accomplished in two ways: by the Applicant prior to application submittal, and by the City in the review process for the application. Goal 12, Policy 2 is satisfied.

POLICY 21: Work with ODOT to determine locations for necessary traffic control signals. Proposed locations for future traffic signals have been determined for the downtown area in the City of Sandy Transportation System Plan. Other locations need to be determined in order to improve the safety and convenience of pedestrians, bicycles, and automobiles. The location of traffic signals should be consistent with the street network indicated in the Comprehensive Plan Map and current traffic engineering standards.

POLICY 22: Submit notice of development proposals impacting Highways 26 and 211 to ODOT for review and comment.

Response: The above criteria applies to City processes for noticing and coordinating with ODOT, as applicable. The standards above apply as the project plans to extend Gunderson Road to OR 211. Direct action by the Applicant will be taken as applicable. Policy 21 and 22 can be satisfied.

Goal 13 – Energy Conservation

Response: The City's Comprehensive Plan with respect to Goal 13 and its standards governing energy conservation are not affected by the decision.

Goal 14 – Urbanization

POLICY 1: Maintain an urban growth boundary with sufficient residential, commercial, industrial, and public use lands necessary to support forecast population and employment for a 20-year horizon. The City will evaluate and update the 20-year land supply at each periodic review plan update.



Response: This application to amend the City UGB is necessary to provide a public transportation facility (i.e., Gunderson Road) to support residential land north of the project site which was included within the UGB and subsequently annexed in 2017. Additionally, this application provides parkland dedication which will benefit residential lands in the vicinity. As described above, the City is required to maintain a UGB with sufficient residential lands, as addressed in the February 2017 City of Sandy Urban Growth Boundary Expansion Analysis. This application will provide a public road as illustrated in the Sandy TSP that aligns with the existing transportation network in the area and implement a connection to OR 211.

POLICY 2: Urban growth should be directed in a generally contiguous manner consistent with the city's ability to economically maintain and extend public services and facilities.

POLICY 3: The City of Sandy shall encourage the development of land according to the following priorities:

- a) Vacant, buildable lands or underutilized lands located within developed or developing areas.
- b) Lands contiguous to development areas where services can be easily and economically extended.
- c) Lands which are significantly separated from developing areas by vacant land, or areas which would place an undue burden on the city's infrastructure.

Response: The project site is currently vacant, with pasture and vegetated areas. As stated above, urban growth should be directed in a contiguous manner and the planned Gunderson Road extension will facilitate growth north of the project site while having no impact on urban services or utilities. Per Goal 14, Policy 3(b) above, the City shall encourage the development of land which is contiguous to development areas where services can be easily and economically extended. The extension of Gunderson Road will provide access and distribute traffic from local streets to the surrounding area and provide parkland dedication, a benefit to lands north of the project site and those within the City limits.

POLICY 4: An Urban Growth Boundary (UGB) and Urban Reserve Area (URA) shall be jointly adopted by the City of Sandy and Clackamas County. Procedures for coordinated management of the unincorporated lands within the UGB and URA shall be specified in an intergovernmental agreement adopted by the Sandy City Council and the Clackamas County Board of Commissioners.

Response: The property involved in this application, Tax Lot 701, is associated with an UGMA, as it is within the Sandy Adopted URA. The applicable elements are addressed within this written narrative.

POLICY 6: Designated URA lands will be considered for inclusion within the UGB on a phased basis, primary at periodic review. Legislative amendments to the UGB shall be large enough to facilitate cohesive neighborhood framework planning and efficient provision of public facilities. Property owners will also have the opportunity to request that land within the designated URA be included within the Sandy UGB, based on the criteria outlined in LCDC Goal 14 and the Urban Growth Management Agreement with Clackamas County.

Response: This application involves a property owner's (i.e., the Applicant's) request that Tax Lot 701, land within the designated Sandy URA, be included with the Sandy UGB. The applicable criteria, including Land Conservation and Development Commission (LCDC)



Goal 14 noted above, have been addressed in this written document. Policy 6 is relevant and satisfied.

POLICY 7: The City of Sandy shall have the lead role in designating planned land uses and densities for incorporated and unincorporated lands within the UGB and the URA. The Comprehensive Plan shall constitute the comprehensive plan for all land within the Urban Growth Boundary and Urban Reserve Area.

Response: The subject application involves property which is located within the URA. This written document contains analysis of the City's comprehensive plan goals and policies associated with the property. Therefore, Policy 7 is applicable.

POLICY 8: The City of Sandy shall have the lead role in coordinating public facility planning (streets, sanitary and storm sewers, water, parks and open space, schools) within the UGB and the URA.

Response: Tax Lot 701 is located within the Sandy Adopted URA. Therefore, Policy 8 is applicable, and the City of Sandy shall have the lead role in coordinating this application for the planned public transportation and parkland facilities.

POLICY 9: County zoning shall apply to unincorporated lands within the UGB and URA until annexation to the City of Sandy.

Response: Tax Lot 701 is located within the Sandy Adopted URA and is currently designated with Clackamas County EFU zoning. An application for annexation and a comprehensive plan amendment is necessary to apply City zoning to allow for the public transportation and parkland facilities. Policy 9 is applicable and satisfied.

POLICY 11: Clackamas County shall have the lead role in processing land use and development applications for unincorporated lands within the UGB and URA.

Response: Tax Lot 701 is located within the Sandy Adopted URA. Therefore, Policy 11 is applicable, and the City of Sandy shall coordinate with Clackamas County in processing the subject land use and development application for unincorporated lands within the URA.

POLICY 12: The City of Sandy will support development within the areas outside the city limits but within the Sandy Urban Growth Boundary or Urban Reserve Area based on the following standards and restrictions:

- a) County zoning in effect at the time of adoption of the Urban Reserve Area will be frozen until the unincorporated land is included within the UGB and annexed for urban development.
- b) New commercial and industrial uses will generally be discouraged outside the City limits and within the UGB or within the Urban Reserve Area.
- c) Agricultural and forest uses will be allowed in accordance with Clackamas County zoning.
- d) The City and County shall coordinate plans for interim rural residential development within the designated Urban Reserve Area. The following strategies will be used to ensure that interim rural development does not inhibit long-term urbanization of lands within the Sandy UGB and Urban Reserve Area:
 - 1) shadow plats
 - 2) cluster development



-
- 3) redevelopment plans
 - 4) non-remonstrance agreements or deed restrictions for annexation and provision of urban facilities

Response: Tax Lot 701 is located within the Sandy Adopted URA and is currently designated with Clackamas County EFU zoning. An application for annexation and a comprehensive plan amendment is necessary to apply City zoning allowing this urban development (i.e., creation of a public transportation facility and a public parkland facility). Therefore, the subject application does not involve new commercial, industrial, or agricultural uses. The Applicant understands that City Low-Density Residential (LDR) Comprehensive Plan and Single-Family Residential (SFR) Zoning designations are intended for the property. Interim use and development, prior to annexation, is not associated with this application. The application complies with the applicable components of Policy 12 above.

SANDY DEVELOPMENT CODE – REVISED ORDINANCE 2019-01

CHAPTER 17.24 - COMPREHENSIVE PLAN AMENDMENT PROCEDURES

17.24.00 BACKGROUND

The adopted Comprehensive Plan is the official statement of the City that sets forth major policies concerning desired future development of the community. The Comprehensive Plan is the controlling land use planning instrument for the City, and as such land development regulations and related actions are required to conform to the plan.

This chapter pertains to lands within the City limits. Those portions of the Comprehensive Plan that apply to areas outside the City limits but within the urban growth boundary shall be amended in accordance with the provisions of Clackamas County and the Sandy Urban Growth Management Agreement.

Response: Tax Lot 701 is currently located outside of the City limits and within the City of Sandy's Urban Reserve Area (URA). This application involves amending the Urban Growth Boundary in accordance with the provisions of Clackamas County and the Sandy Urban Growth Management Agreement (UGMA). This chapter is relevant to the project.

17.24.10 INTENT

This chapter sets forth review criteria and procedural requirements in order to:

- A. Respond to changing conditions and community attitudes;
- B. Ensure flexibility while at the same time maintain the integrity of the Comprehensive Plan; and
- C. Establish procedures by which the Plan text and map may be amended.

17.24.20 INITIATION

Comprehensive Plan amendments may be initiated by one of the following:

- A. An application submitted by a property's owners or their authorized agents for a specific property; or
- B. A majority vote of the City Council.

Response: This application is submitted on behalf of the property owners of Tax Lot 701. The criteria are met.



17.24.30 FREQUENCY OF PLAN AMENDMENTS

Applications for Comprehensive Plan amendments initiated by property owners shall be reviewed semi-annually in March and September unless otherwise authorized by the City Council. The City Council may initiate amendments to the Comprehensive Plan at any time. Comprehensive Plan Amendments filed in conjunction with an annexation application shall be reviewed concurrently. Comprehensive Plan amendments are exempt from the time limits established in State law for development review processes and shall be exempt from time restrictions set in this Code.

Response: This application involves a Type C Annexation; therefore, the Comprehensive and Zone Map Amendments should be reviewed concurrently.

17.24.40 APPLICATION REQUIREMENTS

An application may be filed jointly by any or all of the property owners of record or their authorized agents within the area of the proposed Comprehensive Plan amendment. Applications shall be on forms provided by the Director and include a description and map of the area to be affected by the proposed change, a statement of the reasons for the change, and other information as may be necessary for an adequate review of the application. Notice shall be provided to the Land Conservation and Development Commission (LCDC) of any proposed amendment or new regulation as provided by State law. In addition, notice of any proposed amendment that may affect private access to state roads, or that may impact a state transportation facility, shall be provided to the Oregon Department of Transportation (ODOT).

Response: The application requirements are understood. Tax Lot 701 fronts on OR 211. It is understood that notice will be provided by the City to the Land Conservation and Development Commission (LCDC) and Oregon Department of Transportation (ODOT).

17.24.50 ACCEPTANCE OF APPLICATION

- A. The Director shall review the application in accordance with Chapter 17.20-Public Hearings;
- B. After accepting a complete application, the Director shall schedule a public hearing to be held by the Planning Commission. Notice of the hearing shall be provided in accordance with Chapter 17.22 Public Notices.

17.24.60 STAFF EVALUATION

The Director shall prepare a report that evaluates whether the proposal complies with the review criteria in Chapter 17.24.70. The report should include a recommendation for approval or denial.

17.24.70 REVIEW CRITERIA

Comprehensive Plan amendments shall be reviewed to assure consistency with the purposes of this chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council. Amendments shall be approved only when the following findings are made:

- A. The change being proposed is the best means of meeting the identified public need; and
- B. The change conforms to all applicable Statewide Planning Goals.

Response: This written document addresses applicable portions of the City of Sandy Land Development Code (SDC), Comprehensive Plan, and LCDC Statewide Planning Goals. The review criteria have been met.

17.24.80 ACTION BY THE HEARING BODY



-
- A. Planning Commission. The Planning Commission shall conduct a public hearing in accordance with Chapter 17.20-Public Hearings. Following the close of the public hearing, the Commission shall make a recommendation to the City Council concerning the proposed Comprehensive Plan map amendment. The Commission's recommendations shall include findings that specify how the proposal has or has not complied with the above review criteria.
 - B. City Council. Upon receipt of the Planning Commission's recommendation the matter shall be set for a de novo public hearing before the City Council. Following the close of the public hearing, the City Council shall either deny the application or adopt an ordinance approving the proposed Comprehensive Plan map amendment or a modification thereof. The City Council's decision shall include findings that specify how the proposal has or has not complied with the above review criteria.
 - C. Notwithstanding any contrary code provision and in the City Council's sole discretion, it may allow an amendment to proceed directly to a public hearing before the City Council without a hearing or recommendation from the Planning Commission.

17.24.90 NOTICE OF DECISION

The Director shall provide the applicant with a notice of decision that includes a written statement of the City Council's decision, a reference to findings leading to it, and appeal period deadline. A notice of the decision shall also be mailed to persons who participated orally or in writing at the public hearing and who in writing requested notice of the decision.

Response: This above procedural standards are understood and do not require action by the Applicant.

...

CHAPTER 17.26 - ZONING DISTRICT AMENDMENTS

17.26.00 INTENT

This chapter sets forth review criteria and procedural requirements for quasi-judicial and legislative zoning map amendments to accomplish the following: A. Maintain sound, stable, and desirable development within the City;

- B. Permit changes in zoning district boundaries where appropriate;
- C. Ensure zoning changes are consistent with the community's land use policies and goals; and
- D. Lessen the influence of private economic interests in the land use decision-making process.

17.26.10 BACKGROUND

The Zoning Map is consistent with the adopted Comprehensive Plan, as amended, and as such it is a reflection of the City's land use planning goals. The Zoning Map has been adopted as part of the Development Code. Frequent and piecemeal amendments to the Zoning Map can threaten the integrity of the Comprehensive Plan and the likelihood of its successful implementation. Nevertheless, it may be necessary to amend the Zoning Map from time to time to correct errors or to respond to changing conditions or unforeseen circumstances.



When a zoning district is amended there often must be a corresponding change to the Comprehensive Plan map. There are, however, instances where more than one zoning district matches the Comprehensive Plan designation. In these situations, the zoning district can be amended without a Plan map change. The table below illustrates the relationship between the Comprehensive Plan and the Zoning Map designations in the City.

Zoning district changes are classified as legislative or quasi-judicial, depending on the number of properties involved. Changes to the Zoning Map are reviewed initially by the Planning

Commission with a recommendation forwarded to the City Council. The City Council conducts a public hearing and considers adoption of changes. A Zoning Map application may be reviewed in conjunction with a Comprehensive Plan map amendment or other land use application.

17.26.20 COMPREHENSIVE PLAN & CORRESPONDING ZONING MAP DESIGNATIONS

PLAN MAP DESIGNATION	ZONING MAP DESIGNATION
RESIDENTIAL	RESIDENTIAL
LDR – Low Density Residential	SFR Single Family (3-5.8 units/net acre) R-1 Low Density (5-8 units/net acre)
MDR – Medium Density	R-2 Medium Density (8-14 units/net acre)
HDR – High Density	R-3 High Density (10-20 units/net acre)
COMMERCIAL	C-1 Central Business District
	C-2 General Commercial
	C-3 Village Commercial
INDUSTRIAL	INDUSTRIAL
	I-1 Industrial Park
	I-2 Light Industrial
	I-3 Heavy Industrial

Response: It is understood that the portion of the property that is planned to be annexed will be designated Low Density Residential (LDR) and Single Family Residential (SFR).

...

17.26.40 QUASI-JUDICIAL AMENDMENT PROCEDURES

All zoning district changes not deemed legislative shall be quasi-judicial.

- A. **Initiation-Quasi-Judicial.** Initiation of a zoning district change that is quasi-judicial in nature may be accomplished by one of the following ways:
 - 1. Filing of an application by the owner(s) of the subject property(ies); or
 - 2. A majority vote of the City Council or Planning Commission following the same procedures used for legislative amendments discussed above.

Where a motion by either the City Council or Planning Commission involves a Planned Development designation, the motion need not include a conceptual or detailed development plan.

- B. **Review Criteria.** Quasi-judicial zoning district changes shall be reviewed to:
 - 1. Determine the effects on City facilities and services;



-
2. To assure consistency with the purposes of this chapter;
 3. To assure consistency with the policies of the Comprehensive Plan;
 4. To assure consistency with the Statewide Planning Goals as may be necessary, and any other applicable policies and standards adopted by the City Council.

Response: This application addresses City facilities and services, consistency with Chapter 17 and the policies of the Comprehensive Plan, and the applicable LCDC Statewide Planning Goals. The review criteria have been addressed and met.

- C. **Application Requirements.** An application for quasi-judicial zoning district change shall be made on forms provided by the Director and shall include the following where applicable:
 1. Description of the land (address, lot, block, or similar description);
 2. Narrative addressing how the application meets the review criteria;
 3. Maps, drawings, and such other information as may be needed for an adequate review of the application;
 4. List of affected property owners, from current Clackamas County Assessor's Office records, within 300 feet of the boundaries of the parcel(s) proposed for a zoning district change; and
 5. If a proposed zoning district change is to include land in more than one ownership, the application must be submitted jointly by all of the owners or authorized agents.

Response: The above-listed submittal items have been included within the application materials. The zoning district change involves land in more than one ownership; as such, the application is submitted jointly by the property owners.

17.26.60 ACTION BY THE HEARING BODY

- A. **Planning Commission.** The Planning Commission shall conduct a public hearing in accordance with Chapter 17.20-Public Hearings. Following the close of the public hearing the Commission shall make a recommendation to the City Council concerning the proposed Zoning Map amendment. The Commission's recommendations shall include findings that specify how the proposal has or has not complied with the above review criteria;
- B. **City Council.** Upon receipt of the Planning Commission's recommendation the matter shall be set for a public hearing before the City Council. Following the close of the public hearing the City Council shall either deny the application or adopt an ordinance approving the proposed Zoning Map amendment or a modification thereof. The City Council's decision shall include findings that specify how the proposal has or has not complied with the above review criteria.
- C. Notwithstanding any contrary code provision and in the City Council's sole discretion, it may allow an amendment to the zoning map or to the development code to proceed directly to a public hearing before the City Council without a hearing or recommendation from the Planning Commission.

17.26.70 NOTICE OF DECISION



The Director shall provide the applicant with a notice of decision that includes a written statement of the City Council's decision, a reference to findings leading to it, and appeal period deadline. A notice of the decision shall also be mailed to persons who participated orally or in writing at the public hearing and, for legislative zone amendments, who in writing requested notice of the decision.

17.26.80 APPEALS

The decision of the hearing authority may be appealed in accordance with Chapter 17.28 Appeals.

17.26.90 EFFECTIVE DATE

The decision of the City Council made in conjunction with a Zoning Map amendment shall become effective 30 days after passage of the ordinance. No zoning district changes will take effect, however, until and unless the necessary Comprehensive Plan amendment has been implemented by the City Council, if needed.

Response: The procedural standards listed above are understood.

...

CHAPTER 17.78 - ANNEXATION

17.78.00 INTENT

The procedures and standards established in this chapter are required for review of proposed annexations in order to:

- A. Maximize citizen involvement in the annexation review process by holding a public hearing;
- B. Establish a system for measuring the physical, environmental, fiscal and related social effects of proposed annexations; and,
- C. Where possible and practical, avoid the creation of irregular boundaries or annexations that create "island," "cherry stem" or "shoestring" annexations.

Response: The above procedural standards are understood.

17.78.10 PROCEDURAL CONSIDERATIONS

- A. The corporate limits of the City shall include all territory encompassed by its boundaries as they now exist or are modified as provided herein unless mandated by State Law.
- B. The City may annex an island if it is less than 100 acres and has at least 80 percent of its boundary contiguous to the City; or the land is of any size and has at least 80 percent of its boundary contiguous to the City if the area to be annexed existed as an island before October 20, 1997.

Response: The subject property is not an island. The standard is not applicable.

- C. The City may annex land for public facilities. Public facilities include but are not limited to schools, senior centers, roads, police and fire stations, parks or open space, and public water, sewer and storm drainage facilities.

Response: This application involves annexation of land for the extension of a public transportation facility (i.e., Gunderson Road) as illustrated in the City of Sandy TSP and parkland dedication. The property (Tax Lot 701) has a total area of ±14.30 acres, though only the acreage required for the road right-of-way and associated improvements, and area for parkland dedication are planned to be annexed to the City of Sandy; the total area planned for annexation is approximately 5.40 acres.



17.78.15 TYPES OF ANNEXATION

- A. Type A: Annexation in conformance with conceptual zoning designation
- B. Type B: Annexation + zone change
- C. Type C: Annexation + plan map change + zone change

Response: This application involves a Type C Annexation.

17.78.20 CONDITIONS FOR ANNEXATION

The following conditions must be met prior to beginning an annexation request:

- A. The requirement of Oregon Revised Statutes, Chapters 199 and 222 for initiation of the annexation process are met;
- B. The site must be within the City of Sandy Urban Growth Boundary (UGB);
- C. The site must be contiguous to the city or separated from it only by a public right-of-way or a stream, bay, lake or other body of water.
- D. The site has not violated Section 17.78.25.

Response: An application for an amendment of the Sandy UGB to include Tax Lot 701 is being submitted for processing concurrently with this application. The site is contiguous to Tax Lot 803 of Clackamas County Assessor's Map 2 4E 23, which is located within the City limits, and has not violated Section 17.78.25.

17.78.25 TREE RETENTION

The intent of this section is to treat property with annexation potential (in the UGB) as if it had been subject, prior to annexation, to the tree retention provisions of the City's Urban Forestry Ordinance (Chapter 17.102) and Flood and Slope Hazard (FSH) Overlay District (Chapter 17.60), to discourage property owners from removing trees prior to annexation as a way of avoiding Urban Forestry Ordinance provisions, and to prevent unnecessary tree removal for future subdivision layout. In accordance with ORS 527.722, the State Forester shall provide the City with a copy of the notice or written plan when a forest operation is proposed within the UGB. The City shall review and comment on an individual forest operation and inform the landowner or operator of all other regulations that apply but that do not pertain to activities regulated under the Oregon Forest Practices Act.

- A. Properties shall not be considered for annexation for a minimum of five (5) years if any of the following apply:
 - 1. Where any trees six (6) inches or greater diameter at breast height (DBH) have been removed within 25 feet of the high water level along a perennial stream in the five years prior to the annexation application.
 - 2. Where more than two (2) trees (six (6) inches or greater DBH) per 500 linear feet have been removed in the area between 25 feet and 80 feet of the high water level of Tickle Creek in the five years prior to the annexation application.
 - 3. Where more than two (2) trees (six (6) inches or greater DBH) per 500 linear feet have been removed in the area between 25 feet and 50 feet of the high water level along other perennial streams in the five years prior to the annexation application.



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4. Where any trees six (6) inches or greater DBH have been removed on 25 percent or greater slopes in the five years prior to the annexation application.
 5. Where more than ten (10) trees (11 inches or greater DBH) per gross acre have been removed in the five years prior to the annexation application, except as provided below:
 - a. Sites under one (1) acre in area shall not remove more than five (5) trees in the five years prior to the annexation application.
 - b. Sites where removal of ten (10) or fewer trees will result in fewer than three (3) trees per gross acre remaining on the site. Tree removal may not result in fewer than three (3) trees per gross acre remaining on the site. At least three (3) healthy, nonnuisance trees 11 inches DBH or greater must be retained for every one-acre of contiguous ownership.
 - c. For properties in or adjacent to the Bornstedt Village Overlay (BVO), tree removal must not result in fewer than six (6) healthy 11 inch DBH or greater trees per acre.

Response: The subject property has not violated Section 17.78.25, above, and the property should be considered for annexation.

B. Exceptions. The City Council may grant exceptions to this section where:

1. The property owner can demonstrate that Douglas Fir, Western Red Cedar, or other appropriate native trees were planted at a ratio of at least two trees for every one tree removed no less than five years prior to the submission of the annexation application, and at least 50 percent of these trees have remained healthy; or
2. The Council finds that tree removal was necessary due to hazards, or utility easements or access; or
3. The trees were removed because they were dead, dying, or diseased and their condition as such resulted from an accident or non-human cause, as determined by a certified arborist or other qualified professional; or
4. The trees removed were nuisance trees; or
5. The trees were removed as part of a stream restoration and enhancement program approved by the Oregon Department of Fish and Wildlife as improving riparian function; or
6. The trees removed were orchard trees, Christmas trees, or commercial nursery trees grown for commercial purposes; or
7. The application of this section will create an island of unincorporated area.

Response: This application does not require an exception to Section 17.78.25.

17.78.30 ZONING OF ANNEXED AREAS

- A.** All lands within the urban growth boundary of Sandy have been classified according to the appropriate city land use designation as noted on the comprehensive plan map (as per the city/county urban growth management area agreement). The zoning classification shall reflect the city land use classification as illustrated in Table 17.26.20.



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- B. Where only a single city zoning designation corresponds to the comprehensive plan designation (Type A) and the rezoning decision does not require the exercise of legal or policy judgment on the part of the City Council, amendment of the zoning map shall be a ministerial decision of the Director made without notice or any opportunity for a hearing.

Response: Tax Lot 701 is located within the Sandy Adopted URA and is currently designated with Clackamas County EFU zoning. This application includes a comprehensive plan amendment to apply City zoning to allow for creation of a public transportation facility and parkland dedication. Consistent with abutting property designations, the Applicant plans to obtain City Low-Density Residential (LDR) Comprehensive Plan and Single-Family Residential (SFR) Zoning designations for the property. The transportation facility/road and parkland are permitted uses under the above designation as minor public facilities.

17.78.40 EXISTING USE, ACTIVITY OR STRUCTURE

- A. As of the effective date of annexation, no use or activity shall be considered non-conforming if the use or activity: (1) violates or conflicts with county zoning regulations and (2) is not classified as non-conforming under county zoning regulations. Any such use or activity shall constitute a violation of this ordinance.
- B. Any use, activity or structure that is existing at the effective date of annexation, under a Clackamas County use permit with a time limit imposed, shall not be a non-conforming use, but may continue for the extent of the time limit. Such use permits may not be extended without City approval.
- C. Any lot or parcel of land duly recorded in the Clackamas County Recorder's Office prior to the effective date of this Ordinance and having an area, width, depth, or street frontage less than that required in the Zoning District regulations in which such lot or parcel is situated, shall be deemed to be a lot and may be used as a building site, provided that all other regulations for the Zoning District shall apply.

Response: The subject property is unimproved with vegetated and pastured areas and is not associated with a current use or activity. There are no structures on site. The purpose of this application is to implement an anticipated condition of approval from the City for the Bailey Meadows Subdivision application. Together with an amendment to the City's UGB, this suite of applications (i.e., annexation, comprehensive plan map amendment, and zone map amendment), an offsite transportation facility improvement (e.g. Gunderson Road extension) can be realized. The configuration, area, and geometry of the land to be annexed is reflective of the Gunderson Road extension and not intended for other uses.

17.78.50 ANNEXATION CRITERIA

Requests for annexation shall not have an adverse impact on the citizens of Sandy, either financially or in relation to the livability of the city or any neighborhoods within the annexation area. Generally, it is desirable for the city to annex an area if the annexation meets any of the following criteria:

- A. A necessary control for development form and standards of an area adjacent to the city; or
- B. A needed solution for existing problems, resulting from insufficient sanitation, water service, or other urban service related problems; or



- C. Land for development to meet urban needs and that meets a logical growth pattern of the city and encourages orderly growth; or
- D. Needed routes for utility and transportation networks.

Response: This application involves an annexation to the to the Sandy UGB to allow the extension of Gunderson Road (i.e., an urban public transportation facility) pursuant to the Sandy TSP and dedication of parkland. The extension would provide an additional access to the Bailey Meadows Subdivision and distribute traffic in the area and meet needs for an area of planned, logical urban growth.

17.78.60 APPLICATION SUBMISSION REQUIREMENTS

Requests for annexation shall be made on forms provided by the city for such purposes and shall be accompanied by the following:

- A. Written consent form to the annexation signed by the owners of all land to be annexed;
- B. A legal description certified by a registered surveyor or engineer;
- C. The application fee established by the city;
- D. A list of property owners within three hundred (300) feet of the subject property on mailing labels;
- E. Vicinity map showing the area to be annexed including adjacent city territory;

Response: The written consent form signed by the property owners, a legal description, fee, list of adjacent property owners, and vicinity map are included in the application materials. The submittal requirements have been met.

- F. Site Plan (Type A=15 copies; Type B or C = 25 copies) drawn to scale (not greater than one inch = fifty feet), indicating:
 - 1. The location of existing structures (if any);
 - 2. The location of streets, sewer, water, electric and other utilities, on or adjacent to the property to be annexed;
 - 3. Approximate location of areas subject to regulation under Chapter 17.60, Flood and Slope Hazard (FSH) Overlay District.

Response: The above listed information is provided, as applicable. There are no existing structures or areas of mapped Flood and Slope Hazard (FSH) overlay on the property. The submittal criteria are met.

- G. Narrative Statement explaining the proposal and addressing:
 - 1. Availability, capacity and status of existing water, sewer, drainage, transportation, fire, park and school facilities;

Response: The project involves annexation for the purpose of providing public facilities (e.g. transportation facility and parkland). Although Bailey Meadows Subdivision provides for and meets Sandy Development Code criteria for on-site needs, in this case the City and Applicant agree to off-site improvements (i.e., Gunderson Road extension and parkland dedication). Annexation will not create a demand for sewer, water, utility fire, or school needs, nor will the project allow residential density. The submittal criteria are met.



-
2. Additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand; and,

Response: The project involves annexation for the purpose of providing public facilities as described above. Annexation will not create a demand for sewer, water, utility fire, or school needs, nor will the project allow residential density. The project is not planned to be phased. The submittal criteria are met.

3. Method and source of financing required to provide additional facilities, if any.

Response: As described above, the purpose of this annexation application is to provide public facilities (e.g. transportation and parkland dedication) that should be located within the City. Annexation does not create the need for additional facilities. Therefore, financing methods are not applicable.

17.78.70 REVIEW PROCEDURE

Type A, B & C

1. Pre-application conference;
2. Submission of completed application;
3. Review by Planning Commission with recommendation to City Council;
4. Review by City Council.

Response: The pre-application conference requirement was waived by the Sandy Planning Director in an email dated December 9, 2019. The applicable above procedural review items are understood.

17.78.80 EXCEPTIONS

Exceptions may be granted for identified health hazards and for those matters which the City Council determines that the public interest would not be served by undertaking the entire annexation process. The City Council may authorize an exception to any of the requirements of this chapter. An exception shall require a statement of findings that indicates the basis for the exception.

Response: This application does not require exceptions. The above criterion is understood and not applicable.

17.78.90 ANNEXATION CONDITIONS

- A. All properties annexed are subject to inclusion within applicable advance financing districts and urban renewal districts.
- B. These conditions apply to all annexed properties regardless of transfers of the ownership of such properties.

Response: The subject property may be included within applicable districts, if any apply. The criteria can be met.



IV. Conclusion

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the City of Sandy Development Code. The evidence in the record supports approval of the application and the City can rely upon it for its approval of the application.



Exhibit A: City Application Forms and Checklists



LAND USE APPLICATION FORM

(Please print or type the information below)

Planning Department
39250 Pioneer Blvd.
Sandy OR 97055
503-489-2160

Name of Project City of Sandy UGB Annexation, Comp. Plan, and Zone Map Amendments

Location or Address Southeast of Ponder Lane, northwest of Oregon Highway 211

Map & Tax Lot Number T 25 , R 4E , Section 23 ; Tax Lot(s) 701

Request: This application involves the Annexation, Comp Plan, and Zone Map Amendments regarding the expansion of the City of Sandy's Urban Growth Boundary to accommodate a public transportation facility (e.g. Gunderson Road).

Please contact the Applicant's consultant and legal counsel (below) with any inquiries:

AKS Engineering & Forestry, LLC - Chris Goodell: (503) 563-6151; chrisg@aks-eng.com
Schwabe, Williamson & Wyatt - Michael Robinson: (503) 796-3756; mrobinson@schwabe.com

I am the (check one) owner lessee of the property listed above, and the statements and information contained herein are in all respects true, complete and correct to the best of my knowledge and belief.

Applicant (if different than owner) Allied Homes & Development	Owner Richard L Pullen, Lawrence Pullen, Sherrene Teneyck
Address 12404 SE Sunnyside Road, Suite 706	Address 37020 SE Deming Road
City/State/Zip Clackamas, OR 97015	City/State/Zip Sandy, OR 97055
Phone Please contact Applicant's consultant	Phone Please contact Applicant's consultant
Email Please contact Applicant's consultant	Email Please contact Applicant's consultant
Signature <small>DocuSigned by:</small> <i>Cody Bugan</i>	Signature <small>DocuSigned by:</small> <small>DocuSigned by:</small> <small>DocuSigned by:</small> <i>[Signatures]</i>

If signed by Agent, owner's written authorization must be attached.

File No.	Date	Rec. No.	Fee \$
Type of Review (circle one): Type I Type II Type III Type IV			

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Fees Included: \$6,033 (Annexation Type IV, Type C)



SUPPLEMENTAL LAND USE APPLICATION FORM (No. 1)

(Please print or type the information below)

Planning Department
39250 Pioneer Blvd.
Sandy OR 97055
503-668-4886

ANNEXATION ZONE CHANGE COMPREHENSIVE PLAN AMENDMENT

Property Identification			
Tax Lot Number	Township	Range	Section

Existing and Proposed Land Use Designations				
Tax Lot Number(s)	Comprehensive Plan		Zoning Map	
	Existing	Proposed	Existing	Proposed

IMPORTANT: Each section on this application must be fully completed or your application could be deemed incomplete.

Tax Lot Number	Clackamas County Recording Number	Assessed Land Value	Size in Acres or Sq. Ft.

LEGAL DESCRIPTION: Attach a separate page with the written metes and bounds legal description. Accuracy of the legal description(s) must be certified by a registered land surveyor for all annexation applications.

A legal description and map is included in Exhibit C.

DESCRIBE EXISTING USES

DESCRIBE EXISTING BUILDINGS
How many buildings are located on the property?
Number of Total Dwelling Units :

DESCRIBE EXISTING TOPOGRAPHY	
Approximate acreage with slopes less than 14.9%	
Approximate acreage with slopes 15% to 24.9%	
Approximately acreage with slope in excess of 25%	
Any creeks, water sources, drainageways or wetlands within the property? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Any steep slopes, ravines, draws or bluffs within or abutting the property? Yes <input type="checkbox"/> No <input type="checkbox"/>	

DESCRIBE EXISTING ACCESS

Does the subject property abut a public right-of-way? **Yes** **No**

Name of public right-of-way:

Does the property abut a private road? **Yes** **No**

Name of abutting private road(s):

Describe any unusual difficulties in accessing the property:

DESCRIBE SURROUNDING USES ON ADJACENT PROPERTIES

DESCRIBE PROPOSED USE OF THE PROPERTY OR LAND DIVISIONS

Include number of lots, densities, etc.



SUPPLEMENTAL ANNEXATION LAND USE APPLICATION FORM (No. 2)

List of all owners of property included in the application

Owner Information	Property Description TL, Section, Township, Range
Owner Sherrene TenEyck	TL 24E23 00701 Section 23, Township 2S, Range 4E
Address 37020 SE Deming Road	
City/State/Zip Sandy, OR 97055	
Phone Please contact Applicant's consultant	
Owner Richard Pullen	TL 24E23 00701 Section 23, Township 2S, Range 4E
Address 36969 Deming Road	
City/State/Zip Sandy, OR 97055	
Phone Please contact Applicant's consultant	
Owner Lawrence Pullen	TL 24E23 00701 Section 23, Township 2S, Range 4E
Address 36940 Deming Road	
City/State/Zip Sandy, OR 97055	
Phone Please contact Applicant's consultant	
Owner	
Address	
City/State/Zip	
Phone	
Owner	
Address	
City/State/Zip	
Phone	



TYPE A, B or C ANNEXATIONS SUBMISSION REQUIREMENTS

All of the following materials must be submitted with your application. Prior to submitting application materials, a pre-application conference with City staff is required to discuss procedures for approval, applicable state and local requirements, objectives and policies of the Sandy Comprehensive Plan, and the availability of services.

- ✓ A. **One (1) copy of:**
 1. Land Use Application Form
 2. Supplemental Land Use Application Form No. 1
 3. Supplemental Annexation Land Use Application Form No. 2
 4. Narrative specifying the nature of the request and how it relates to the Comprehensive Plan goals and policies, the Development Code requirements in Chapter 17.78, urban services and financing methods, and the Zoning Map change criteria.
 5. Vicinity map showing the area to be annexed including adjacent city territory.
 6. A legal description and map certified by a registered surveyor or engineer.
- ✓ B. **Written consent form** signed by the owners of all land to be annexed.
- ✓ C. **Twenty (20) copies of the Site Plan** drawn to scale (not greater than one inch = fifty feet or as approved by the Director), indicating:
 1. The location of existing structures (if any);
 2. The location of streets, sewer, water, electric and other utilities, on or adjacent to the property to be annexed; and,
 3. Approximate location of areas subject to regulation under Chapter 17.60, Flood and Slope Hazard Overlay District.
- ✓ D. **Twenty (20) copies** of other documents as required by the Planning Director.
- ✓ E. **List of affected property owners** within 300 feet of the boundaries of the subject site and **mailing labels** for property owners within 300 feet of the site, excluding rights-of-way.
- ✓ F. **Filing Fee** per Fees and Charges Resolution
FEE INCLUDED: \$6,033 (ANNEXATION TYPE IV, TYPE C)



COMPREHENSIVE PLAN MAP AMENDMENTS

SUBMISSION REQUIREMENTS

All of the following materials must be submitted with your application. All plans should be drawn to engineering scale (1" = 10' or 1" = 20' preferred). Prior to submitting application materials, a pre-application conference with City Staff is required to discuss procedures for approval, applicable state and local requirements, objectives and policies of the Sandy Comprehensive Plan, and the availability of services.

- ✓ A. **One (1) copy of:**
 1. Land Use Application Form
 2. Supplemental Land Use Application Form No. 1
 3. 8-1/2" x 11" reduction of site plan
- ✓ B. **Twenty (20) copies of:**
 1. Site Plan showing the applicant's entire property and the surrounding area to a distance sufficient to determine the relationship between the applicant's property and proposed development, and adjacent property and its developed areas.
 2. Other required documents (traffic study, etc.).
 3. Narrative specifying the nature of the request and how it relates to the Comprehensive Plan goals and policies, the Development Code requirements, and the Comprehensive Plan Amendment Procedure review criteria in Section 17.24.70.
- ✓ C. **List of affected property owners** within 300 feet of the boundaries of the subject site and **mailing labels** for property owners within 300 feet of the site, excluding rights-of-way.
- ✓ D. **Filing Fee** per Fees and Charges Resolution
FEE INCLUDED: \$6,033 (ANNEXATION TYPE IV, TYPE C)



ZONING MAP AMENDMENTS SUBMISSION REQUIREMENTS

All of the following materials must be submitted with your application. All plans should be drawn to engineering scale (1" = 10' or 1" = 20' preferred). Prior to submitting application materials, a pre-application conference with City Staff is required to discuss procedures for approval, applicable state and local requirements, objectives and policies of the Sandy Comprehensive Plan, and the availability of services.

- ✓ A. **One (1) copy of:**
 1. Land Use Application Form
 2. Supplemental Land Use Application Form No. 1
 3. 8-1/2" x 11" reduction of site plan
- ✓ B. **Twenty (20) copies of (and digital version):**
 1. Site Plan showing the applicant's entire property and the surrounding area to a distance sufficient to determine the relationship between the applicant's property and proposed development and adjacent property and development.
 2. Other required documents (traffic study, etc.).
 3. Narrative specifying the nature of the request and how it relates to the Comprehensive Plan goals and policies, the Development Code requirements, and the Zoning Map change criteria in Section 17.26.40.
- ✓ C. **List of affected property owners** within 300 feet of the boundaries of the subject site and **mailing labels** for property owners within 300 feet of the site, excluding rights-of-way
- ✓ D. **Filing Fee** per Fees and Charges Resolution
FEE INCLUDED: \$6,033 (ANNEXATION TYPE IV, TYPE C)

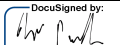
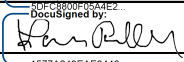
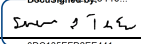


Exhibit B: Annexation Written Consent Form

Written Consent Form

We, the undersigned property owners of and/or registered voters in the area described below, hereby petition for, and give our consent to, annexation of the area to the City of Sandy.

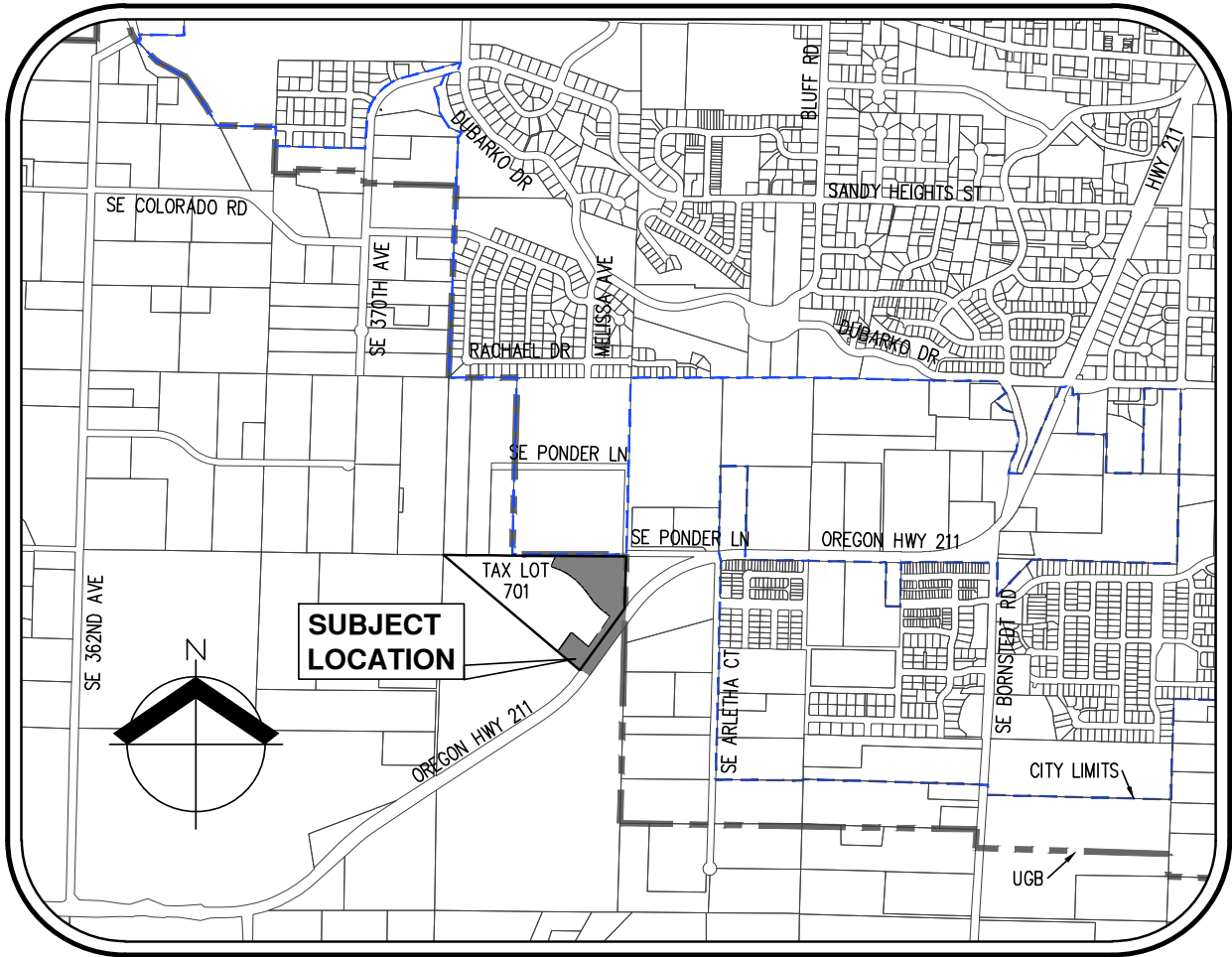
Note: This petition may be signed by qualified persons even though they may not know their property description or precinct number.

Date	Signature	Printed Name	I am a:			Address	Property Description or Parcel ID	Precinct Number
			PO	RV	OV			
12/20/2019	 <small>DocuSigned by: Richard L Pullen</small>	Richard L Pullen	X			36969 Deming Road, Sandy, OR 97055		
12/27/2019	 <small>DocuSigned by: Lawrence Pullen</small>	Lawrence Pullen	X			36940 Deming Road, Sandy, OR 97055		
12/21/2019	 <small>DocuSigned by: Sherrene Lanette TenEyck</small>	Sherrene Lanette TenEyck	X			37020 SE Deming Rd, Sandy, OR 97055		

PO- Property Owner
RV – Registered Voter
OV – Owner and Registered Voter



Exhibit C: Site Maps and Legal Description



VICINITY MAP
 NOT TO SCALE



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job #7107

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Legal Description

A tract of land, and a portion of right-of-way, located in the Northeast One-Quarter of Section 23, Township 2 South, Range 4 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the northeast corner of Parcel 1 of Partition Plat 2018-030, Clackamas County Plat Records; thence along the north line of Document Number 93-28438, Clackamas County Deed Records, South 89°52'25" East 823.67 feet to the Point of Beginning; thence continuing along said north line, South 89°52'25" East 495.53 feet to the northeast corner of said deed; thence along the east line of said deed and the southerly extension thereof, South 01°24'04" West 532.91 feet to the southeasterly right-of-way line of Woodburn-Sandy Highway (40.00 feet from centerline); thence along said southeasterly right-of-way line, South 35°02'39" West 438.40 feet; thence leaving said southeasterly right-of-way line, North 54°57'21" West 80.00 feet to the northwesterly right-of-way line of Woodburn-Sandy Highway (40.00 feet from centerline), also being the southwesterly corner of said deed; thence along the southwesterly line of said deed, North 49°21'56" West 200.96 feet; thence leaving said southwesterly line, North 35°02'39" East 150.72 feet; thence South 49°21'56" East 160.76 feet to a line which is parallel with and 40.00 feet northwesterly of, when measured at right angles to, said northwesterly right-of-way line; thence along said parallel line, North 35°02'39" East 295.25 feet; thence leaving said parallel line, North 54°57'21" West 25.00 feet; thence along a curve to the right with a Radius of 533.00 feet, a Delta of 23°05'54", a Length of 214.88 feet, and a Chord of North 43°24'23" West 213.42 feet; thence along a curve to the left with a Radius of 467.00 feet, a Delta of 41°16'55", a Length of 336.48 feet, and a Chord of North 52°29'54" West 329.25 feet to a point of non-tangency (Radial Bearing of South 16°51'38" West); thence North 23°37'27" East 93.53 feet to the Point of Beginning.

The above described tract of land contains 5.29 acres, more or less.

1/7/2020

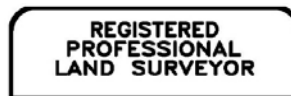
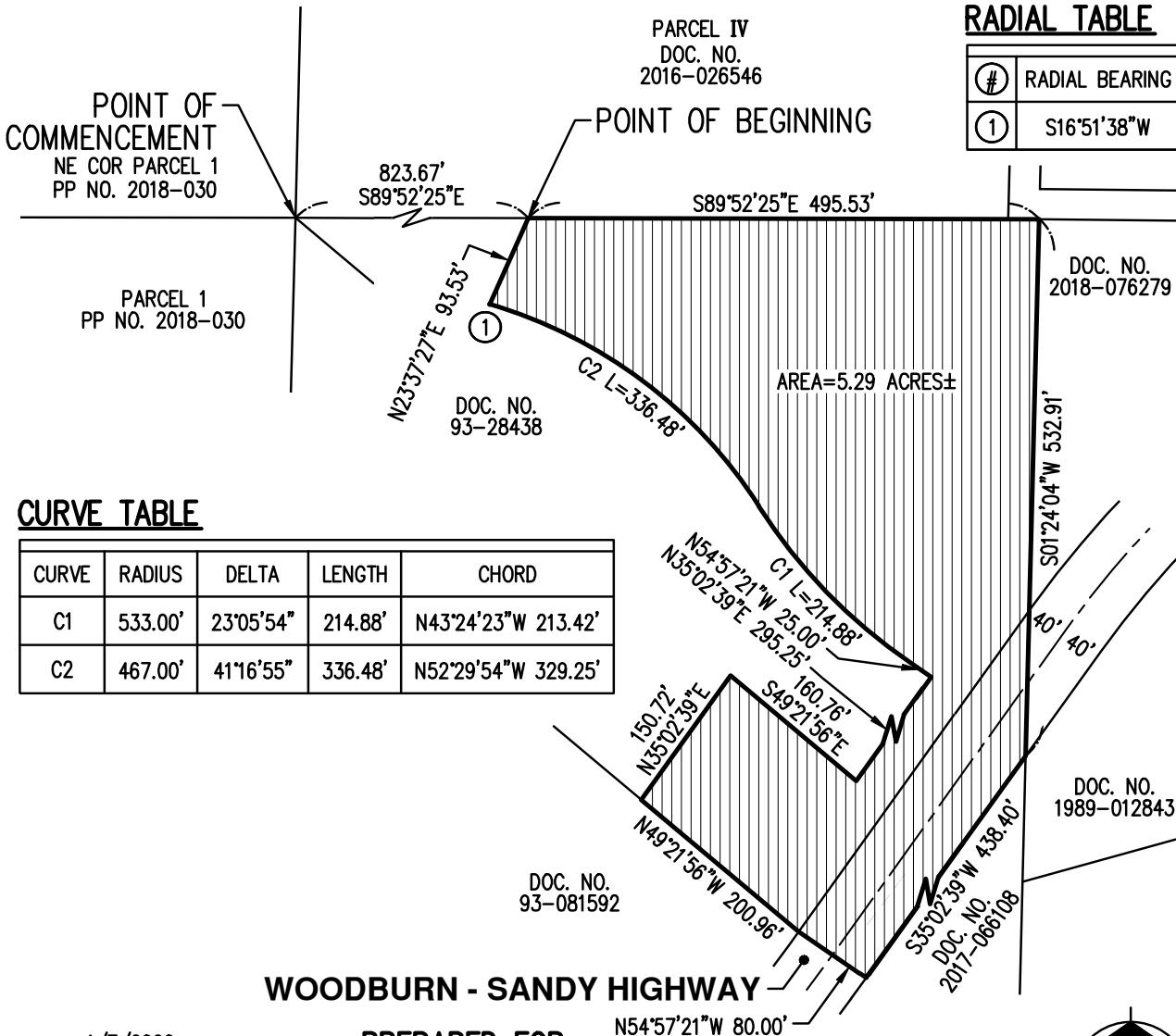


EXHIBIT B

A TRACT OF LAND, AND A PORTION OF RIGHT-OF-WAY,
 LOCATED IN THE NORTHEAST 1/4 OF SECTION 23,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN,
 CLACKAMAS COUNTY, OREGON



RADIAL TABLE

#	RADIAL BEARING
①	S16°51'38"W

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	533.00'	23°05'54"	214.88'	N43°24'23"W 213.42'
C2	467.00'	41°16'55"	336.48'	N52°29'54"W 329.25'

1/7/2020

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Benjamin R Huff
 OREGON
 MARCH 14, 2017
 BENJAMIN R HUFF
 84738PLS
 RENEWS: 6/30/21

PREPARED FOR

ALLIED HOMES & DEVELOPMENT
 12042 SE SUNNYSIDE ROAD, SUITE 706
 CLACKAMAS, OR 97015

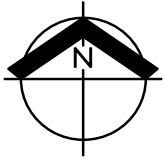
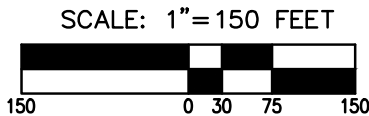


EXHIBIT MAP		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: WCB CHKD: BRH AKS JOB: 7107



DWG: 7107 20191230 EXB | EXB10

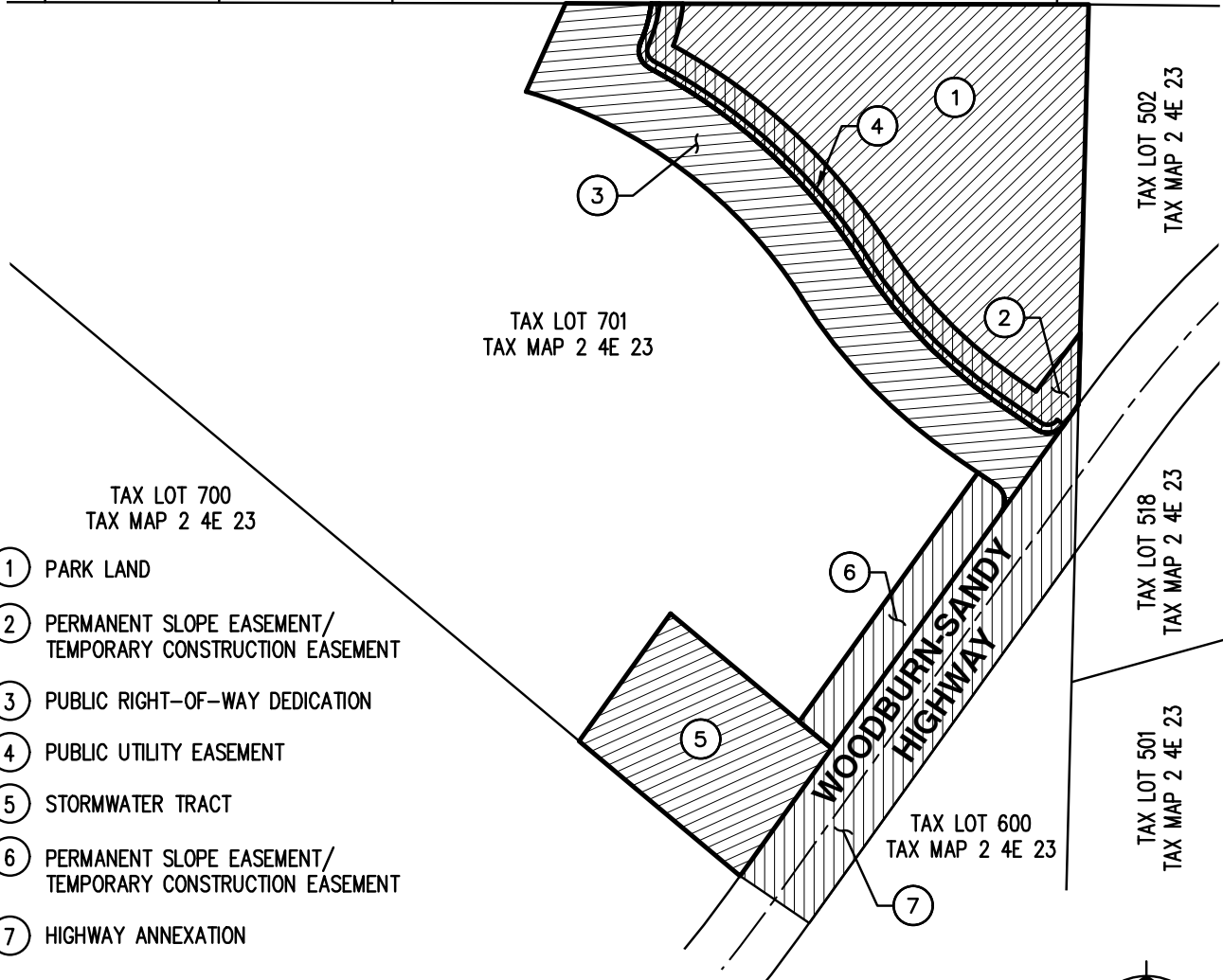
EXHIBIT KEY MAP

TAX LOT 807
TAX MAP 2 4E 23

TAX LOT 800
TAX MAP 2 4E 23

TAX LOT 803
TAX MAP 2 4E 23

PONDER LANE



- ① PARK LAND
- ② PERMANENT SLOPE EASEMENT/
TEMPORARY CONSTRUCTION EASEMENT
- ③ PUBLIC RIGHT-OF-WAY DEDICATION
- ④ PUBLIC UTILITY EASEMENT
- ⑤ STORMWATER TRACT
- ⑥ PERMANENT SLOPE EASEMENT/
TEMPORARY CONSTRUCTION EASEMENT
- ⑦ HIGHWAY ANNEXATION

TAX LOT 700
TAX MAP 2 4E 23

TAX LOT 701
TAX MAP 2 4E 23

TAX LOT 502
TAX MAP 2 4E 23

TAX LOT 518
TAX MAP 2 4E 23

TAX LOT 501
TAX MAP 2 4E 23

TAX LOT 600
TAX MAP 2 4E 23

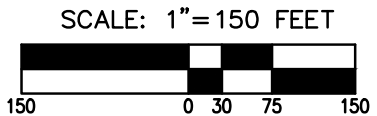
1/7/2020

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Benjamin R Huff
**OREGON
MARCH 14, 2017
BENJAMIN R HUFF
84738PLS
RENEWS: 6/30/21**

PREPARED FOR

ALLIED HOMES & DEVELOPMENT
12042 SE SUNNYSIDE ROAD, SUITE 706
CLACKAMAS, OR 97015



SE PONDER LANE - SANDY		EXHIBIT KEY
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: WCB CHKD: BRH AKS JOB: 7107





**Exhibit D: Lancaster Mobley Engineering
Traffic Documentation**

Technical Memorandum

To: Cody Bjugan, Allied Homes & Development
From: Jessica Hijar
Date: January 6, 2020
Subject: UGB Amendment & Gunderson Road Connection
 Traffic Impact Analysis, Addendum #1



**LANCASTER
ENGINEERING**

321 SW 4th Ave., Suite 400
 Portland, OR 97204
 phone: 503.248.0313
 fax: 503.248.9251
 lancasterengineering.com

This memorandum is written as an addendum to the Bailey Meadows Subdivision Traffic Impact Analysis prepared by Lancaster Engineering dated June 20, 2019. Specifically, analysis is provided regarding the potential new roadway connection to Highway 211. The current planning effort includes a connection of Gunderson Road to Highway 211 as considered in the City of Sandy's Transportation System Plan (TSP).

In addition, this memorandum addresses the Transportation Planning Rule and associated approval criteria relative to the proposed Urban Growth Boundary (UGB) amendment, comprehensive plan and zone map amendments, and annexation applications. All of these are necessary to accommodate a connection of Gunderson Road to Highway 211.

Future Roadway Connection

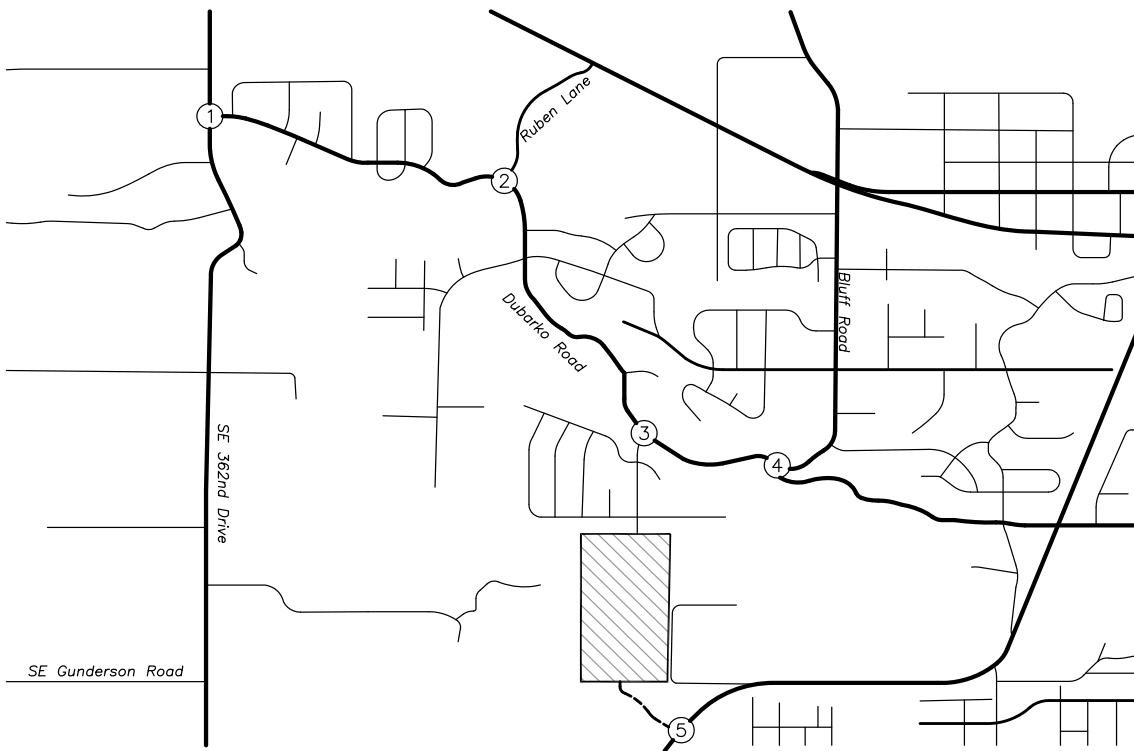
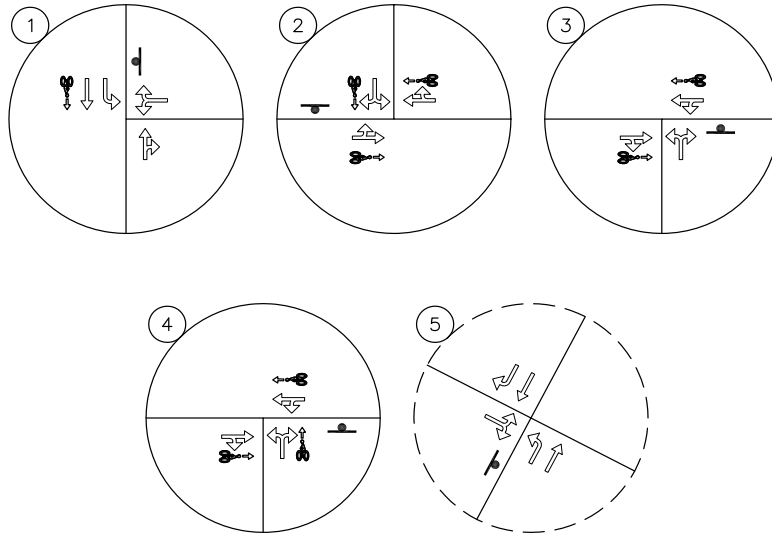
The planned connection of Gunderson Road to Highway 211 will provide an additional route into and out of the Bailey Meadows subdivision as well as the existing neighborhood to the north. This will reduce reliance on Melissa Avenue, which will provide access to the Bailey Meadows subdivision via Dubarko Road. The planned intersection of Gunderson Road at Highway 211 will be a three-legged intersection that is stop-controlled for the SE Gunderson Road approach. Future development on the south side of Highway 211 could extend the street to the east, to eventually connect with Cascadia Village Drive, as shown in the TSP. The existing characteristics of the subject roadways are shown in Table 1. The existing and future intersection configurations are shown in Figure 1 on page two.

Table 1: Vicinity Roadway Characteristics

Street Name	Jurisdiction	Classification	Speed (MPH)	Curbs	Sidewalks	Bicycle Lanes
Highway 211	ODOT	District Highway	45-55 mph posted	No	No	Partial
Gunderson Road (planned)	City of Sandy	Future Minor Arterial	Not Posted	Partial	Partial	Yes

LEGEND

-  STUDY INTERSECTION (EXISTING)
-  STUDY INTERSECTION (PROPOSED)
-  STOP SIGN
-  BIKE LANE
-  PROJECT SITE
-  ARTERIAL ROADWAY
-  COLLECTOR ROADWAY
-  LOCAL ROADWAY
-  FUTURE MINOR ARTERIAL



VICINITY MAP



FIGURE 1

PAGE 2



Trip Distribution

The Gunderson connection to Highway 211 is expected to serve trips to and from the Bailey Meadows subdivision, as well as trips from the existing neighborhood north of Bailey Meadows, which currently uses only Melissa Avenue. Based on travel time studies, it is not expected that traffic from outside the immediate area (such as residents in Bornstedt Village or Cascadia Village) would use the new Gunderson Road connection as a bypass route. Those trips would have to use Gunderson Road, three different streets within Bailey Meadows, Melissa Avenue, and Dubarko Road. This would be a very circuitous route and would not be faster than existing travel routes serving these neighborhoods.

Bailey Meadows Trips

The overall directional distribution of site trips to and from Bailey Meadows was based on the original TIS, but trip routing was modified to reflect the new street connection.

To & From the East

It is expected that the 15 percent of site trips in the TIS previously assigned to Dubarko Road to the east will all use the new Gunderson Road connection. Turning left onto Highway 211 at the new intersection will have significantly lower delay than turning left or crossing Highway 211 at Dubarko Road.

Contribution: 15% via Gunderson

To & From the South

A total of 10 percent of the trips are expected to be to and from the south, and all these trips will use the Gunderson Road connection to Highway 211, since that will be a much more direct route.

Contribution: 10% via Gunderson

To & From the West

Trips to and from the west (30%) were assigned primarily to 362nd Avenue, as this is the quickest route to shopping destinations as well as Highway 26 west of Sandy. Travel time studies show that the route using Dubarko Road to 362nd Avenue is identical in time to the route using Highway 211 to 362nd Avenue. Therefore, the 30% was split evenly via Melissa Avenue to the north and Gunderson Road to the south.

Contribution: 15% via Gunderson

The total percentage of site trips using Gunderson Road is 40 percent, or 378 of the site's 944 trips per day.



Rerouted Existing Trips

Since 40 percent of the Bailey Meadows trips are expected to use the Gunderson Road connection to Highway 211, it is expected that a similar, although slightly lower percentage of the existing neighborhood traffic would also use Gunderson. Since the existing neighborhood is north of the project site, the use of Gunderson could decrease from 40 percent to approximately 30 percent. As shown in the TIS, the existing traffic volume on Melissa Avenue was measured to be 1160 vehicles per day.

In total, 30 percent of the existing 1160 average daily traffic (ADT) on Melissa Avenue would reroute via Gunderson Road, or 348 trips per day.

In summary, the table below shows the total daily traffic volumes to the north (via Melissa Avenue) and to the south (via Gunderson Road) with the future street connection in place.

Table 2: Trip Distribution Summary

	Daily Traffic Volumes	
	Melissa Avenue	Gunderson Road
Existing neighborhood traffic	1160	0
Existing neighborhood traffic w/ Gunderson	812	348
Bailey Meadows site trips with Gunderson	566	378
<i>Total Daily Volume with Gunderson</i>	<i>1378</i>	<i>726</i>

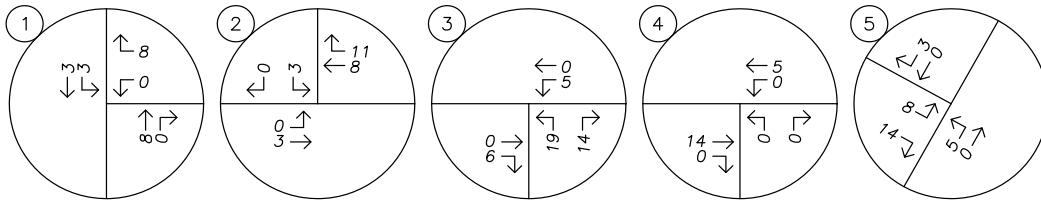
The updated trip distribution and assignment during the morning and evening peak hours are shown in Figure 2 on page five.

LEGEND

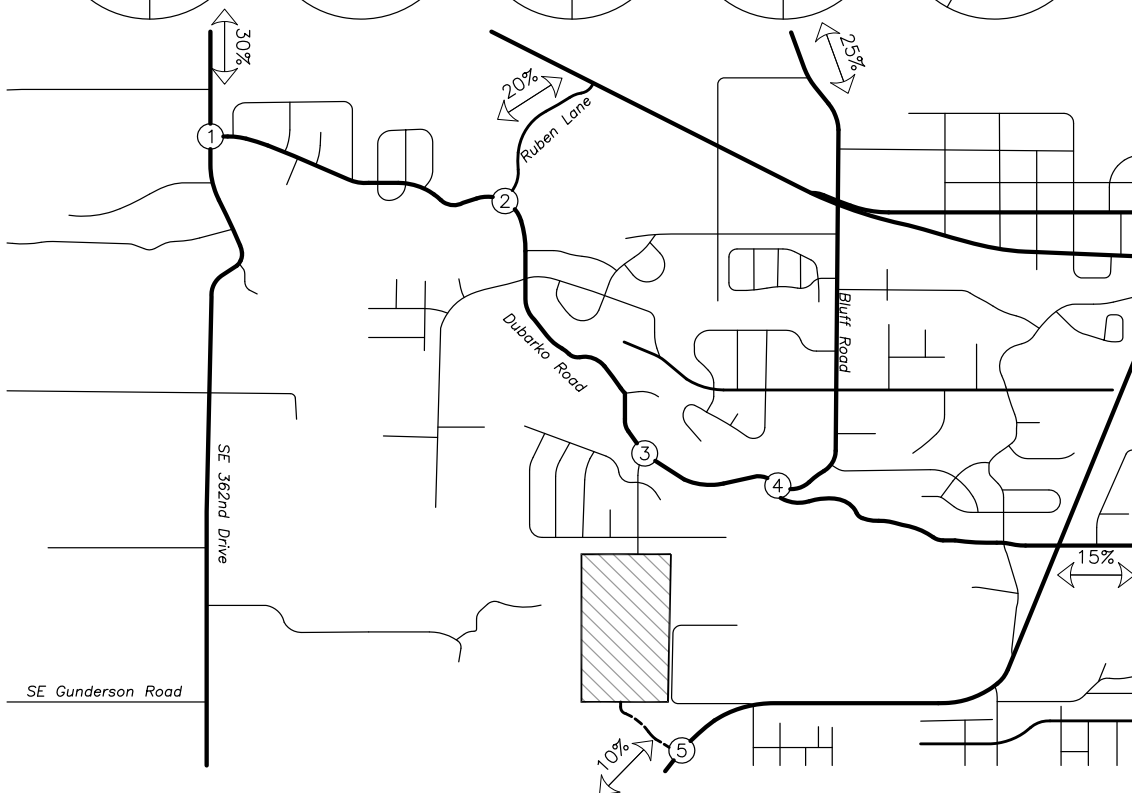
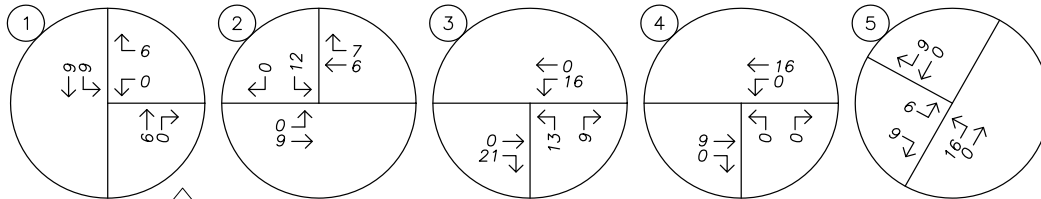
XX% PERCENT OF PROJECT TRIPS

TRIP GENERATION			
	IN	OUT	TOTAL
AM	19	55	74
PM	62	37	99

AM PEAK HOUR



PM PEAK HOUR



SITE TRIP DISTRIBUTION & ASSIGNMENT
 Proposed Development Plan – Site Trips
 AM & PM Peak Hours



FIGURE
2
PAGE
5



Traffic Volumes

Existing Conditions

Twenty-four-hour speed data was collected on Highway 211 near the intersection with Ponder Lane on December 4th, 2018. The morning and evening peak hours of traffic occurred between 7:00 AM and 8:00 AM and between 4:00 PM and 5:00 PM, respectively.

Since Highway 211 is under the jurisdiction of ODOT, highway traffic volumes were seasonally adjusted to reflect the 30th highest hour per methodologies in ODOT's Analysis Procedures Manual (APM). Based on the commuter seasonal trend in ODOT's 2018 Seasonal Trend Table, a seasonal factor of 1.122 was calculated and applied to through volumes on Highway 211.

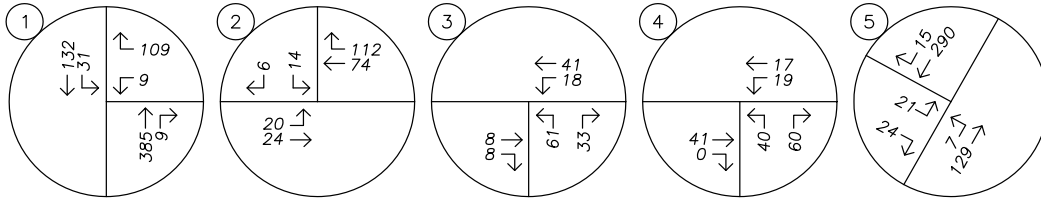
Buildout Conditions

A compounded growth rate of two percent per year was used to estimate growth on all streets under the City of Sandy jurisdiction as described within the TIS. Growth rates for traffic volumes on Highway 211 were derived using ODOT's 2037 Future Volume Tables in accordance with the APM. Using data corresponding to mileposts 3.75 and 5.07, a linear growth rate of 2.8 percent was calculated and applied to through volumes on the highway. Traffic volumes were projected over a period of four years in order to estimate the year 2022 buildout traffic volumes (traffic count data was collected in 2018).

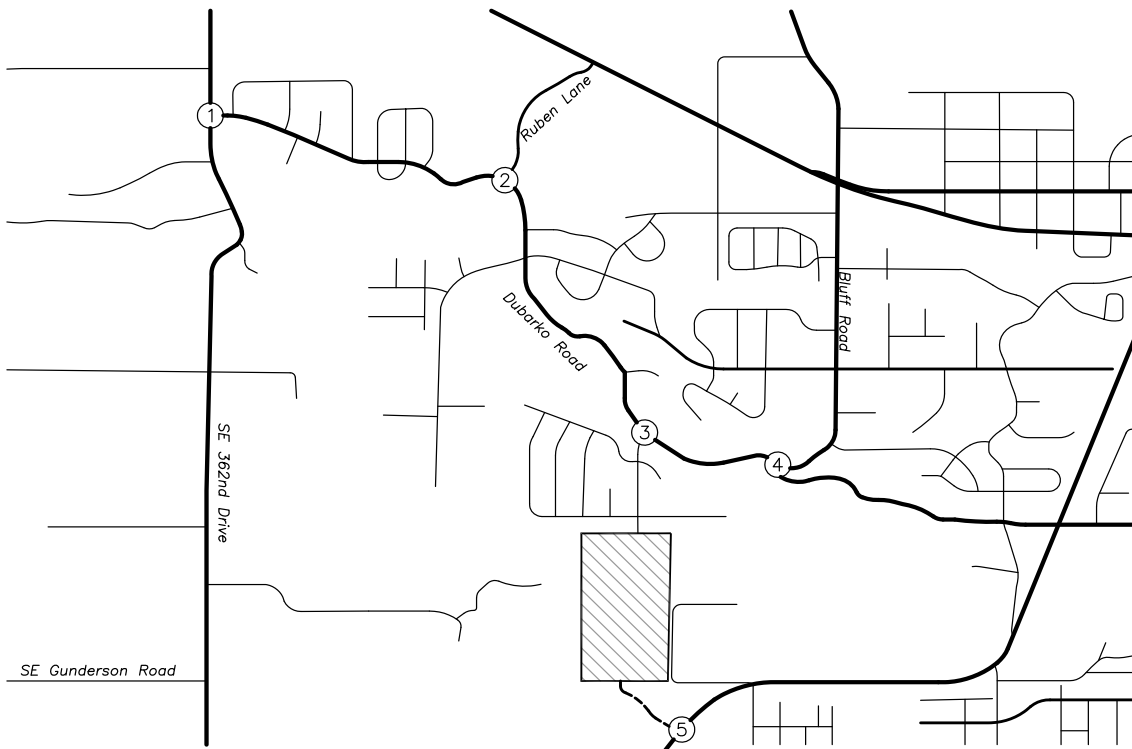
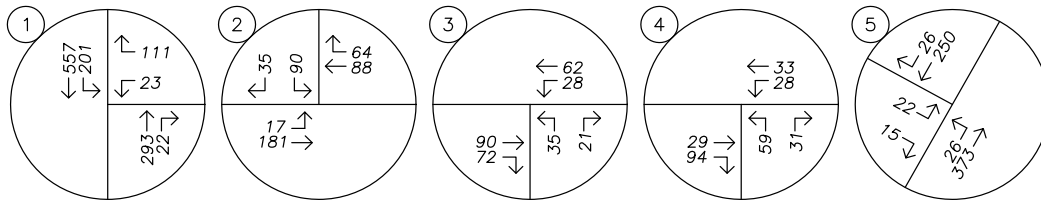
The year 2022 buildout scenario was updated to include a redistribution of existing trips that are likely to use the new Highway 211 roadway connection. Finally, site trips generated by the Bailey Meadows subdivision, discussed previously within the Trip Distribution section, were added to the projected year 2022 volumes in order to obtain the year 2022 buildout traffic volumes.

The year 2022 buildout traffic volumes are shown in Figure 3 on page seven.

AM PEAK HOUR



PM PEAK HOUR



TRAFFIC VOLUMES
 Year 2022 Buildout Traffic Volumes
 AM & PM Peak Hours



FIGURE
3
PAGE
7



January 6, 2020
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Preliminary Traffic Signal Warrants

Preliminary traffic signal warrants were examined for all study intersections based on methodologies in the *Manual on Uniform Traffic Control Devices*¹ (MUTCD) and the Analysis Procedures Manual. Warrant 1, *Eight Hour Vehicular Volumes*, was used from the MUTCD. Warrants were evaluated based on the common assumption that traffic counted during the evening peak hour represents ten percent of the AADT and that the eighth-highest hour is 5.6 percent of the daily traffic. Volumes were used for the evening peak hour under the year 2022 buildout scenario.

For the intersection under ODOT jurisdiction, the APM dictates that minor-street right turns are only used if the volume exceeds 85 percent of the lane capacity, and even then, only the increment of volume in excess of 85 percent can be used. In this case, none of the right turns can be used for the purpose of the signal warrant analysis.

Due to insufficient minor street volumes, traffic signal warrants are not met at the intersection of SE Gunderson Road at Highway 211 under year 2022 buildout scenario.

Left-Turn Lane Warrants

Left-turn lane warrants were examined at the planned intersection of Highway 211 at SE Gunderson Road. A left-turn refuge is primarily a safety consideration for the major-street approach, removing left-turning vehicles from the through traffic stream.

Warrants were examined based on the design curves developed by the Texas Transportation Institute, as adopted by the APM. This methodology evaluates the need for a left-turn lane based on the number of left-turning vehicles, the number of travel lanes, the number of advancing and opposing vehicles, and the roadway travel speed.

A left-turn lane is warranted at the intersection of SE Gunderson Road at Highway 211 under the year 2022 buildout scenario and it is recommended that a left-turn lane be constructed as part of the intersection improvements.

¹ Federal Highway Administration (FTA), American Traffic Safety Services Association (ATSSA), Institute of Transportation Engineers (ITE), American Association of State Highway and Transportation Officials (AASHTO), *Manual of Uniform Traffic Control Devices for Streets and Highways* (MUTCD), 2009 Edition, 2010



Operational Analysis

A capacity analysis was conducted for the study intersection per the unsignalized intersection analysis methodologies in the *Highway Capacity Manual*² (HCM). Intersections are generally evaluated based on the average control delay experienced by vehicles and are assigned a grade according to their operation. The level of service (LOS) of an intersection can range from LOS A, which indicates very little or no delay experienced by vehicles, to LOS F, which indicates a high degree of congestion and delay. The volume-to-capacity (v/c) ratio is a measure that compares the traffic volumes (demand) against the available capacity of an intersection.

The City of Sandy’s TSP states that both signalized and unsignalized intersections are required to operate at LOS D or better.

The applicable minimum operational standards for ODOT facilities are established under the Oregon Highway Plan and are based on the classification of the roadway and its v/c ratio. District highways located outside the Urban Growth Boundary and within an unincorporated community has a peak hour v/c ratio target of 0.80.

Table 3: Intersection Capacity Analysis Summary

	Morning Peak Hour			Evening Peak Hour		
	Delay	LOS	V/C	Delay	LOS	V/C
SE 362nd Drive at Dubarko Road						
Year 2022 Buildout Conditions	13	B	0.24	19	C	0.36
Ruben Lane at Dubarko Road						
Year 2022 Buildout Conditions	10	A	0.03	12	B	0.21
Dubarko Road at Melissa Avenue						
Year 2022 Buildout Conditions	9	A	0.13	10	B	0.09
Dubarko Road at Bluff Road						
Year 2022 Buildout Conditions	8	A	0.16	8	A	0.15
Highway 211 at SE Gunderson Road						
Year 2022 Buildout Conditions	11	B	0.08	13	B	0.08

All intersections are projected to operate within the City of Sandy and ODOT’s operational standards under all analysis scenarios.

² Transportation Research Board, *Highway Capacity Manual, 6th Edition, 2016.*



Intersection Location

The City of Sandy TSP shows a planning-level depiction of the Gunderson Road extension that was outside of the UGB at the time the TSP was adopted but is within the current UGB. This is shown below in Figure 4.



Figure 4: Alignment from Sandy TSP

However, upon closer investigation and engineering analysis, it was determined that the alignment shown on the TSP was not feasible for construction of an intersection with Highway 211, primarily due to poor sight distance, the need for a perpendicular intersection, and a very steep superelevated roadway section.

Looking to the northeast from the TSP-identified location, sight distance is limited by both horizontal and vertical curves on Highway 211. In addition, sight distance from the future fourth leg of the intersection would be particularly poor. At

the TSP-identified location, the highway was designed for moving traffic, not for accommodation of an intersection. Due to the high design speed and the horizontal curve, superelevation (the banking of the roadway around the curve) is very steep. This facilitates through traffic on the highway, but makes an intersection at this location problematic, due to difficult turning and crossing movements across the steep curve.

Need for UGB Expansion

The nearest suitable intersection location was found to be farther to the southwest, at the location currently proposed for a UGB amendment. From this location, it is far enough from the horizontal and vertical curves to the northeast to have adequate sight distance and far enough southwest of the curve to not be in a

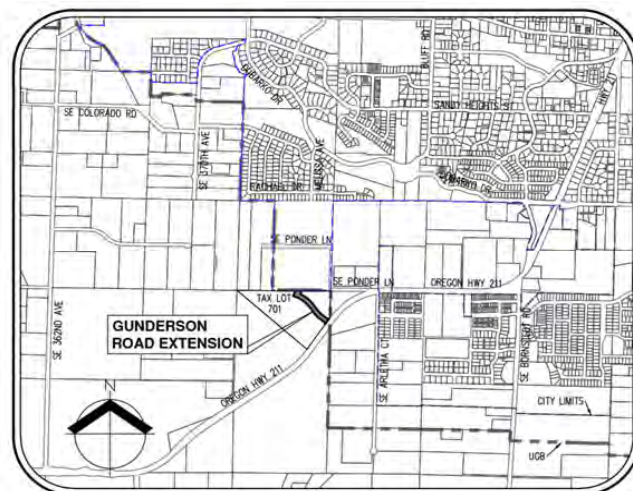


Figure 5: Planned Alignment



January 6, 2020
Page 11 of 14

superelevated roadway section. However, this alignment is outside of the current UGB of the City of Sandy, as shown in Figure 5. As such, a UGB amendment is proposed to accommodate the road extension.

With the proposed UGB amendment, there will be a triangle-shaped remnant piece of property that will also be brought into the UGB. This remnant is approximately 2.38 acres in size and is proposed to be dedicated as a public neighborhood park. This will be a small, passive-use neighborhood park that will be used primarily by the residents in the area. Trips to and from the park will be primarily pedestrian and bicycle trips and no separate parking lot is planned.

Oregon Administrative Rules

The proposed UGB amendment, comprehensive plan and zone map amendments, and annexation applications trigger the need to address the Transportation Planning Rule (TPR) and associated criteria from the Oregon Administrative Rules. These are addressed below.

OAR 660-012-0060 Transportation Planning Rule

The primary purpose of the TPR is to account for the potential transportation impacts associated with any amendments to adopted plans and land use regulations. The TPR is quoted in *italics* below, with a response immediately following each section.

1. *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

Response: The proposed UGB amendment, comprehensive plan and zone map amendment, and annexation will not change the functional classification of any transportation facilities. In fact, it will implement planned roadway connections in the TSP.

- (b) Change standards implementing a functional classification system; or*

Response: The standards that implement the functional classification system are contained in the TSP and will not change as part of this proposal.

- (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing*



January 6, 2020
Page 12 of 14

requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

- (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
- (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

Response: The proposed UGB amendment and associated plan amendments will facilitate the Gunderson Road connection and will not result in developable property that will increase trip generation. In fact, by facilitating an important street connection it is implementing the City of Sandy TSP, will improve connectivity for the neighborhood, and will improve performance of the surrounding transportation system. The proposal will not result in a significant effect as defined by the TPR and no mitigations are necessary.

OAD 660-024-0065 Establishment of Study Area to Evaluate Land for Inclusion in the UGB

This section of the OAR is specific to UGB expansions and speaks to public facilities (such as transportation facilities) that require specific site characteristics. The OAR is quoted in *italics* below, with a response immediately following each section.

- 3. When the primary purpose for expansion of the UGB is to accommodate a particular industrial use that requires specific site characteristics, or to accommodate a public facility that requires specific site characteristics, and the site characteristics may be found in only a small number of locations, the preliminary study area may be limited to those locations within the distance described in section (1) or (2), whichever is appropriate, that have or could be improved to provide the required site characteristics. For purposes of this section:*

- (a) The definition of "site characteristics" in OAR 660-009-0005(11) applies for purposes of identifying a particular industrial use.*

Response: In OAR 660-009-0005(11), "Site Characteristics" are defined by visibility, proximity to a particular transportation facility, and major transportation routes. In this case, the "site" for the UGB amendment is very narrowly defined and the location between the subdivision and Highway 211 is dictated by engineering standards that must be satisfied for a safe and efficient intersection location.

- (b) A "public facility" may include a facility necessary for public sewer, water, storm water, transportation, parks, schools, or fire protection. Site characteristics may include but are not limited to size, topography and proximity.*



January 6, 2020
Page 13 of 14

Response: Since the primary purpose of the proposed UGB amendment is to accommodate the extension of Gunderson Road to Highway 211, it is by definition a “public facility”. Site characteristics such as topography are what have dictated the need for the intersection in the location as proposed. Additionally, the applicant is providing area for a neighborhood park, a minor public facility.

Summary & Conclusions

The proposed UGB amendment, comprehensive plan and zone map amendments, and annexation will implement the City of Sandy TSP and result in improved operation at the study area roadways and intersections. The connection will improve conditions for the existing neighborhood to the north of the Bailey Meadows subdivision by providing another means of vehicular access to the area.



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Page 14 of 14

Appendix

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 1/6/2020
 Scenario: Year 2022 Buildout Conditions - Evening Peak Hour

Major Street: Highway 211 Minor Street: SE Gunderson Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 675 PM Peak Hour Volumes: 22

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	6,750	8,850	
Minor Street*	220	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	6,750	13,300	
Minor Street*	220	1,350	No
<i>Combination Warrant</i>			
Major Street	6,750	10,640	
Minor Street*	220	2,120	No

* Minor street right-turning traffic volumes reduced by 85% of the turn lane capacity.



Project: Bailey Meadows Subdivision
Intersection: Highway 211 at SE Gunderson Road
Date: 1/6/2020
Scenario: 2022 Buildout conditions

Speed? 45 mph

PM Peak Hour

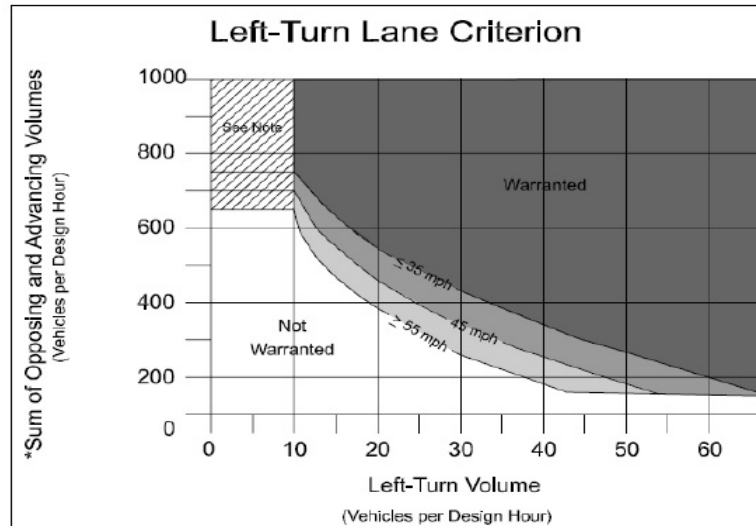
Left-Turn Volume 26

Approaching DHV 250
of Advancing Through Lanes 1

Opposing DHV 399
of Opposing Through Lanes 1

O+A DHV 649

Lane Needed? **Yes**



Source: Oregon DOT Analysis Procedures Manual 2008

***(Advancing Vol/ # of Advancing Through Lanes)+
(Opposing Vol/ # of Opposing Through Lanes)**

Note: The criterion is not met from zero to ten left turn vehicles per hour, but careful consideration should be given to installing a left turn lane due to the increased potential for accidents in the through lanes. While the turn volumes are low, the adverse safety and operational impacts may require installation of a left turn. The final determination will be based on a field study.

Lanes, Volumes, Timings
 1: SE 362nd Drive & Dubarko Road

12/13/2019



Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	9	109	385	9	31	132
Future Volume (vph)	9	109	385	9	31	132
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	115	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.876		0.997			
Flt Protected	0.996				0.950	
Satd. Flow (prot)	1641	0	1857	0	1703	1792
Flt Permitted	0.996				0.950	
Satd. Flow (perm)	1641	0	1857	0	1703	1792
Link Speed (mph)	25		35		35	
Link Distance (ft)	435		701		662	
Travel Time (s)	11.9		13.7		12.9	
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles (%)	1%	1%	2%	2%	6%	6%
Adj. Flow (vph)	11	128	453	11	36	155
Shared Lane Traffic (%)						
Lane Group Flow (vph)	139	0	464	0	36	155
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(ft)	12		12		12	
Link Offset(ft)	0		0		0	
Crosswalk Width(ft)	16		16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15	9		9	15	
Sign Control	Stop		Free		Free	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	39.7%			ICU Level of Service A		
Analysis Period (min)	15					

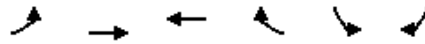
HCM 6th TWSC
1: SE 362nd Drive & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	2.7					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	9	109	385	9	31	132
Future Vol, veh/h	9	109	385	9	31	132
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	11	128	453	11	36	155
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	686	459	0	0	464	
Stage 1	459	-	-	-	-	
Stage 2	227	-	-	-	-	
Critical Hdwy	6.41	6.21	-	-	4.16	
Critical Hdwy Stg 1	5.41	-	-	-	-	
Critical Hdwy Stg 2	5.41	-	-	-	-	
Follow-up Hdwy	3.509	3.309	-	-	2.254	
Pot Cap-1 Maneuver	415	604	-	-	1077	
Stage 1	638	-	-	-	-	
Stage 2	813	-	-	-	-	
Platoon blocked, %			-	-	-	
Mov Cap-1 Maneuver	401	604	-	-	1077	
Mov Cap-2 Maneuver	401	-	-	-	-	
Stage 1	617	-	-	-	-	
Stage 2	813	-	-	-	-	
Approach	WB	NB		SB		
HCM Control Delay, s	13.1	0		1.6		
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	582	1077	-	
HCM Lane V/C Ratio	-	-	0.239	0.034	-	
HCM Control Delay (s)	-	-	13.1	8.5	-	
HCM Lane LOS	-	-	B	A	-	
HCM 95th %tile Q(veh)	-	-	0.9	0.1	-	

Lanes, Volumes, Timings
2: Dubarko Road & Ruben Lane

12/13/2019



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Volume (vph)	20	24	74	112	14	6
Future Volume (vph)	20	24	74	112	14	6
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr _t			0.919		0.959	
Fl _t Protected		0.978			0.966	
Satd. Flow (prot)	0	1753	1712	0	1558	0
Fl _t Permitted		0.978			0.966	
Satd. Flow (perm)	0	1753	1712	0	1558	0
Link Speed (mph)		25	25		25	
Link Distance (ft)		560	633		717	
Travel Time (s)		15.3	17.3		19.6	
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles (%)	6%	6%	2%	2%	13%	13%
Adj. Flow (vph)	22	27	83	126	16	7
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	49	209	0	23	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		12	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		16	16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15			9	15	9
Sign Control		Free	Free		Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	27.4%			ICU Level of Service A		
Analysis Period (min)	15					

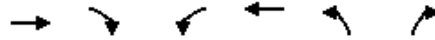
HCM 6th TWSC
2: Dubarko Road & Ruben Lane

12/13/2019

Intersection						
Int Delay, s/veh	1.4					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	20	24	74	112	14	6
Future Vol, veh/h	20	24	74	112	14	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	22	27	83	126	16	7
Major/Minor	Major1	Major2	Minor2			
Conflicting Flow All	209	0	-	0	217	146
Stage 1	-	-	-	-	146	-
Stage 2	-	-	-	-	71	-
Critical Hdwy	4.16	-	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	-	3.617	3.417
Pot Cap-1 Maneuver	1338	-	-	-	747	873
Stage 1	-	-	-	-	855	-
Stage 2	-	-	-	-	925	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	1338	-	-	-	734	873
Mov Cap-2 Maneuver	-	-	-	-	734	-
Stage 1	-	-	-	-	840	-
Stage 2	-	-	-	-	925	-
Approach	EB	WB	SB			
HCM Control Delay, s	3.5	0	9.8			
HCM LOS			A			
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1338	-	-	-	771	
HCM Lane V/C Ratio	0.017	-	-	-	0.029	
HCM Control Delay (s)	7.7	0	-	-	9.8	
HCM Lane LOS	A	A	-	-	A	
HCM 95th %tile Q(veh)	0.1	-	-	-	0.1	

Lanes, Volumes, Timings
 3: Melissa Avenue & Dubarko Road

12/13/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Volume (vph)	8	8	18	41	61	33
Future Volume (vph)	8	8	18	41	61	33
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr't	0.932				0.952	
Flt Protected				0.985	0.969	
Satd. Flow (prot)	1451	0	0	1835	1718	0
Flt Permitted				0.985	0.969	
Satd. Flow (perm)	1451	0	0	1835	1718	0
Link Speed (mph)	25			25	25	
Link Distance (ft)	1479			1123	1279	
Travel Time (s)	40.3			30.6	34.9	
Peak Hour Factor	0.79	0.79	0.79	0.79	0.79	0.79
Heavy Vehicles (%)	22%	22%	2%	2%	2%	2%
Adj. Flow (vph)	10	10	23	52	77	42
Shared Lane Traffic (%)						
Lane Group Flow (vph)	20	0	0	75	119	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	21.9%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th TWSC
3: Melissa Avenue & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	6					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	8	18	41	61	33
Future Vol, veh/h	8	8	18	41	61	33
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	10	23	52	77	42
Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	20	0	113	15
Stage 1	-	-	-	-	15	-
Stage 2	-	-	-	-	98	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1596	-	884	1065
Stage 1	-	-	-	-	1008	-
Stage 2	-	-	-	-	926	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1596	-	871	1065
Mov Cap-2 Maneuver	-	-	-	-	871	-
Stage 1	-	-	-	-	993	-
Stage 2	-	-	-	-	926	-
Approach	EB	WB	NB			
HCM Control Delay, s	0	2.2	9.4			
HCM LOS			A			
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	931	-	-	1596	-	
HCM Lane V/C Ratio	0.128	-	-	0.014	-	
HCM Control Delay (s)	9.4	-	-	7.3	0	
HCM Lane LOS	A	-	-	A	A	
HCM 95th %tile Q(veh)	0.4	-	-	0	-	

Lanes, Volumes, Timings
4: Dubarko Road & Bluff Road

12/13/2019

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↘			↖	↗	
Traffic Volume (vph)	41	0	19	17	40	60
Future Volume (vph)	41	0	19	17	40	60
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr t					0.919	
Flt Protected				0.974	0.980	
Satd. Flow (prot)	1696	0	0	1698	1645	0
Flt Permitted				0.974	0.980	
Satd. Flow (perm)	1696	0	0	1698	1645	0
Link Speed (mph)	25			25	25	
Link Distance (ft)	750			780	615	
Travel Time (s)	20.5			21.3	16.8	
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles (%)	12%	12%	9%	9%	4%	4%
Adj. Flow (vph)	59	0	27	24	57	86
Shared Lane Traffic (%)						
Lane Group Flow (vph)	59	0	0	51	143	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Stop			Stop	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	21.2%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th AWSC
4: Dubarko Road & Bluff Road

12/13/2019

Intersection	
Intersection Delay, s/veh	7.7
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	41	0	19	17	40	60
Future Vol, veh/h	41	0	19	17	40	60
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	59	0	27	24	57	86
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.8	7.8	7.7
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	40%	0%	53%
Vol Thru, %	0%	100%	47%
Vol Right, %	60%	0%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	100	41	36
LT Vol	40	0	19
Through Vol	0	41	17
RT Vol	60	0	0
Lane Flow Rate	143	59	51
Geometry Grp	1	1	1
Degree of Util (X)	0.154	0.072	0.064
Departure Headway (Hd)	3.877	4.396	4.456
Convergence, Y/N	Yes	Yes	Yes
Cap	913	807	796
Service Time	1.95	2.466	2.528
HCM Lane V/C Ratio	0.157	0.073	0.064
HCM Control Delay	7.7	7.8	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.5	0.2	0.2

Lanes, Volumes, Timings
 5: Highway 211 & SE Gunderson Road

12/13/2019



Lane Group	SEL	SER	NEL	NET	SWT	SWR
Lane Configurations						
Traffic Volume (vph)	21	24	7	129	290	15
Future Volume (vph)	21	24	7	129	290	15
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750
Storage Length (ft)	0	0	100			100
Storage Lanes	1	0	1			1
Taper Length (ft)	25		25			
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.928					0.850
Flt Protected	0.977		0.950			
Satd. Flow (prot)	1556	0	1630	1716	1716	1458
Flt Permitted	0.977		0.950			
Satd. Flow (perm)	1556	0	1630	1716	1716	1458
Link Speed (mph)	30			30	30	
Link Distance (ft)	827			1043	1164	
Travel Time (s)	18.8			23.7	26.5	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	23	26	8	140	315	16
Shared Lane Traffic (%)						
Lane Group Flow (vph)	49	0	8	140	315	16
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.11	1.11	1.11	1.11	1.11	1.11
Turning Speed (mph)	15	9	15			9
Sign Control	Stop			Free	Free	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	26.6%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th TWSC
5: Highway 211 & SE Gunderson Road

12/13/2019

Intersection

Int Delay, s/veh 1.1

Movement SEL SER NEL NET SWT SWR

Lane Configurations	↔		↔	↑	↑	↔
Traffic Vol, veh/h	21	24	7	129	290	15
Future Vol, veh/h	21	24	7	129	290	15
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	100	-	-	100
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	23	26	8	140	315	16

Major/Minor Minor2 Major1 Major2

Conflicting Flow All	471	315	331	0	-	0
Stage 1	315	-	-	-	-	-
Stage 2	156	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	551	725	1228	-	-	-
Stage 1	740	-	-	-	-	-
Stage 2	872	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	547	725	1228	-	-	-
Mov Cap-2 Maneuver	547	-	-	-	-	-
Stage 1	735	-	-	-	-	-
Stage 2	872	-	-	-	-	-

Approach SE NE SW











HCM Control Delay, s	11.2	0.4	0
HCM LOS	B		

Minor Lane/Major Mvmt NEL NET SELn1 SWT SWR

Capacity (veh/h)	1228	-	629	-	-
HCM Lane V/C Ratio	0.006	-	0.078	-	-
HCM Control Delay (s)	8	-	11.2	-	-
HCM Lane LOS	A	-	B	-	-
HCM 95th %tile Q(veh)	0	-	0.3	-	-

Lanes, Volumes, Timings
1: SE 362nd Drive & Dubarko Road

12/13/2019

						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	23	111	293	22	201	557
Future Volume (vph)	23	111	293	22	201	557
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0	0		0	115	
Storage Lanes	1	0		0	1	
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.888		0.991			
Flt Protected	0.992				0.950	
Satd. Flow (prot)	1641	0	1846	0	1787	1881
Flt Permitted	0.992				0.950	
Satd. Flow (perm)	1641	0	1846	0	1787	1881
Link Speed (mph)	25		35			35
Link Distance (ft)	435		701			662
Travel Time (s)	11.9		13.7			12.9
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	2%	2%	2%	2%	1%	1%
Adj. Flow (vph)	25	121	318	24	218	605
Shared Lane Traffic (%)						
Lane Group Flow (vph)	146	0	342	0	218	605
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(ft)	12		12			12
Link Offset(ft)	0		0			0
Crosswalk Width(ft)	16		16			16
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15	9		9	15	
Sign Control	Stop		Free			Free
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	46.0%			ICU Level of Service A		
Analysis Period (min)	15					

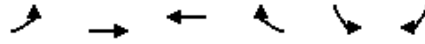
HCM 6th TWSC
1: SE 362nd Drive & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	3.5					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔		↔		↔	↔
Traffic Vol, veh/h	23	111	293	22	201	557
Future Vol, veh/h	23	111	293	22	201	557
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	25	121	318	24	218	605
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	1371	330	0	0	342	
Stage 1	330	-	-	-	-	
Stage 2	1041	-	-	-	-	
Critical Hdwy	6.42	6.22	-	-	4.11	
Critical Hdwy Stg 1	5.42	-	-	-	-	
Critical Hdwy Stg 2	5.42	-	-	-	-	
Follow-up Hdwy	3.518	3.318	-	-	2.209	
Pot Cap-1 Maneuver	161	712	-	-	1223	
Stage 1	728	-	-	-	-	
Stage 2	340	-	-	-	-	
Platoon blocked, %			-	-	-	
Mov Cap-1 Maneuver	132	712	-	-	1223	
Mov Cap-2 Maneuver	132	-	-	-	-	
Stage 1	598	-	-	-	-	
Stage 2	340	-	-	-	-	
Approach	WB	NB		SB		
HCM Control Delay, s	18.7	0		2.3		
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	406	1223	-	
HCM Lane V/C Ratio	-	-	0.359	0.179	-	
HCM Control Delay (s)	-	-	18.7	8.6	-	
HCM Lane LOS	-	-	C	A	-	
HCM 95th %tile Q(veh)	-	-	1.6	0.6	-	

Lanes, Volumes, Timings
2: Dubarko Road & Ruben Lane

12/13/2019



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↘	↘
Traffic Volume (vph)	17	181	88	64	90	35
Future Volume (vph)	17	181	88	64	90	35
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr t			0.943		0.962	
Flt Protected		0.996			0.965	
Satd. Flow (prot)	0	1874	1792	0	1746	0
Flt Permitted		0.996			0.965	
Satd. Flow (perm)	0	1874	1792	0	1746	0
Link Speed (mph)		25	25		25	
Link Distance (ft)		560	633		717	
Travel Time (s)		15.3	17.3		19.6	
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles (%)	1%	1%	0%	0%	1%	1%
Adj. Flow (vph)	19	203	99	72	101	39
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	222	171	0	140	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		12	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		16	16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15			9	15	9
Sign Control		Free	Free		Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	36.1%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th TWSC
2: Dubarko Road & Ruben Lane

12/13/2019

Intersection						
Int Delay, s/veh	3.4					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	17	181	88	64	90	35
Future Vol, veh/h	17	181	88	64	90	35
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	19	203	99	72	101	39
Major/Minor	Major1	Major2	Minor2			
Conflicting Flow All	171	0	-	0	376	135
Stage 1	-	-	-	-	135	-
Stage 2	-	-	-	-	241	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1412	-	-	-	627	917
Stage 1	-	-	-	-	894	-
Stage 2	-	-	-	-	801	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	1412	-	-	-	618	917
Mov Cap-2 Maneuver	-	-	-	-	618	-
Stage 1	-	-	-	-	881	-
Stage 2	-	-	-	-	801	-
Approach	EB	WB	SB			
HCM Control Delay, s	0.7	0	11.7			
HCM LOS			B			
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1412	-	-	-	680	
HCM Lane V/C Ratio	0.014	-	-	-	0.207	
HCM Control Delay (s)	7.6	0	-	-	11.7	
HCM Lane LOS	A	A	-	-	B	
HCM 95th %tile Q(veh)	0	-	-	-	0.8	

Lanes, Volumes, Timings
 3: Melissa Avenue & Dubarko Road

12/13/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Volume (vph)	90	72	28	62	35	21
Future Volume (vph)	90	72	28	62	35	21
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr't	0.940				0.949	
Flt Protected			0.985		0.970	
Satd. Flow (prot)	1768	0	0	1872	1749	0
Flt Permitted			0.985		0.970	
Satd. Flow (perm)	1768	0	0	1872	1749	0
Link Speed (mph)	25		25		25	
Link Distance (ft)	1479		1123		1279	
Travel Time (s)	40.3		30.6		34.9	
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles (%)	1%	1%	0%	0%	0%	0%
Adj. Flow (vph)	106	85	33	73	41	25
Shared Lane Traffic (%)						
Lane Group Flow (vph)	191	0	0	106	66	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0		0		12	
Link Offset(ft)	0		0		0	
Crosswalk Width(ft)	16		16		16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	9		15		15	
Sign Control	Free		Free		Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	27.3%			ICU Level of Service A		
Analysis Period (min)	15					

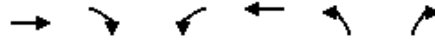
HCM 6th TWSC
3: Melissa Avenue & Dubarko Road

12/13/2019

Intersection						
Int Delay, s/veh	2.6					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	90	72	28	62	35	21
Future Vol, veh/h	90	72	28	62	35	21
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	106	85	33	73	41	25
Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	191	0	288	149
Stage 1	-	-	-	-	149	-
Stage 2	-	-	-	-	139	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1395	-	707	903
Stage 1	-	-	-	-	884	-
Stage 2	-	-	-	-	893	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1395	-	689	903
Mov Cap-2 Maneuver	-	-	-	-	689	-
Stage 1	-	-	-	-	862	-
Stage 2	-	-	-	-	893	-
Approach	EB	WB	NB			
HCM Control Delay, s	0	2.4	10.2			
HCM LOS			B			
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	756	-	-	1395	-	
HCM Lane V/C Ratio	0.087	-	-	0.024	-	
HCM Control Delay (s)	10.2	-	-	7.6	0	
HCM Lane LOS	B	-	-	A	A	
HCM 95th %tile Q(veh)	0.3	-	-	0.1	-	

Lanes, Volumes, Timings
4: Dubarko Road & Bluff Road

12/13/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Volume (vph)	29	94	28	33	59	31
Future Volume (vph)	29	94	28	33	59	31
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Fr _t	0.897				0.954	
Fl _t Protected				0.978	0.968	
Satd. Flow (prot)	1704	0	0	1858	1737	0
Fl _t Permitted				0.978	0.968	
Satd. Flow (perm)	1704	0	0	1858	1737	0
Link Speed (mph)	25			25	25	
Link Distance (ft)	750			780	615	
Travel Time (s)	20.5			21.3	16.8	
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles (%)	0%	0%	0%	0%	1%	1%
Adj. Flow (vph)	34	111	33	39	69	36
Shared Lane Traffic (%)						
Lane Group Flow (vph)	145	0	0	72	105	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Stop			Stop	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	25.8%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th AWSC
4: Dubarko Road & Bluff Road

12/13/2019

Intersection	
Intersection Delay, s/veh	7.7
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	29	94	28	33	59	31
Future Vol, veh/h	29	94	28	33	59	31
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	34	111	33	39	69	36
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.4	7.8	7.9
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	66%	0%	46%
Vol Thru, %	0%	24%	54%
Vol Right, %	34%	76%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	90	123	61
LT Vol	59	0	28
Through Vol	0	29	33
RT Vol	31	94	0
Lane Flow Rate	106	145	72
Geometry Grp	1	1	1
Degree of Util (X)	0.124	0.148	0.086
Departure Headway (Hd)	4.213	3.682	4.29
Convergence, Y/N	Yes	Yes	Yes
Cap	841	959	825
Service Time	2.29	1.761	2.368
HCM Lane V/C Ratio	0.126	0.151	0.087
HCM Control Delay	7.9	7.4	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.4	0.5	0.3

Lanes, Volumes, Timings
 5: Highway 211 & SE Gunderson Road

12/13/2019



Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	22	15	26	373	250	26
Future Volume (vph)	22	15	26	373	250	26
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750
Storage Length (ft)	0	0	100			100
Storage Lanes	1	0	1			1
Taper Length (ft)	25		25			
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.946					0.850
Flt Protected	0.971		0.950			
Satd. Flow (prot)	1576	0	1630	1716	1716	1458
Flt Permitted	0.971		0.950			
Satd. Flow (perm)	1576	0	1630	1716	1716	1458
Link Speed (mph)	30			45	45	
Link Distance (ft)	1495			875	917	
Travel Time (s)	34.0			13.3	13.9	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	24	16	28	405	272	28
Shared Lane Traffic (%)						
Lane Group Flow (vph)	40	0	28	405	272	28
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.11	1.11	1.11	1.11	1.11	1.11
Turning Speed (mph)	15	9	15			9
Sign Control	Stop			Free	Free	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	31.3%			ICU Level of Service A		
Analysis Period (min)	15					

HCM 6th TWSC
5: Highway 211 & SE Gunderson Road

12/13/2019

Intersection						
Int Delay, s/veh	1					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	↔		↔	↑	↑	↔
Traffic Vol, veh/h	22	15	26	373	250	26
Future Vol, veh/h	22	15	26	373	250	26
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	100	-	-	100
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	24	16	28	405	272	28
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	733	272	300	0	-	0
Stage 1	272	-	-	-	-	-
Stage 2	461	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	388	767	1261	-	-	-
Stage 1	774	-	-	-	-	-
Stage 2	635	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	379	767	1261	-	-	-
Mov Cap-2 Maneuver	379	-	-	-	-	-
Stage 1	757	-	-	-	-	-
Stage 2	635	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	13.2	0.5		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1261	-	477	-	-	
HCM Lane V/C Ratio	0.022	-	0.084	-	-	
HCM Control Delay (s)	7.9	-	13.2	-	-	
HCM Lane LOS	A	-	B	-	-	
HCM 95th %tile Q(veh)	0.1	-	0.3	-	-	

Bailey Meadows Subdivision

Traffic Impact Analysis
Sandy, Oregon

Date:

June 20, 2019

Prepared for:

Cody Bjugan, Allied Homes & Development

Prepared by:

Jessica Hijar
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RENEWS: 12/31/2020



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Executive Summary

1. A 100-lot single family detached swelling unit subdivision is proposed for the following tax lots in Sandy, Oregon: 24E23 800, 801, 802, 803, and 804.
2. Access to the project is planned via an existing right-of-way street stub on Melissa Avenue that was created to provide access to the subject site as part of the adjoining Nicholas Glen No. 2 subdivision.
3. The proposed subdivision is calculated to generate 74 trips during the morning peak hour, 99 trips during the evening peak hour, and 944 trips each weekday.
4. Based on a review of the most recent five years of crash history, no significant safety issues or trends are evident at the study intersections.
5. Due to insufficient major and minor street volumes, preliminary traffic signal warrants were not met at the study intersections under all analysis scenarios.
6. Left-turn lane warrants were analyzed for the intersection of Melissa Avenue at Dubarko Road and not met under any analysis scenario.
7. All study intersections, including the intersection of Melissa Avenue at Dubarko Road, are currently operating within the City's performance standards and are projected to continue operating acceptably through year 2022, with or without the addition of site trips from the proposed development.



Project Description

Introduction

The proposed development will include the construction of a 100-lot subdivision to be located on tax lots 24E23 800, 801, 802, 803, and 804 in Sandy, Oregon. The site is currently within the City of Sandy Urban Growth Boundary, the city limits, and is zoned Single Family Residential (SFR), which allows the subdivision as proposed. The project will be built in three phases, with the expected completion year of 2022.

This report includes traffic counts and a full operational analysis at the intersections listed below. This scope was developed based on City of Sandy's Traffic Impact Analysis (TIA) requirements and was approved by Replinger and Associates, the City's consulting transportation engineer. Coordination of the scope of work with the Oregon Department of Transportation (ODOT) was not necessary since no intersections on the state highway are affected.

1. SE 362nd Drive at Dubarko Road,
2. Ruben Lane at Dubarko Road,
3. Dubarko Road at Melissa Avenue, and
4. Dubarko Road at Bluff Road.

The purpose of this study is to determine whether the transportation system within the vicinity of the site is capable of supporting the existing uses as well as the proposed subdivision and to determine if mitigation is necessary. Detailed information on traffic counts, trip generation calculations, safety analyses, and level-of-service calculations is included in the appendix to this report.

Location Description

The subject site is located south of Rachel Drive and west of Ponder Lane in Sandy, Oregon. Although roadway stubs will be provided within the site for future roadway connections, access to the project is planned via an existing right-of-way street stub on Melissa Avenue that was created to provide access to the subject site as part of the adjoining Nicholas Glen No. 2 subdivision.

Access to the subdivision cannot be provided via SE Ponder Lane in the southeast corner of the site since the existing right-of-way along SE Ponder Lane does not allow for two directions of travel and the current configuration of SE Ponder Lane at Highway 211 cannot support additional vehicle trips. There is not sufficient right-of-way available to realign Ponder Lane at its intersection with Highway 211. It is expected that additional access will be available to the east of the site as other properties develop.

Vicinity Streets

Five roadways have been identified in the traffic study scope. Table 1 provides a description of each of the roadways.



Table 1: Vicinity Roadway Descriptions

Street Name	Jurisdiction	Classification	Speed (MPH)	Curbs	Sidewalks	Bicycle Lanes
SE 362 nd Drive	City of Sandy	Rural Minor Arterial	35 mph posted	Partial	Partial	Partial
Ruben Lane	City of Sandy	Collector	25 mph posted	Yes	Partial	Yes
Dubarko Road	City of Sandy	Minor Arterial	25 mph posted	Yes	Yes	Partial
Melissa Avenue	City of Sandy	Local Road	25 mph statutory	Yes	Yes	No
Bluff Road	City of Sandy	Minor Arterial	25 mph posted	Partial	Partial	Partial

Study Intersections

Four nearby intersections were identified in discussions with City staff that are expected to be impacted by the proposed project. Table 2 below provides a summary of each of the study intersections.

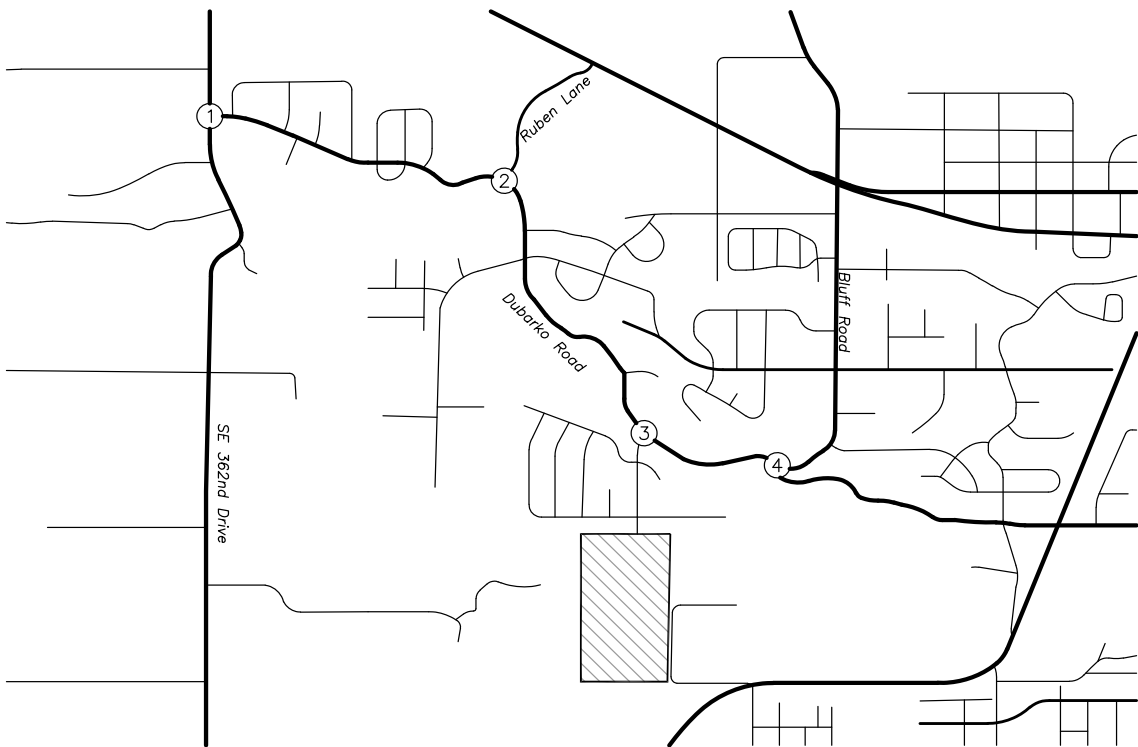
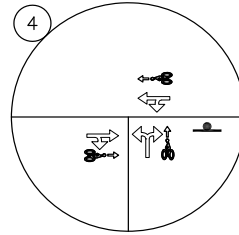
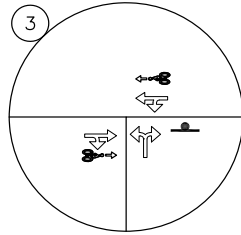
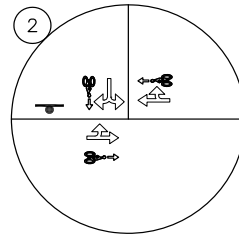
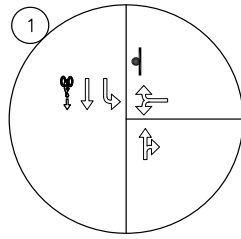
Table 2: Vicinity Intersection Descriptions

Number	Intersection	Geometry	Traffic Control	Stopped Approaches
1	SE 362 nd Drive at Dubarko Road	Three-Legged	Two-Way Stop Controlled	Westbound
2	Ruben Lane at Dubarko Road	Three-Legged	Two-Way Stop Controlled	Southbound
3	Dubakro Road at Melissa Avenue	Three-Legged	Two-Way Stop Controlled	Northbound
4	Dubarko Road at Bluff Rod	Three-Legged	All-Way Stop Controlled	All

The figure on the following page shows the site vicinity and the study intersection configurations.

LEGEND

-  STUDY INTERSECTION (EXISTING)
-  STOP SIGN
-  BIKE LANE
-  PROJECT SITE
-  ARTERIAL ROADWAY
-  COLLECTOR ROADWAY
-  LOCAL ROADWAY



VICINITY MAP



FIGURE 1

PAGE 4



Site Trips

Trip Generation

To estimate the number of trips that will be generated by the proposed use, trip rates from the *Trip Generation Manual*¹ were used. Data from land use codes 210, *Single-Family Detached Housing*, was used to estimate the proposed development's trip generation based on the number of dwelling units.

The trip generation calculations show that the proposed subdivision is projected to generate 74 morning peak hour trips, 99 evening peak hour trips, and 944 average weekday trips. The trip generation estimates are summarized in Table 3 below and detailed trip generation calculations are included as an attachment to this report.

Table 3: Trip Generation Summary

Land Use Code	Size	Morning Peak Hour			Evening Peak Hour			Weekday Total
		In	Out	Total	In	Out	Total	
210 – Single-Family Detached Housing	100 units	19	55	74	62	37	99	944

Custom Trip Rates

Based on traffic counts collected at the existing intersection of Melissa Avenue at Dubarko Road and 24-hour counts collected along Melissa Avenue, a localized trip rate was derived for the existing subdivision that accesses Dubarko Road via Melissa Avenue. The custom trip rate was calculated to be 0.49 trips per unit during the morning peak hour, 0.63 trips per unit during the evening peak hour, and 6.90 trips per unit during each weekday. A comparison of the ITE trip rates and the trip rates based on localized data is provided in the following table.

Table 4: Trip Rate Comparison

Data	Morning Trip Rate	Evening Trip Rate	Weekday Trip Rate
ITE	0.74 trips/unit	0.99 trips/unit	9.44 trips/unit
Local Data	0.49 trips/unit	0.63 trips/unit	6.90 trips/unit

Since the localized data shows lower trip rates during all analysis periods, it can be expected that the proposed subdivision will yield site trips at a similar rate. Although this lower trip generation rate was not used for analysis, it should be noted that the trip generation based on ITE rates represents a conservative, worst-case analysis.

¹ Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 10th Edition, 2017.

Trip Distribution

The directional distribution of site trips to and from the proposed development was calculated based on travel patterns of trips to and from the existing neighborhood that is served by Melissa Avenue. In addition, the locations of likely trip destinations, locations of major transportation facilities in the site vicinity, and existing travel patterns at the study intersections.

The following trip distribution was estimated and used for analysis:

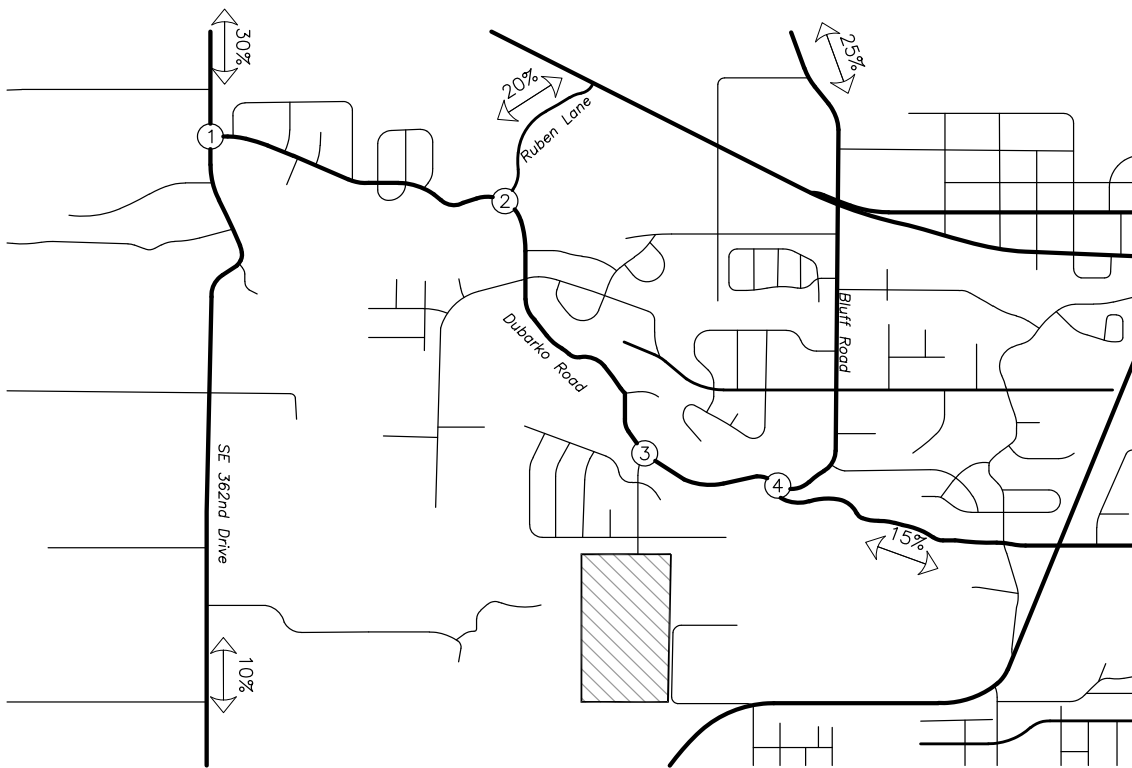
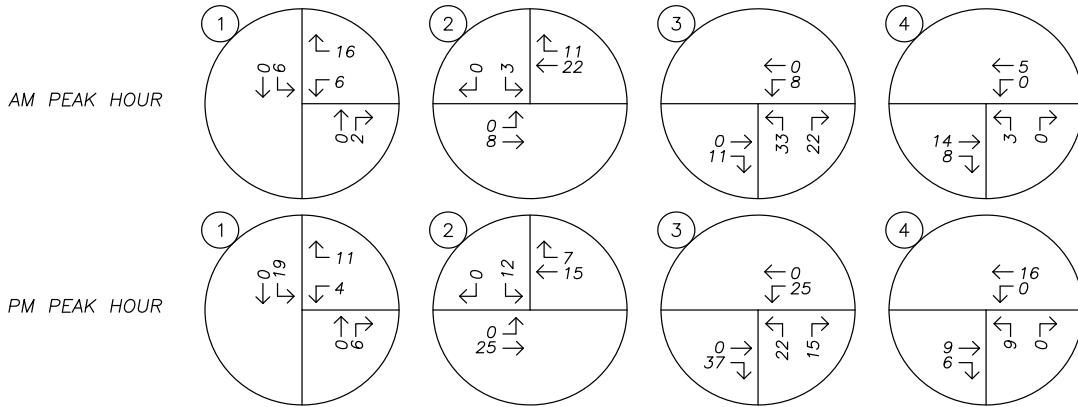
- Approximately 30 percent of site trips will travel to/from the north along SE 362nd Drive;
- Approximately 25 percent of site trips will travel to/from the north along Bluff Road;
- Approximately 20 percent of site trips will travel to/from the north on Ruben Lane;
- Approximately 15 percent of site trips will travel to/from the east along Dubarko Road; and
- Approximately 10 percent of site trips will travel to/from the south along SE 362nd Drive.

Figure 2 on page 7 shows the distribution and assignment of site trips for the proposed development.

LEGEND

XX% PERCENT OF PROJECT TRIPS

TRIP GENERATION			
	IN	OUT	TOTAL
AM	19	55	74
PM	62	37	99



SITE TRIP DISTRIBUTION & ASSIGNMENT
Proposed Development Plan – Site Trips
AM & PM Peak Hours



FIGURE
2
PAGE
7



Traffic Volumes

Existing Conditions

Traffic counts were conducted at the intersection of Melissa Avenue at Dubarko Road on Thursday, April 25th, 2019 from 7:00 AM to 9:00 AM, and from 4:00 PM to 6:00 PM. Traffic counts were conducted at all other study intersections on Wednesday, May 22nd, 2019 from 4:00 PM to 6:00 PM, and on Thursday, May 23rd, 2019 from 7:00 AM to 9:00 AM. Each intersection's respective morning and evening peak hours were used for analysis.

Background Conditions

In order to calculate the future traffic volumes on local streets, an exponential growth rate of two percent per year for an assumed period of three years was applied to the measured existing traffic volumes to approximate year 2022 background conditions.

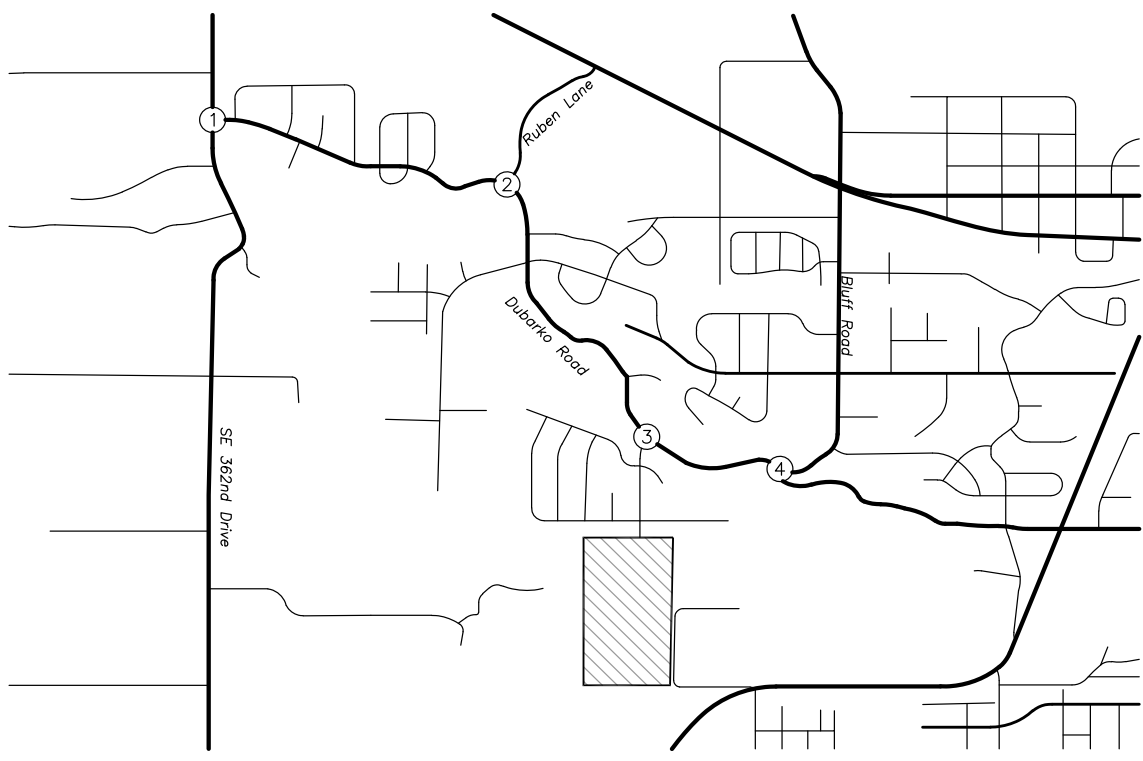
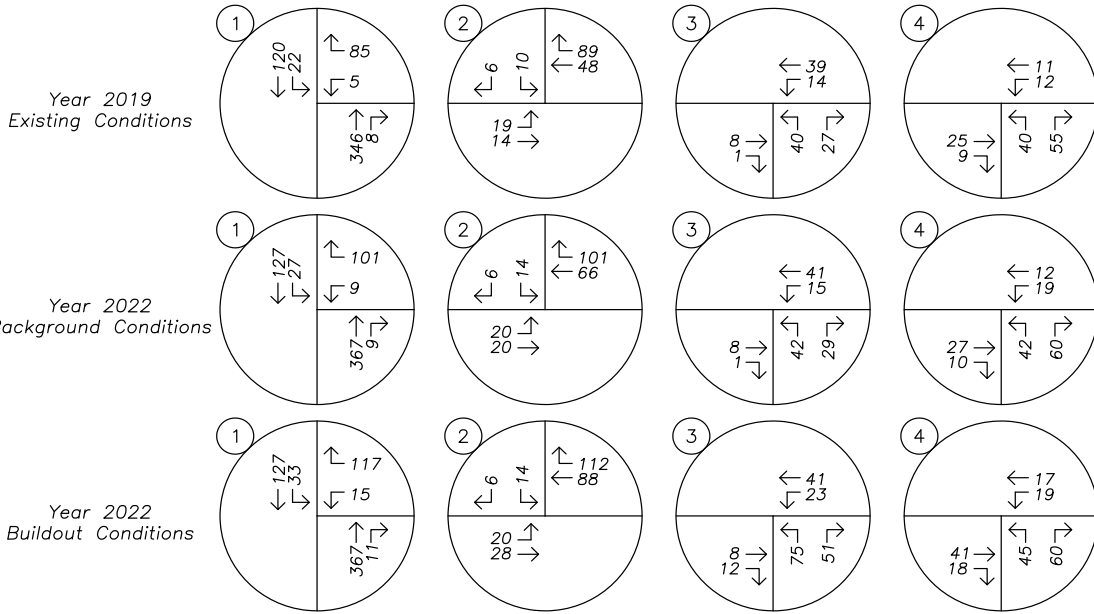
In-Process Trips

In-process trips associated with previously approved developments were added to the background volumes in order to represent future traffic volumes at the study intersections prior to the approval of the subject development. Trips associated with the approved 138-unit Sandy Heights Apartments were added to the study intersections.

Buildout Conditions

Trips to be generated by the proposed development, as described earlier within the *Site Trips* section, were added to the projected year 2022 background traffic volumes to obtain the expected year 2022 buildout volumes.

Figure 3 on page 9 shows the existing, year 2022 background, and year 2022 buildout traffic volumes for the morning peak hour. Figure 4 on page 10 shows the existing, year 2022 background, and year 2022 buildout traffic volumes for the evening peak hour.

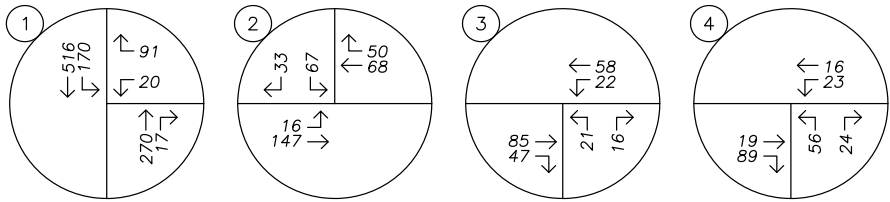


TRAFFIC VOLUMES
 All Analysis Scenarios
 AM Peak Hour

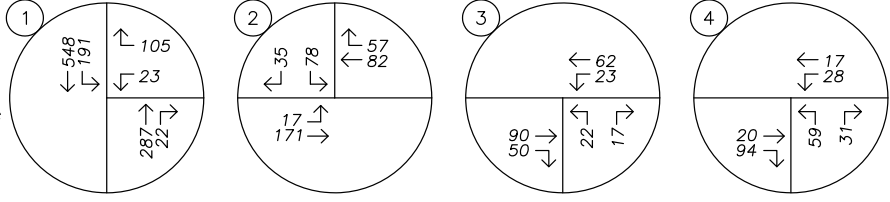
no scale

FIGURE 3
PAGE 9

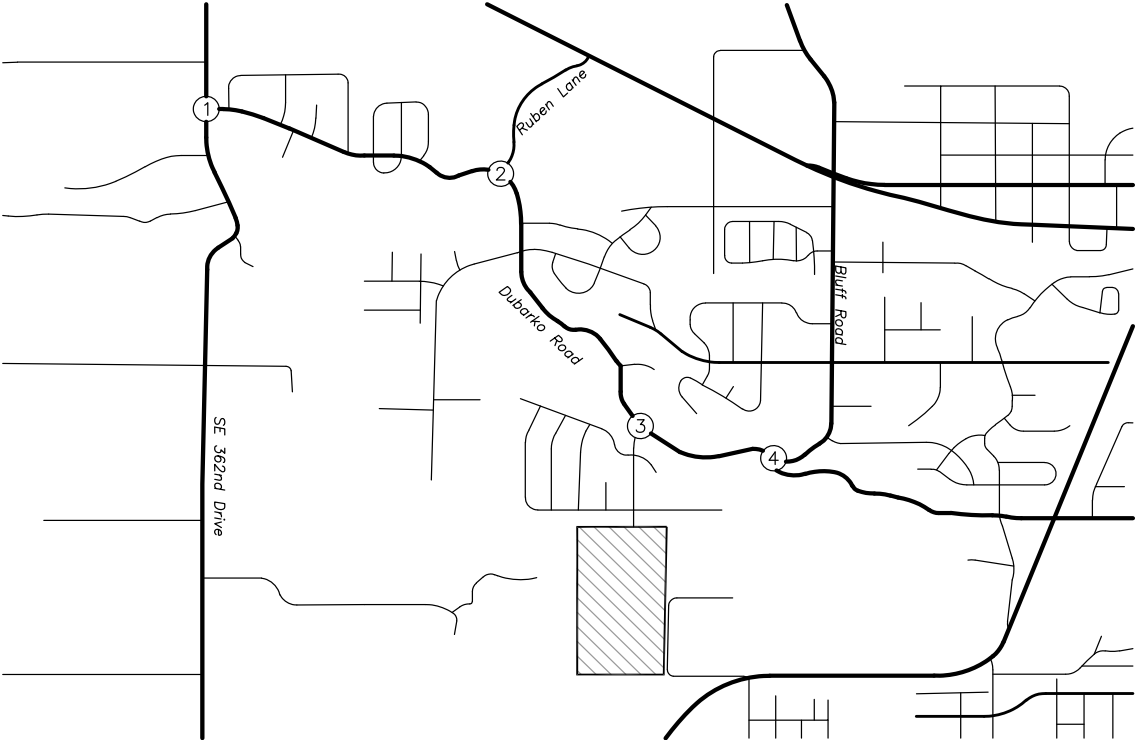
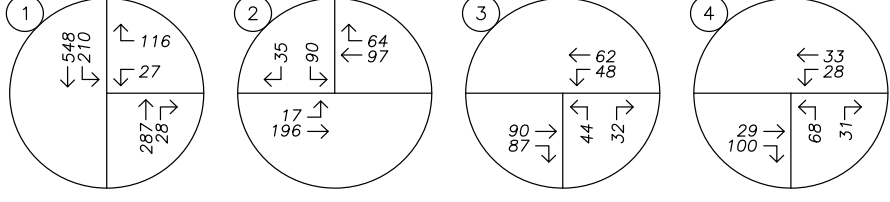
Year 2019
Existing Conditions



Year 2022
Background Conditions



Year 2022
Buildout Conditions



TRAFFIC VOLUMES
All Analysis Scenarios
PM Peak Hour



FIGURE 4
PAGE 10



Safety Analysis

Crash History Review

Using data obtained from the ODOT's Crash Analysis and Reporting Unit, a review of the most recent available five years of crash history (January 2012 to December 2016) at the study intersections was performed. The crash data was evaluated based on the number of crashes, the type of collisions, the severity of the collisions, and the resulting crash rate for the intersection. Crash rates provide the ability to compare safety risks at different intersections by accounting for both the number of crashes that have occurred during the study period and the number of vehicles that typically travel through the intersection. Crash rates were calculated using the common assumption that traffic counted during the evening peak hour represents approximately 10 percent of the annual average daily traffic (AADT) at the intersection. Crash rates in excess of 1.0 crashes per million entering vehicles (CMEV) may be indicative of design deficiencies and therefore require a need for further investigation and possible mitigation.

Table 5: Crash Analysis Summary

Intersection	Crash Type		Crash Severity	Total	AADT	Crash Rate
	Turn	Sideswipe	PDO			
Dubarko Road at SE 362 nd Drive	0	1	1	1	10,840	0.05
Dubarko Road at Melissa Avenue	2	0	2	2	2,490	0.44

The calculated crash rates at the intersections of Dubarko Road at SE 362nd Drive and at Melissa Avenue are not indicative of safety deficiencies or design flaws. No mitigation is recommended.

No reported crashes were found at the intersections of Dubarko Road at Ruben Lane and Dubarko Road at Bluff Road during the analysis period. Accordingly, no safety concerns were identified at these study intersections.

Warrant Analysis

Traffic Signal Warrants

Traffic signal warrants were examined for all study intersections based on the methodologies in the *Manual on Uniform Traffic Control Devices*² (MUTCD). Warrant 1, *Eight Hour Vehicular Volumes*, was used from the MUTCD. Warrants were evaluated based on the common assumption that traffic counted during the evening peak hour represents ten percent of the AADT. Volumes were used for the year 2022 buildout conditions. Traffic signal warrants were not met at any of the study intersections due to low major and minor street

² Federal Highway Administration (FTA), America Traffic Safety Services Association (ATSSA), Institute of Transportation Engineers (ITE), American Association of State Highway and Transportation Officials (AASHTO), *Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD), 2009 Edition, 2010.



traffic volumes. Detailed information on the traffic signal warrant analysis is included in the attached appendix.

Left-Turn Lane Warrants

Left-turn lane warrants were examined for the westbound left-turn lane at the intersection of Melissa Avenue at Dubarko Road. A left-turn refuge is primarily a safety consideration for the major-street approach, removing left-turning vehicles from the through traffic stream. Warrants were based on the methodology outlined in the National Cooperative Highway Research Program (NCHRP) Report Number 457³. These turn-lane warrants were evaluated based on the number of left-turning vehicles, the number of advancing and opposing vehicles, and the roadway travel speed.

Left-turn lanes were not warranted during any of the analysis scenarios. No new left-turn lanes are recommended.

³ Bonneson, James A. and Michael D. Fontaine, *NCHRP Report 457: An Engineering Study Guide for Evaluating Intersection Improvements*, Transportation Research Board, 2001.



Operational Analysis

Delay & Capacity Analysis

A capacity and delay analysis was conducted for the study intersection per the unsignalized intersection analysis methodologies in the *Highway Capacity Manual*⁴ (HCM). Intersections are generally evaluated based on the average control delay experienced by vehicles and are assigned a grade according to their operation. The level of service (LOS) of an intersection can range from LOS A, which indicates very little or no delay experienced by vehicles, to LOS F, which indicates a high degree of congestion and delay. The volume-to-capacity (v/c) ratio is a measure that compares the traffic volumes (demand) against the available capacity of an intersection.

The City of Sandy’s Transportation System Plan states that both signalized and unsignalized intersections are required to operate at LOS D or better.

Based on the results of the operational analysis, shown in Table 6, the study intersections are currently operating acceptably and are projected to continue operating acceptably through the 2022 buildout year of the site. Detailed calculations as well as tables showing the relationship between delay and LOS are included in the appendix to this report.

Table 6: Intersection Capacity Analysis Summary

	Morning Peak Hour			Evening Peak Hour		
	Delay	LOS	V/C	Delay	LOS	V/C
SE 362nd Drive at Dubarko Road						
Existing Conditions	12	B	0.17	16	C	0.27
Year 2022 Background Conditions	13	B	0.22	18	C	0.34
Year 2022 Buildout Conditions	13	B	0.27	21	C	0.40
Ruben Lane at Dubarko Road						
Existing Conditions	9	A	0.02	11	B	0.15
Year 2022 Background Conditions	10	A	0.03	11	B	0.18
Year 2022 Buildout Conditions	10	A	0.03	12	B	0.21
Dubarko Road at Melissa Avenue						
Existing Conditions	9	A	0.09	10	A	0.05
Year 2022 Background Conditions	9	A	0.09	10	A	0.06
Year 2022 Buildout Conditions	10	A	0.17	11	B	0.12
Dubarko Road at Bluff Road						
Existing Conditions	8	A	0.15	8	A	0.13
Year 2022 Background Conditions	8	A	0.16	8	A	0.14
Year 2022 Buildout Conditions	8	A	0.17	8	A	0.16

⁴ Transportation Research Board, *Highway Capacity Manual, 6th Edition, 2016.*



Conclusions

Based on a review of the most recent five years of crash history, no significant safety issues or trends are evident at the study intersections.

Due to insufficient major and minor street volumes, traffic signal warrants were not met at the study intersections under all analysis scenarios.

Left-turn lane warrants were analyzed for the intersection of Melissa Avenue at Dubarko Road and not estimated to be met under any analysis scenario.

All study intersections, including the intersection of Melissa Avenue and Dubarko Road are currently operating within the City's performance standards and are projected to continue operating acceptably through year 2022, with or without the addition of site trips from the proposed development.

1e

Appendix



TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing
Land Use Code: 210
Setting/Location: General Urban/Suburban
Variable: Dwelling Units
Variable Value: 100

AM PEAK HOUR

Trip Rate: 0.74

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	19	55	74

PM PEAK HOUR

Trip Rate: 0.99

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	62	37	99

WEEKDAY

Trip Rate: 9.44

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	472	472	944

SATURDAY

Trip Rate: 9.54

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	477	477	954

Source: Trip Generation Manual, Tenth Edition

All Traffic Data Services, Inc.
alltrafficdata.net

Melissa Ave S-O Dubarko Rd

Start Time	25-Apr-19 Thu	NB	SB	Total					
12:00 AM		2	5	7					
01:00		1	1	2					
02:00		1	0	1					
03:00		7	2	9					
04:00		20	1	21					
05:00		30	5	35					
06:00		57	11	68					
07:00		67	15	82					
08:00		37	17	54					
09:00		30	17	47					
10:00		25	18	43					
11:00		23	22	45					
12:00 PM		35	25	60					
01:00		16	24	40					
02:00		29	46	75					
03:00		35	58	93					
04:00		44	64	108					
05:00		30	54	84					
06:00		32	74	106					
07:00		28	40	68					
08:00		16	36	52					
09:00		9	30	39					
10:00		5	12	17					
11:00		0	4	4					
Total		579	581	1160					
Percent		49.9%	50.1%						
AM Peak	-	07:00	11:00	-	-	-	-	-	07:00
Vol.	-	67	22	-	-	-	-	-	82
PM Peak	-	16:00	18:00	-	-	-	-	-	16:00
Vol.	-	44	74	-	-	-	-	-	108
Grand Total		579	581						1160
Percent		49.9%	50.1%						
ADT		ADT 11,874	AADT 11,874						

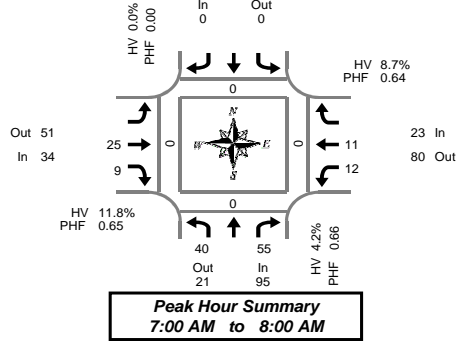
Total Vehicle Summary



Clay Carney
(503) 833-2740

Dubarko Rd & Bluff Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM



5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	3	4	0			0	2	1	0	0	1	0	11	0	0	0	0
7:05 AM	1	8	0			0	2	0	0	1	0	0	12	0	0	0	0
7:10 AM	3	7	0			0	5	1	0	2	1	0	19	0	0	0	0
7:15 AM	8	6	0			0	4	0	0	0	1	0	19	0	0	0	0
7:20 AM	2	7	0			0	0	0	0	1	1	0	11	0	0	0	0
7:25 AM	6	7	0			0	3	2	0	4	2	0	24	0	0	0	0
7:30 AM	3	2	0			0	6	1	0	1	0	0	13	0	0	0	0
7:35 AM	1	3	0			0	1	0	0	1	1	0	7	0	0	0	0
7:40 AM	3	1	0			0	1	1	0	1	1	0	8	0	0	0	0
7:45 AM	1	2	0			0	0	2	0	1	0	0	6	0	0	0	0
7:50 AM	5	6	0			0	1	0	0	0	3	0	15	0	0	0	0
7:55 AM	4	2	0			0	0	1	0	0	0	0	7	0	0	0	0
8:00 AM	2	1	0			0	1	2	0	2	0	0	8	0	0	0	0
8:05 AM	2	1	0			0	0	1	0	0	0	0	4	0	0	0	0
8:10 AM	1	5	0			0	2	0	0	1	2	0	11	0	0	0	0
8:15 AM	2	7	0			0	0	0	0	2	1	0	12	0	0	0	0
8:20 AM	3	2	0			0	3	0	0	1	0	0	9	0	0	0	0
8:25 AM	3	5	0			0	1	3	0	1	0	0	13	0	0	0	0
8:30 AM	0	5	0			0	0	2	0	1	0	0	8	0	0	0	0
8:35 AM	3	0	0			0	0	2	0	0	0	0	5	0	0	0	0
8:40 AM	3	2	0			0	0	2	0	0	1	0	8	0	0	0	0
8:45 AM	1	1	0			0	1	1	0	3	1	0	8	0	0	0	0
8:50 AM	0	1	0			0	0	1	0	1	0	0	3	0	0	0	0
8:55 AM	1	0	0			0	0	2	0	0	0	0	3	0	0	0	0
Total Survey	61	85	0			0	33	25	0	24	16	0	244	0	0	0	0

15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	7	19	0			0	9	2	0	3	2	0	42	0	0	0	0
7:15 AM	16	20	0			0	7	2	0	5	4	0	54	0	0	0	0
7:30 AM	7	6	0			0	8	2	0	3	2	0	28	0	0	0	0
7:45 AM	10	10	0			0	1	3	0	1	3	0	28	0	0	0	0
8:00 AM	5	7	0			0	3	3	0	3	2	0	23	0	0	0	0
8:15 AM	8	14	0			0	4	3	0	4	1	0	34	0	0	0	0
8:30 AM	6	7	0			0	0	6	0	1	1	0	21	0	0	0	0
8:45 AM	2	2	0			0	1	4	0	4	1	0	14	0	0	0	0
Total Survey	61	85	0			0	33	25	0	24	16	0	244	0	0	0	0

Peak Hour Summary 7:00 AM to 8:00 AM

By Approach	Northbound Dubarko Rd				Southbound Dubarko Rd				Eastbound Bluff Rd				Westbound Bluff Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	95	21	116	0	0	0	0	0	34	51	85	0	23	80	103	0	0	0	0	0	
%HV	4.2%				0.0%				11.8%				8.7%				6.6%				
PHF	0.66				0.00				0.65				0.64				0.70				

By Movement	Northbound Dubarko Rd				Southbound Dubarko Rd				Eastbound Bluff Rd				Westbound Bluff Rd				Total
	L	R	Total	Bikes			Total	Bikes	T	R	Total	Bikes	L	T	Total	Bikes	
Volume	40	55	95	0			0	0	25	9	34	0	12	11	23	0	
%HV	2.5%	NA	5.5%	4.2%	NA	NA	NA	0.0%	NA	12.0%	11.1%	11.8%	8.3%	9.1%	NA	8.7%	6.6%
PHF	0.63	0.65	0.66				0.00		0.57	0.75	0.65		0.50	0.69	0.64	0.70	

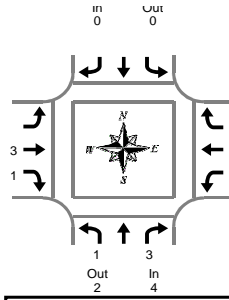
Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	40	55	0			0	25	9	0	12	11	0	152	0	0	0	0
7:15 AM	38	43	0			0	19	10	0	12	11	0	133	0	0	0	0
7:30 AM	30	37	0			0	16	11	0	11	8	0	113	0	0	0	0
7:45 AM	29	38	0			0	8	15	0	9	7	0	106	0	0	0	0
8:00 AM	21	30	0			0	8	16	0	12	5	0	92	0	0	0	0

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Dubarko Rd & Bluff Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Peak Hour Summary
7:00 AM to 8:00 AM

Heavy Vehicle 5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
7:00 AM	0	0	0		0	0	0	0	1	0	1	1
7:05 AM	0	1	1		0	0	0	0	1	0	1	2
7:10 AM	0	0	0		0	1	0	1	0	0	0	1
7:15 AM	1	0	1		0	1	0	1	0	0	0	2
7:20 AM	0	0	0		0	0	0	0	0	0	0	0
7:25 AM	0	0	0		0	0	0	0	0	0	0	0
7:30 AM	0	0	0		0	1	0	1	0	0	0	1
7:35 AM	0	1	1		0	0	0	0	0	0	0	1
7:40 AM	0	0	0		0	0	1	1	0	0	0	1
7:45 AM	0	0	0		0	0	0	0	0	0	0	0
7:50 AM	0	1	1		0	0	0	0	0	0	0	1
7:55 AM	0	0	0		0	0	0	0	0	0	0	0
8:00 AM	0	0	0		0	0	0	0	0	0	0	0
8:05 AM	0	0	0		0	0	0	0	0	0	0	0
8:10 AM	0	1	1		0	0	0	0	0	0	0	1
8:15 AM	1	0	1		0	0	0	0	0	0	0	1
8:20 AM	0	0	0		0	1	0	1	0	0	0	1
8:25 AM	0	1	1		0	0	0	0	0	0	0	1
8:30 AM	0	1	1		0	0	0	0	0	0	0	1
8:35 AM	0	0	0		0	0	0	0	0	0	0	0
8:40 AM	0	0	0		0	0	0	0	0	0	0	0
8:45 AM	0	0	0		0	0	0	0	0	0	0	0
8:50 AM	0	0	0		0	0	0	0	0	0	0	0
8:55 AM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	2	6	8		0	4	1	5	1	1	2	15

Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
7:00 AM	0	1	1		0	1	0	1	1	1	2	4
7:15 AM	1	0	1		0	1	0	1	0	0	0	2
7:30 AM	0	1	1		0	1	1	2	0	0	0	3
7:45 AM	0	1	1		0	0	0	0	0	0	0	1
8:00 AM	0	1	1		0	0	0	0	0	0	0	1
8:15 AM	1	1	2		0	1	0	1	0	0	0	3
8:30 AM	0	1	1		0	0	0	0	0	0	0	1
8:45 AM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	2	6	8		0	4	1	5	1	1	2	15

Heavy Vehicle Peak Hour Summary 7:00 AM to 8:00 AM

By Approach	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	4	2	6	0	0	0	4	2	6	2	6	8	10
PHF	0.50			0.00			0.50			0.25			0.50

By Movement	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Total
	L	R	Total		Total	T	R	Total	L	T	Total	
Volume	1	3	4		0	3	1	4	1	1	2	10
PHF	0.25	0.75	0.50		0.00	0.38	0.25	0.50	0.25	0.25	0.25	0.50

Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
7:00 AM	1	3	4		0	3	1	4	1	1	2	10
7:15 AM	1	3	4		0	2	1	3	0	0	0	7
7:30 AM	1	4	5		0	2	1	3	0	0	0	8
7:45 AM	1	4	5		0	1	0	1	0	0	0	6
8:00 AM	1	3	4		0	1	0	1	0	0	0	5

Peak Hour Summary



Clay Carney
(503) 833-2740

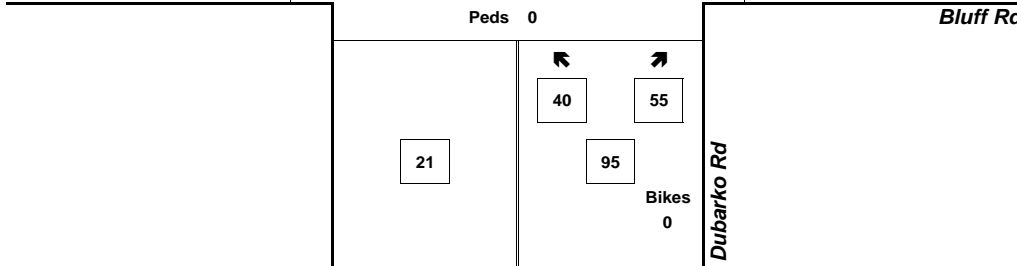
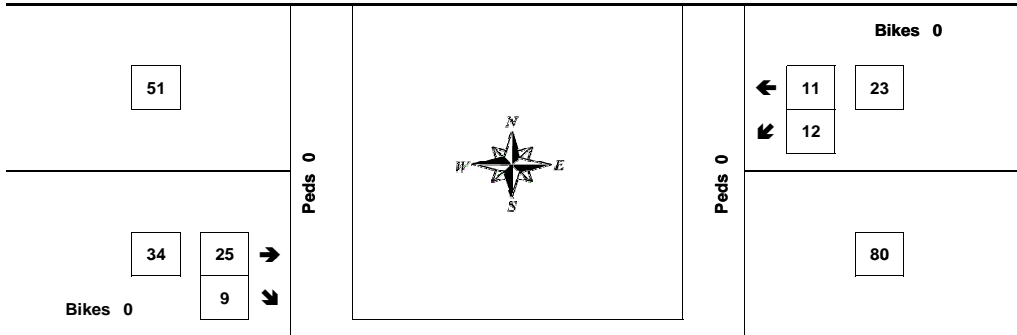
Dubarko Rd & Bluff Rd

7:00 AM to 8:00 AM
Thursday, May 23, 2019

Bikes
0

Bluff Rd

Peds 0



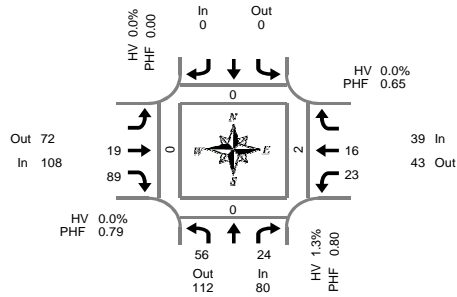
Approach	PHF	HV%	Volume
EB	0.65	11.8%	34
WB	0.64	8.7%	23
NB	0.66	4.2%	95
SB	0.00	0.0%	0
Intersection	0.70	6.6%	152

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary



Clay Carney
(603) 833-2740



Dubarko Rd & Bluff Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Peak Hour Summary
4:45 PM to 5:45 PM

5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	4	0	0			0			0	4	7	0	5	0	0	0	0
4:05 PM	2	0	0			0			0	1	4	0	3	3	0	0	0
4:10 PM	7	1	0			0			0	1	4	0	2	0	0	0	0
4:15 PM	5	1	0			0			0	2	7	0	1	1	0	0	0
4:20 PM	3	0	0			0			0	0	5	0	2	3	0	0	0
4:25 PM	7	2	0			0			0	3	8	0	3	0	0	0	0
4:30 PM	6	2	0			0			0	0	6	0	1	0	0	0	0
4:35 PM	2	2	0			0			0	3	9	0	1	0	0	0	0
4:40 PM	7	3	0			0			0	2	7	0	1	0	0	0	0
4:45 PM	7	0	0			0			0	0	10	0	3	0	0	0	0
4:50 PM	8	4	0			0			0	2	5	0	1	0	0	0	0
4:55 PM	3	1	0			0			0	0	6	0	0	1	0	0	0
5:00 PM	4	3	0			0			0	1	5	0	3	2	0	0	0
5:05 PM	6	1	1			0			0	3	8	0	1	2	0	0	1
5:10 PM	1	0	0			0			0	4	9	0	1	0	0	0	0
5:15 PM	3	0	0			0			0	1	9	0	1	2	0	0	0
5:20 PM	7	4	0			0			0	3	6	0	1	3	0	0	0
5:25 PM	1	2	0			0			0	0	8	0	3	1	0	0	0
5:30 PM	5	2	0			0			0	1	6	0	5	1	0	0	0
5:35 PM	3	0	0			0			0	2	9	0	2	3	0	0	0
5:40 PM	8	7	0			0			0	2	8	0	2	1	0	0	1
5:45 PM	7	1	0			0			0	0	3	0	0	1	0	0	0
5:50 PM	6	2	0			0			0	1	6	0	1	0	0	0	0
5:55 PM	3	0	0			0			0	1	2	0	1	2	0	0	0
Total Survey	115	38	1			0			0	37	157	0	44	26	0	0	2

15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	13	1	0			0			0	6	15	0	10	3	0	0	0
4:15 PM	15	3	0			0			0	5	20	0	6	4	0	0	0
4:30 PM	15	7	0			0			0	5	22	0	3	0	0	0	0
4:45 PM	18	5	0			0			0	2	21	0	4	1	0	0	0
5:00 PM	11	4	1			0			0	8	22	0	5	4	0	0	1
5:15 PM	11	6	0			0			0	4	23	0	5	6	0	0	0
5:30 PM	16	9	0			0			0	5	23	0	9	5	0	0	1
5:45 PM	16	3	0			0			0	2	11	0	2	3	0	0	0
Total Survey	115	38	1			0			0	37	157	0	44	26	0	0	2

Peak Hour Summary

4:45 PM to 5:45 PM

By Approach	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	80	112	192	1	0	0	0	0	108	72	180	0	39	43	82	0	227
%HV	1.3%				0.0%				0.0%				0.0%			0.4%	
PHF	0.80				0.00				0.79				0.65			0.85	

By Movement	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	56	24	80			0	19	89	108	23	16	39	227
%HV	1.8%	NA	0.0%	1.3%	NA	NA	NA	0.0%	NA	0.0%	0.0%	0.0%	0.4%
PHF	0.78	0.67	0.80			0.00	0.59	0.86	0.79	0.58	0.67	0.65	0.85

Rolling Hour Summary

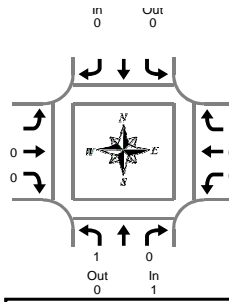
4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	61	16	0			0			0	18	78	0	23	8	0	0	0
4:15 PM	59	19	1			0			0	20	85	0	18	9	0	0	1
4:30 PM	55	22	1			0			0	19	88	0	17	11	0	0	0
4:45 PM	56	24	1			0			0	19	89	0	23	16	0	0	2
5:00 PM	54	22	1			0			0	19	79	0	21	18	0	0	2

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Dubarko Rd & Bluff Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Peak Hour Summary
4:45 PM to 5:45 PM

Heavy Vehicle 5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0		0	2	0	2	0	0	0	2
4:05 PM	0	0	0		0	0	0	0	0	0	0	0
4:10 PM	0	0	0		0	0	0	0	0	0	0	0
4:15 PM	0	0	0		0	0	0	0	1	0	1	1
4:20 PM	0	0	0		0	0	0	0	0	0	0	0
4:25 PM	0	0	0		0	0	0	0	0	0	0	0
4:30 PM	0	0	0		0	0	0	0	1	0	1	1
4:35 PM	0	0	0		0	0	0	0	0	0	0	0
4:40 PM	0	0	0		0	0	0	0	0	0	0	0
4:45 PM	0	0	0		0	0	0	0	0	0	0	0
4:50 PM	0	0	0		0	0	0	0	0	0	0	0
4:55 PM	0	0	0		0	0	0	0	0	0	0	0
5:00 PM	0	0	0		0	0	0	0	0	0	0	0
5:05 PM	0	0	0		0	0	0	0	0	0	0	0
5:10 PM	0	0	0		0	0	0	0	0	0	0	0
5:15 PM	0	0	0		0	0	0	0	0	0	0	0
5:20 PM	0	0	0		0	0	0	0	0	0	0	0
5:25 PM	0	0	0		0	0	0	0	0	0	0	0
5:30 PM	0	0	0		0	0	0	0	0	0	0	0
5:35 PM	0	0	0		0	0	0	0	0	0	0	0
5:40 PM	1	0	1		0	0	0	0	0	0	0	1
5:45 PM	0	0	0		0	0	0	0	0	0	0	0
5:50 PM	0	0	0		0	0	0	0	0	0	0	0
5:55 PM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	1	0	1		0	2	0	2	2	0	2	5

Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0		0	2	0	2	0	0	0	2
4:15 PM	0	0	0		0	0	0	0	1	0	1	1
4:30 PM	0	0	0		0	0	0	0	1	0	1	1
4:45 PM	0	0	0		0	0	0	0	0	0	0	0
5:00 PM	0	0	0		0	0	0	0	0	0	0	0
5:15 PM	0	0	0		0	0	0	0	0	0	0	0
5:30 PM	1	0	1		0	0	0	0	0	0	0	1
5:45 PM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	1	0	1		0	2	0	2	2	0	2	5

Heavy Vehicle Peak Hour Summary 4:45 PM to 5:45 PM

By Approach	Northbound Dubarko Rd			Southbound Dubarko Rd			Eastbound Bluff Rd			Westbound Bluff Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	1	0	1	0	0	0	0	1	1	0	0	0	1
PHF	0.25			0.00			0.00			0.00			0.25

By Movement	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Total
	L	R	Total		Total	T	R	Total	L	T	Total	
Volume	1	0	1		0	0	0	0	0	0	0	1
PHF	0.25		0.25		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.25

Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Dubarko Rd			Southbound Dubarko Rd		Eastbound Bluff Rd			Westbound Bluff Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0		0	2	0	2	2	0	2	4
4:15 PM	0	0	0		0	0	0	0	2	0	2	2
4:30 PM	0	0	0		0	0	0	0	1	0	1	1
4:45 PM	1	0	1		0	0	0	0	0	0	0	1
5:00 PM	1	0	1		0	0	0	0	0	0	0	1

Peak Hour Summary



Clay Carney
(503) 833-2740

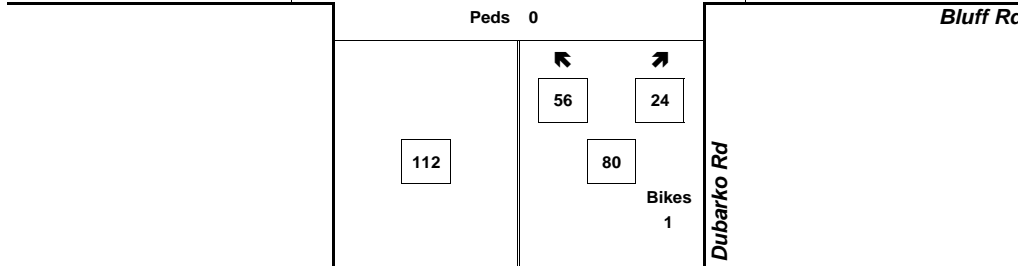
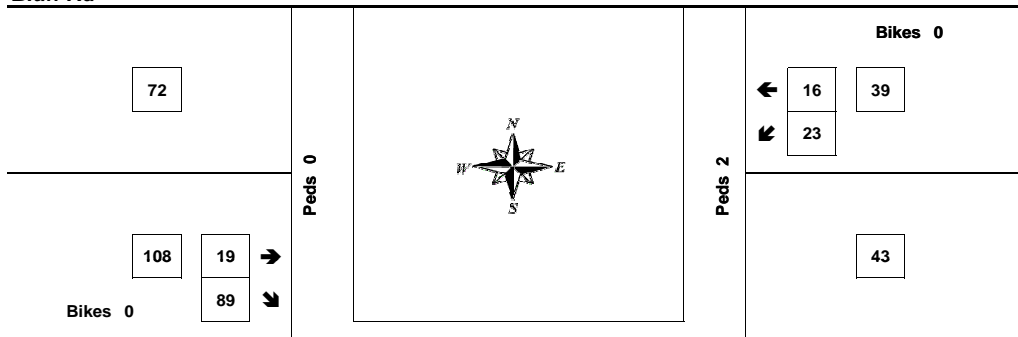
Dubarko Rd & Bluff Rd

4:45 PM to 5:45 PM
Wednesday, May 22, 2019

Bikes
0

Bluff Rd

Peds 0



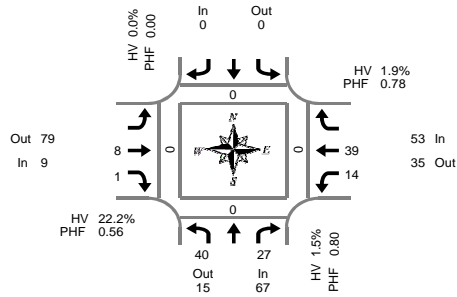
Approach	PHF	HV%	Volume
EB	0.79	0.0%	108
WB	0.65	0.0%	39
NB	0.80	1.3%	80
SB	0.00	0.0%	0
Intersection	0.85	0.4%	227

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary



Clay Carney
(603) 833-2740



Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
7:00 AM to 9:00 AM

Peak Hour Summary
7:00 AM to 8:00 AM

5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	5	2	0			0	0	0	0	2	3	0	12	0	0	0	0
7:05 AM	4	6	0			0	0	0	0	2	4	0	16	0	0	0	0
7:10 AM	2	2	0			0	1	0	0	1	2	0	8	0	0	0	0
7:15 AM	4	1	0			0	0	0	0	0	4	0	9	0	0	0	0
7:20 AM	2	3	0			0	2	0	0	2	3	0	12	0	0	0	0
7:25 AM	2	3	0			0	0	1	0	0	6	0	12	0	0	0	0
7:30 AM	6	4	0			0	1	0	0	3	3	0	17	0	0	0	0
7:35 AM	0	0	0			0	1	0	0	1	3	0	5	0	0	0	0
7:40 AM	2	1	0			0	1	0	0	0	4	0	8	0	0	0	0
7:45 AM	4	1	0			0	0	0	0	0	2	0	7	0	0	0	0
7:50 AM	6	1	0			0	1	0	0	2	3	0	13	0	0	0	0
7:55 AM	3	3	0			0	1	0	0	1	2	0	10	0	0	0	0
8:00 AM	3	0	0			0	0	0	0	0	1	0	4	0	0	0	0
8:05 AM	4	0	0			0	1	0	0	1	2	0	8	0	0	0	0
8:10 AM	3	1	0			0	0	1	0	0	2	0	7	0	0	0	0
8:15 AM	1	0	0			0	1	1	0	1	3	0	7	0	0	0	0
8:20 AM	1	3	0			0	3	1	0	1	4	0	13	0	0	0	0
8:25 AM	3	2	0			0	2	0	0	1	4	0	12	0	0	0	0
8:30 AM	3	3	0			0	5	0	0	0	2	0	13	0	0	0	0
8:35 AM	2	1	0			0	4	1	0	0	1	0	9	0	0	0	0
8:40 AM	0	2	0			0	4	1	0	1	3	0	11	0	0	0	0
8:45 AM	0	2	0			0	5	1	0	0	5	0	13	0	0	0	0
8:50 AM	0	1	0			0	2	2	0	1	2	0	8	0	0	0	0
8:55 AM	2	0	0			0	0	0	0	3	3	0	8	0	0	0	0
Total Survey	62	42	0			0	35	9	0	23	71	0	242	0	0	0	0

15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	11	10	0			0	1	0	0	5	9	0	36	0	0	0	0
7:15 AM	8	7	0			0	2	1	0	2	13	0	33	0	0	0	0
7:30 AM	8	5	0			0	3	0	0	4	10	0	30	0	0	0	0
7:45 AM	13	5	0			0	2	0	0	3	7	0	30	0	0	0	0
8:00 AM	10	1	0			0	1	1	0	1	5	0	19	0	0	0	0
8:15 AM	5	5	0			0	6	2	0	3	11	0	32	0	0	0	0
8:30 AM	5	6	0			0	13	2	0	1	6	0	33	0	0	0	0
8:45 AM	2	3	0			0	7	3	0	4	10	0	29	0	0	0	0
Total Survey	62	42	0			0	35	9	0	23	71	0	242	0	0	0	0

Peak Hour Summary

7:00 AM to 8:00 AM

By Approach	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total	Pedestrians Crosswalk				
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West	
Volume	67	15	82	0	0	0	0	0	9	79	88	0	53	35	88	0	129	
%HV	1.5%				0.0%				22.2%				1.9%				3.1%	
PHF	0.80				0.00				0.56				0.78				0.79	

By Movement	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total				
	L	R	Total			Total	T	R	Total	L	T	Total					
Volume	40	27	67			0	8	1	9	14	39	53	129				
%HV	2.5%	NA	0.0%	1.5%	NA	NA	NA	0.0%	NA	12.5%	#####	22.2%	7.1%	0.0%	NA	1.9%	3.1%
PHF	0.77		0.68	0.80			0.00			0.67	0.25	0.56	0.70	0.75		0.78	0.79

Rolling Hour Summary

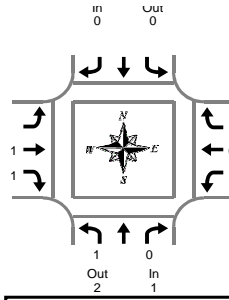
7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
7:00 AM	40	27	0			0	8	1	0	14	39	0	129	0	0	0	0
7:15 AM	39	18	0			0	8	2	0	10	35	0	112	0	0	0	0
7:30 AM	36	16	0			0	12	3	0	11	33	0	111	0	0	0	0
7:45 AM	33	17	0			0	22	5	0	8	29	0	114	0	0	0	0
8:00 AM	22	15	0			0	27	8	0	9	32	0	113	0	0	0	0

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
7:00 AM to 9:00 AM

Peak Hour Summary
7:00 AM to 8:00 AM

Heavy Vehicle 5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
7:00 AM	1	0	1		0	0	0	0	1	0	1	2
7:05 AM	0	0	0		0	0	0	0	0	0	0	0
7:10 AM	0	0	0		0	0	0	0	0	0	0	0
7:15 AM	0	0	0		0	0	0	0	0	0	0	0
7:20 AM	0	0	0		0	0	0	0	0	0	0	0
7:25 AM	0	0	0		0	0	1	1	0	0	0	1
7:30 AM	0	0	0		0	0	0	0	0	0	0	0
7:35 AM	0	0	0		0	0	0	0	0	0	0	0
7:40 AM	0	0	0		0	0	0	0	0	0	0	0
7:45 AM	0	0	0		0	0	0	0	0	0	0	0
7:50 AM	0	0	0		0	0	0	0	0	0	0	0
7:55 AM	0	0	0		0	1	0	1	0	0	0	1
8:00 AM	0	0	0		0	0	0	0	0	0	0	0
8:05 AM	0	0	0		0	0	0	0	0	0	0	0
8:10 AM	1	0	1		0	0	0	0	0	0	0	1
8:15 AM	1	0	1		0	0	0	0	1	0	1	2
8:20 AM	0	1	1		0	0	0	0	0	0	0	1
8:25 AM	0	0	0		0	0	0	0	0	0	0	0
8:30 AM	0	1	1		0	0	0	0	0	0	0	1
8:35 AM	0	0	0		0	0	0	0	0	0	0	0
8:40 AM	0	0	0		0	0	0	0	0	0	0	0
8:45 AM	0	0	0		0	0	0	0	0	0	0	0
8:50 AM	0	0	0		0	0	0	0	0	0	0	0
8:55 AM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	3	2	5		0	1	1	2	2	0	2	9

Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
7:00 AM	1	0	1		0	0	0	0	1	0	1	2
7:15 AM	0	0	0		0	0	1	1	0	0	0	1
7:30 AM	0	0	0		0	0	0	0	0	0	0	0
7:45 AM	0	0	0		0	1	0	1	0	0	0	1
8:00 AM	1	0	1		0	0	0	0	0	0	0	1
8:15 AM	1	1	2		0	0	0	0	1	0	1	3
8:30 AM	0	1	1		0	0	0	0	0	0	0	1
8:45 AM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	3	2	5		0	1	1	2	2	0	2	9

Heavy Vehicle Peak Hour Summary 7:00 AM to 8:00 AM

By Approach	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	1	2	3	0	0	0	2	1	3	1	1	2	4
PHF	0.25			0.00			0.50			0.25			0.50

By Movement	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	L	R	Total		Total	T	R	Total	L	T	Total	
Volume	1	0	1		0	1	1	2	1	0	1	4
PHF	0.25		0.25		0.00	0.25	0.25	0.50	0.25	0.00	0.25	0.50

Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
7:00 AM	1	0	1		0	1	1	2	1	0	1	4
7:15 AM	1	0	1		0	1	1	2	0	0	0	3
7:30 AM	2	1	3		0	1	0	1	1	0	1	5
7:45 AM	2	2	4		0	1	0	1	1	0	1	6
8:00 AM	2	2	4		0	0	0	0	1	0	1	5

Peak Hour Summary



Clay Carney
(503) 833-2740

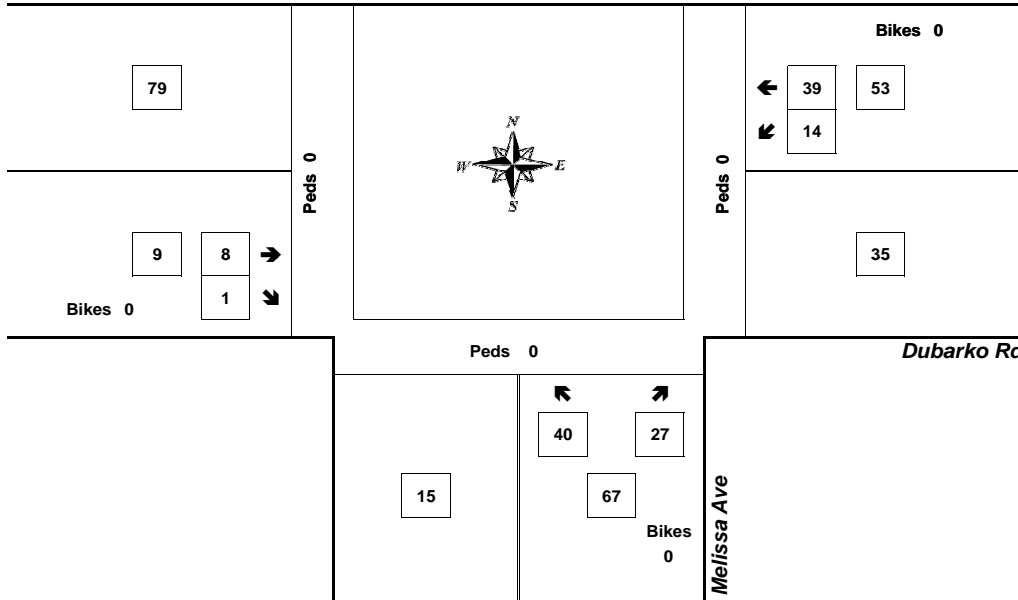
Melissa Ave & Dubarko Rd

7:00 AM to 8:00 AM
Thursday, April 25, 2019

Bikes
0

Dubarko Rd

Peds 0



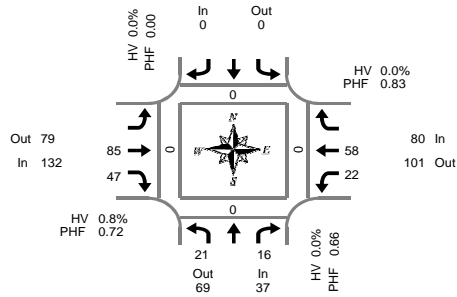
Approach	PHF	HV%	Volume
EB	0.56	22.2%	9
WB	0.78	1.9%	53
NB	0.80	1.5%	67
SB	0.00	0.0%	0
Intersection	0.79	3.1%	129

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary



Clay Carney
(603) 833-2740



**Peak Hour Summary
4:40 PM to 5:40 PM**

Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
4:00 PM to 6:00 PM

**5-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	1	3	0			0	12	4	0	3	6	0	29	0	0	0	0
4:05 PM	0	2	0			0	4	2	0	0	3	0	11	0	0	0	0
4:10 PM	4	2	0			0	3	2	0	0	7	0	18	0	0	0	1
4:15 PM	2	2	0			0	5	4	0	2	2	0	17	0	1	0	0
4:20 PM	2	2	0			0	7	1	0	0	1	0	13	0	0	0	0
4:25 PM	3	2	0			0	5	2	0	0	5	0	17	0	0	0	0
4:30 PM	0	1	0			0	7	4	0	2	4	0	18	0	0	0	0
4:35 PM	1	0	0			0	8	2	0	3	5	0	19	0	0	0	0
4:40 PM	1	2	0			0	5	7	0	5	6	0	26	0	0	0	0
4:45 PM	5	2	0			0	4	5	0	0	4	0	20	0	0	0	0
4:50 PM	2	1	0			0	7	8	0	3	6	0	27	0	0	0	0
4:55 PM	2	2	0			0	7	5	0	0	5	0	21	0	0	0	0
5:00 PM	0	0	0			0	14	5	0	1	1	0	21	0	0	0	0
5:05 PM	0	0	0			0	9	1	0	0	5	0	16	0	0	0	0
5:10 PM	2	1	0			0	5	3	0	3	7	0	21	0	0	0	0
5:15 PM	0	1	0			0	4	1	0	1	3	0	10	0	0	0	0
5:20 PM	3	3	0			0	10	4	0	3	4	0	27	0	0	0	0
5:25 PM	1	1	0			0	4	2	0	1	5	0	14	0	0	0	0
5:30 PM	2	1	0			0	7	3	0	3	7	0	23	0	0	0	0
5:35 PM	2	2	0			0	9	3	0	2	5	0	23	0	0	0	0
5:40 PM	3	0	0			0	3	6	0	0	1	0	13	0	0	0	0
5:45 PM	1	1	0			0	8	2	0	4	5	0	21	0	0	0	1
5:50 PM	3	0	0			0	5	2	0	0	5	0	15	0	0	0	0
5:55 PM	2	0	0			0	9	4	0	0	2	0	17	0	0	0	1
Total Survey	43	31	0			0	161	82	0	36	104	0	457	0	1	0	3

**15-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	5	7	0			0	19	8	0	3	16	0	58	0	0	0	0
4:15 PM	7	6	0			0	17	7	0	2	8	0	47	0	1	0	0
4:30 PM	2	3	0			0	20	13	0	10	15	0	63	0	0	0	0
4:45 PM	9	5	0			0	18	18	0	3	15	0	68	0	0	0	0
5:00 PM	3	1	0			0	28	9	0	4	13	0	58	0	0	0	0
5:15 PM	4	5	0			0	18	7	0	5	12	0	51	0	0	0	0
5:30 PM	7	3	0			0	19	12	0	5	13	0	59	0	0	0	0
5:45 PM	6	1	0			0	22	8	0	4	12	0	53	0	0	0	2
Total Survey	43	31	0			0	161	82	0	36	104	0	457	0	1	0	3

**Peak Hour Summary
4:40 PM to 5:40 PM**

By Approach	Northbound Melissa Ave				Southbound Melissa Ave				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	37	69	106	0	0	0	0	0	132	79	211	0	80	101	181	0	249	0	0	0	0
%HV	0.0%				0.0%				0.8%				0.0%				0.4%				
PHF	0.66				0.00				0.72				0.83				0.85				

By Movement	Northbound Melissa Ave				Southbound Melissa Ave				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total
	L	R	Total	Bikes			Total	Bikes	T	R	Total	Bikes	L	T	Total	Bikes	
Volume	21	16	37	0	NA	NA	NA	0.0%	NA	85	47	132	0	18	54	0	249
%HV	0.0%	NA	0.0%	0.0%	NA	NA	NA	0.0%	NA	1.2%	0.0%	0.8%	0.0%	0.0%	NA	0.0%	0.4%
PHF	0.58	0.80	0.66	0.00			0.00		0.71	0.59	0.72	0.69	0.69	0.85	0.83	0.85	

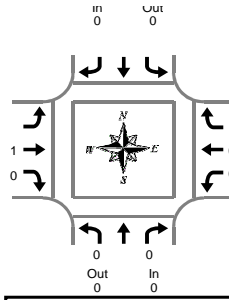
**Rolling Hour Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	L	R	Bikes			Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	23	21	0			0	74	46	0	18	54	0	236	0	1	0	1
4:15 PM	21	15	0			0	83	47	0	19	51	0	236	0	1	0	1
4:30 PM	18	14	0			0	84	47	0	22	55	0	240	0	0	0	0
4:45 PM	23	14	0			0	83	46	0	17	53	0	236	0	0	0	0
5:00 PM	20	10	0			0	87	36	0	18	50	0	221	0	0	0	2

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Peak Hour Summary
4:40 PM to 5:40 PM

Melissa Ave & Dubarko Rd

Thursday, April 25, 2019
4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0		0	0	1	1	0	1	1	2
4:05 PM	0	0	0		0	0	0	0	0	1	1	1
4:10 PM	1	0	1		0	0	0	0	0	0	0	1
4:15 PM	0	0	0		0	0	0	0	0	0	0	0
4:20 PM	0	0	0		0	0	0	0	0	0	0	0
4:25 PM	0	0	0		0	0	0	0	0	0	0	0
4:30 PM	0	0	0		0	0	0	0	0	0	0	0
4:35 PM	0	0	0		0	0	0	0	0	0	0	0
4:40 PM	0	0	0		0	0	0	0	0	0	0	0
4:45 PM	0	0	0		0	0	0	0	0	0	0	0
4:50 PM	0	0	0		0	0	0	0	0	0	0	0
4:55 PM	0	0	0		0	0	0	0	0	0	0	0
5:00 PM	0	0	0		0	0	0	0	0	0	0	0
5:05 PM	0	0	0		0	0	0	0	0	0	0	0
5:10 PM	0	0	0		0	0	0	0	0	0	0	0
5:15 PM	0	0	0		0	1	0	1	0	0	0	1
5:20 PM	0	0	0		0	0	0	0	0	0	0	0
5:25 PM	0	0	0		0	0	0	0	0	0	0	0
5:30 PM	0	0	0		0	0	0	0	0	0	0	0
5:35 PM	0	0	0		0	0	0	0	0	0	0	0
5:40 PM	0	0	0		0	0	0	0	0	0	0	0
5:45 PM	0	0	0		0	0	0	0	0	0	0	0
5:50 PM	0	0	0		0	0	0	0	0	0	0	0
5:55 PM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	1	0	1		0	1	1	2	0	2	2	5

Heavy Vehicle 15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	1	0	1		0	0	1	1	0	2	2	4
4:15 PM	0	0	0		0	0	0	0	0	0	0	0
4:30 PM	0	0	0		0	0	0	0	0	0	0	0
4:45 PM	0	0	0		0	0	0	0	0	0	0	0
5:00 PM	0	0	0		0	0	0	0	0	0	0	0
5:15 PM	0	0	0		0	1	0	1	0	0	0	1
5:30 PM	0	0	0		0	0	0	0	0	0	0	0
5:45 PM	0	0	0		0	0	0	0	0	0	0	0
Total Survey	1	0	1		0	1	1	2	0	2	2	5

Heavy Vehicle Peak Hour Summary

4:40 PM to 5:40 PM

By Approach	Northbound Melissa Ave			Southbound Melissa Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	0	0	0	1	0	1	0	1	1	1
PHF	0.00			0.00			0.25			0.00			0.25

By Movement	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	L	R	Total		Total	T	R	Total	L	T	Total	
Volume	0	0	0		0	1	0	1	0	0	0	1
PHF	0.00	0.00	0.00		0.00	0.25	0.00	0.25	0.00	0.00	0.00	0.25

Heavy Vehicle Rolling Hour Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Melissa Ave			Southbound Melissa Ave		Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	L	R	Total		Total	T	R	Total	L	T	Total	
4:00 PM	1	0	1		0	0	1	1	0	2	2	4
4:15 PM	0	0	0		0	0	0	0	0	0	0	0
4:30 PM	0	0	0		0	1	0	1	0	0	0	1
4:45 PM	0	0	0		0	1	0	1	0	0	0	1
5:00 PM	0	0	0		0	1	0	1	0	0	0	1

Peak Hour Summary



Clay Carney
(503) 833-2740

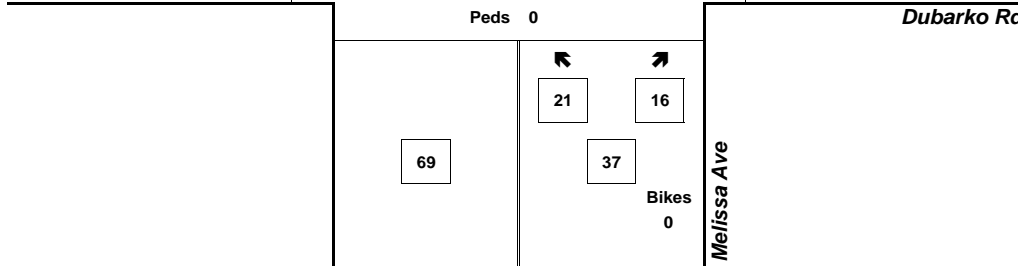
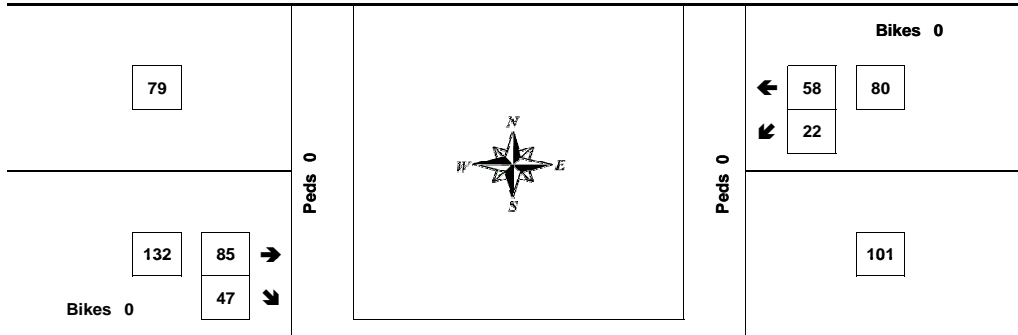
Melissa Ave & Dubarko Rd

4:40 PM to 5:40 PM
Thursday, April 25, 2019

Bikes
0

Dubarko Rd

Peds 0



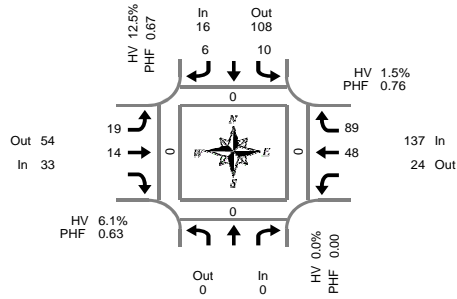
Approach	PHF	HV%	Volume
EB	0.72	0.8%	132
WB	0.83	0.0%	80
NB	0.66	0.0%	37
SB	0.00	0.0%	0
Intersection	0.85	0.4%	249

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary



Clay Carney
(603) 833-2740



Ruben Ln & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Peak Hour Summary
7:05 AM to 8:05 AM

5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	Total	Bikes	T	R	Total	Bikes		North	South	East	West
7:00 AM																					
7:05 AM																					
7:10 AM																					
7:15 AM																					
7:20 AM																					
7:25 AM																					
7:30 AM																					
7:35 AM																					
7:40 AM																					
7:45 AM																					
7:50 AM																					
7:55 AM																					
8:00 AM																					
8:05 AM																					
8:10 AM																					
8:15 AM																					
8:20 AM																					
8:25 AM																					
8:30 AM																					
8:35 AM																					
8:40 AM																					
8:45 AM																					
8:50 AM																					
8:55 AM																					
Total Survey																					

15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	Total	Bikes	T	R	Total	Bikes		North	South	East	West
7:00 AM																					
7:15 AM																					
7:30 AM																					
7:45 AM																					
8:00 AM																					
8:15 AM																					
8:30 AM																					
8:45 AM																					
Total Survey																					

Peak Hour Summary

7:05 AM to 8:05 AM

By Approach	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	0	0	0	0	16	108	124	0	33	54	87	0	137	24	161	0	186	0	0	0	0
%HV							12.5%				6.1%				1.5%						
PHF							0.67				0.63				0.76						

By Movement	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total
	Total	L	R	Total	L	T	Total	Bikes	Total	L	T	Total	T	R	Total	Bikes	
Volume	0	10	6	16	19	14	33	0	48	89	137	0	186				
%HV	NA	NA	NA	0.0%	20.0%	NA	0.0%	12.5%	0.0%	14.3%	NA	6.1%	NA	2.1%	1.1%	1.5%	3.2%
PHF				0.00	0.50	0.30	0.67	0.59	0.70	0.63	0.75	0.77	0.76	0.89			

Rolling Hour Summary

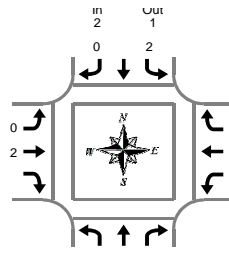
7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	Total	Bikes	T	R	Total	Bikes		North	South	East	West
7:00 AM																					
7:15 AM																					
7:30 AM																					
7:45 AM																					
8:00 AM																					

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Ruben Ln & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Peak Hour Summary
7:05 AM to 8:05 AM

Heavy Vehicle 5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
7:00 AM	0	0	0	0	0	0	0	0	0	0	1	1	1
7:05 AM	0	0	0	0	0	0	0	0	0	0	1	1	1
7:10 AM	0	1	1	0	1	1	0	0	0	0	0	0	1
7:15 AM	0	0	0	0	0	0	0	0	0	1	0	1	1
7:20 AM	0	1	1	0	1	1	0	0	0	0	0	0	1
7:25 AM	0	0	0	0	0	0	0	1	1	0	0	0	1
7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
7:35 AM	0	0	0	0	0	0	0	1	1	0	0	0	1
7:40 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
7:50 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
7:55 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:05 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:10 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	0	0	0	1	1	1	1
8:20 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:25 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:35 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:40 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:50 AM	0	0	0	0	0	0	0	0	0	1	1	1	1
8:55 AM	0	0	0	0	0	0	0	0	0	0	1	1	1
Total Survey			0	2	0	2	0	2	2	2	4	6	10

Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
7:00 AM	0	1	1	0	1	1	0	0	0	0	2	2	3
7:15 AM	0	1	1	0	1	1	0	1	1	1	0	1	3
7:30 AM	0	0	0	0	0	0	0	1	1	0	0	0	1
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	0	0	0	0	1	1	1
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	1	1	2	2
Total Survey			0	2	0	2	0	2	2	2	4	6	10

Heavy Vehicle Peak Hour Summary 7:05 AM to 8:05 AM

By Approach	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	2	1	3	2	1	3	2	4	6	6
PHF	0.00			0.25			0.25			0.25			0.50

By Movement	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
Volume	0	2	2	0	2	2	0	2	2	1	1	2	6
PHF	0.00	0.25		0.00	0.25		0.00	0.25	0.25	0.25	0.25	0.25	0.50

Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
7:00 AM	0	2	2	0	2	2	0	2	2	1	2	3	7
7:15 AM	0	1	1	0	1	1	0	2	2	1	0	1	4
7:30 AM	0	0	0	0	0	0	0	1	1	0	1	1	2
7:45 AM	0	0	0	0	0	0	0	0	0	0	1	1	1
8:00 AM	0	0	0	0	0	0	0	0	0	1	2	3	3

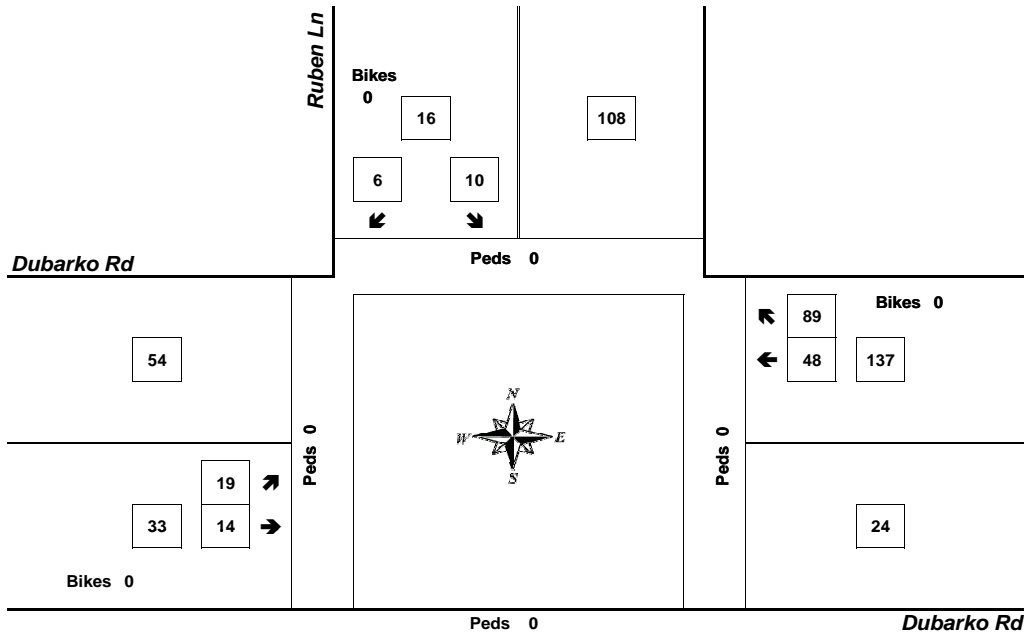
Peak Hour Summary



Clay Carney
(503) 833-2740

Ruben Ln & Dubarko Rd

7:05 AM to 8:05 AM
Thursday, May 23, 2019



Bikes
0

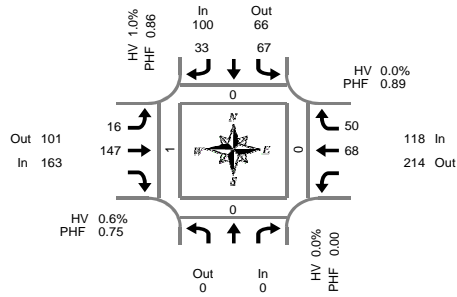
Approach	PHF	HV%	Volume
EB	0.63	6.1%	33
WB	0.76	1.5%	137
NB	0.00	0.0%	0
SB	0.67	12.5%	16
Intersection	0.89	3.2%	186

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary



Clay Carney
(503) 833-2740



Ruben Ln & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Peak Hour Summary
4:25 PM to 5:25 PM

5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	R	Total	Bikes	T	R	Bikes		North	South	East	West
4:00 PM																					
4:05 PM																					
4:10 PM																					
4:15 PM																					
4:20 PM																					
4:25 PM																					
4:30 PM																					
4:35 PM																					
4:40 PM																					
4:45 PM																					
4:50 PM																					
4:55 PM																					
5:00 PM																					
5:05 PM																					
5:10 PM																					
5:15 PM																					
5:20 PM																					
5:25 PM																					
5:30 PM																					
5:35 PM																					
5:40 PM																					
5:45 PM																					
5:50 PM																					
5:55 PM																					
Total Survey																					

15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	R	Total	Bikes	T	R	Bikes		North	South	East	West
4:00 PM																					
4:15 PM																					
4:30 PM																					
4:45 PM																					
5:00 PM																					
5:15 PM																					
5:30 PM																					
5:45 PM																					
Total Survey																					

Peak Hour Summary

4:25 PM to 5:25 PM

By Approach	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	0	0	0	0	100	66	166	0	163	101	264	0	118	214	332	0	381	0	0	0	1
%HV	0.0%				1.0%				0.6%				0.0%				0.5%				
PHF	0.00				0.86				0.75				0.89				0.89				

By Movement	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	R	Total	Bikes	T	R	Bikes	
Volume	0	67	33	100	16	147	163	0	68	50	118	0	68	50	118	0	
%HV	NA	NA	NA	0.0%	0.0%	NA	3.0%	1.0%	6.3%	0.0%	NA	0.6%	NA	0.0%	0.0%	0.0%	0.5%
PHF		0.80	0.75	0.86	0.57	0.75	0.75	0.75	0.89	0.83	0.89	0.89					

Rolling Hour Summary

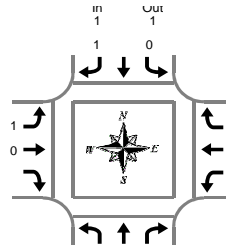
4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln				Southbound Ruben Ln				Eastbound Dubarko Rd				Westbound Dubarko Rd				Interval Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	L	T	R	Total	Bikes	T	R	Bikes		North	South	East	West
4:00 PM																					
4:15 PM																					
4:30 PM																					
4:45 PM																					
5:00 PM																					
Total Survey																					

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Out 1
In 1

Peak Hour Summary
4:25 PM to 5:25 PM

Ruben Ln & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
4:00 PM	0	0	0	1	1	0	0	0	0	0	0	0	1
4:05 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:10 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:15 PM	0	1	0	0	1	0	0	0	0	0	0	0	1
4:20 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:25 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:35 PM	0	0	0	1	1	0	0	0	0	0	0	0	1
4:40 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:50 PM	0	0	0	0	0	1	0	1	0	0	0	0	1
4:55 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:05 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:10 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:20 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:25 PM	0	0	0	0	0	0	1	1	0	0	0	0	1
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:35 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:40 PM	0	0	0	0	0	0	0	0	0	0	1	1	1
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:50 PM	0	0	0	0	0	0	2	2	0	0	0	0	2
5:55 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Survey	0	1	1	2	3	1	3	4	0	1	1	1	8

Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
4:00 PM	0	0	0	1	1	0	0	0	0	0	0	0	1
4:15 PM	0	1	0	0	1	0	0	0	0	0	0	0	1
4:30 PM	0	0	0	1	1	0	0	0	0	0	0	0	1
4:45 PM	0	0	0	0	0	1	0	1	0	0	0	0	1
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	1	1	0	0	0	0	1
5:30 PM	0	0	0	0	0	0	0	0	0	0	1	1	1
5:45 PM	0	0	0	0	0	0	2	2	0	0	0	0	2
Total Survey	0	1	1	2	3	1	3	4	0	1	1	1	8

Heavy Vehicle Peak Hour Summary 4:25 PM to 5:25 PM

By Approach	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	1	1	2	1	1	2	0	0	0	2
PHF	0.00			0.25			0.25			0.00			0.50

By Movement	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
Volume	0	0	0	1	1	1	1	0	1	0	0	0	2
PHF	0.00	0.00		0.25	0.25	0.25	0.00		0.25	0.00	0.00	0.00	0.50

Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Ruben Ln			Southbound Ruben Ln			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	In	Out	Total	L	R	Total	L	T	Total	T	R	Total	
4:00 PM	0	0	0	2	3	1	0	0	1	0	0	0	4
4:15 PM	0	1	0	1	2	1	0	0	1	0	0	0	3
4:30 PM	0	0	0	1	1	1	1	1	2	0	0	0	3
4:45 PM	0	0	0	0	0	1	1	1	2	0	1	1	3
5:00 PM	0	0	0	0	0	0	3	3	3	0	1	1	4

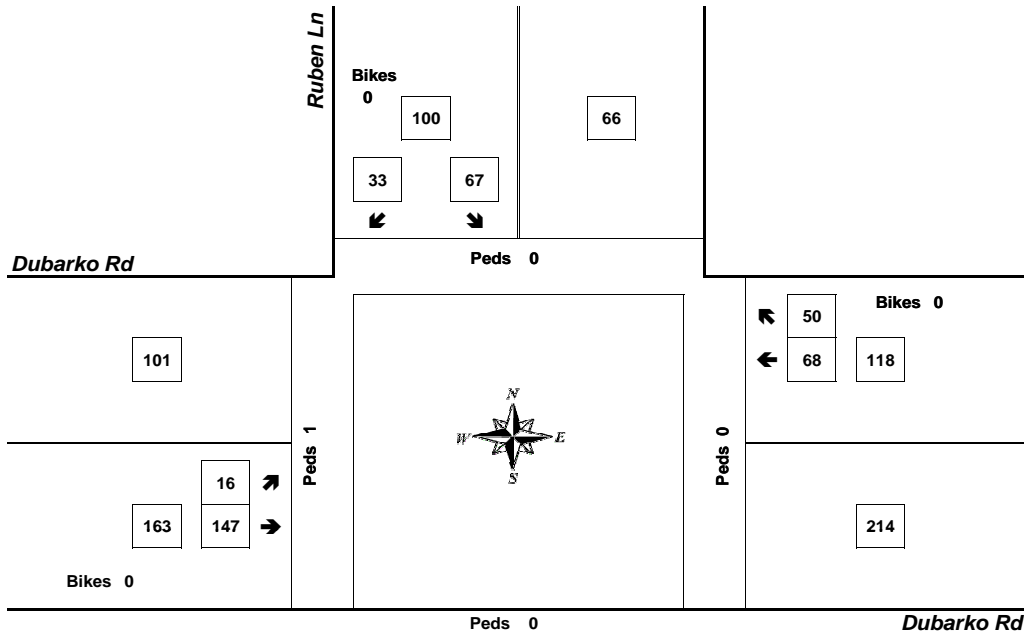
Peak Hour Summary



Clay Carney
(503) 833-2740

Ruben Ln & Dubarko Rd

4:25 PM to 5:25 PM
Wednesday, May 22, 2019



Bikes
0

Approach	PHF	HV%	Volume
EB	0.75	0.6%	163
WB	0.89	0.0%	118
NB	0.00	0.0%	0
SB	0.86	1.0%	100
Intersection	0.89	0.5%	381

Count Period: 4:00 PM to 6:00 PM

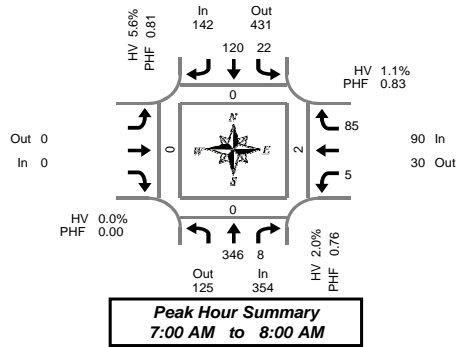
Total Vehicle Summary



Clay Carney
(603) 833-2740

SE 362nd Ave & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM



5-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
7:00 AM	33	0	0	0	10	0		0	1	11	0	55	0	0	0	0	
7:05 AM	50	1	0	1	7	0		0	0	8	0	67	0	0	0	0	
7:10 AM	32	0	0	3	9	0		0	1	6	0	51	0	0	0	0	
7:15 AM	34	0	0	3	6	0		0	0	9	0	52	0	0	1	0	
7:20 AM	32	1	0	4	13	0		0	0	6	0	56	0	0	0	0	
7:25 AM	25	1	0	1	12	0		0	0	9	0	48	0	0	1	0	
7:30 AM	21	0	0	2	12	0		0	1	7	0	43	0	0	0	0	
7:35 AM	24	1	0	4	8	0		0	0	7	0	44	0	0	0	0	
7:40 AM	34	0	0	1	8	0		0	2	4	0	49	0	0	0	0	
7:45 AM	26	2	0	1	17	0		0	0	5	0	51	0	0	0	0	
7:50 AM	17	2	0	2	11	0		0	0	10	0	42	0	0	0	0	
7:55 AM	18	0	0	0	7	0		0	0	3	0	28	0	0	0	0	
8:00 AM	26	0	0	4	7	0		0	1	8	0	46	0	0	0	0	
8:05 AM	27	2	0	2	15	0		0	1	4	0	51	0	0	1	0	
8:10 AM	33	0	0	1	6	0		0	1	0	0	41	0	0	0	0	
8:15 AM	24	2	0	4	16	0		0	0	3	0	49	0	0	0	0	
8:20 AM	29	0	0	4	6	0		0	1	6	0	46	0	0	0	0	
8:25 AM	33	1	0	3	7	0		0	0	4	0	48	0	0	0	0	
8:30 AM	21	2	0	3	11	0		0	0	6	0	43	0	0	0	0	
8:35 AM	24	2	0	2	15	0		0	0	6	0	49	0	0	0	0	
8:40 AM	21	2	0	1	12	0		0	1	2	0	39	0	0	0	0	
8:45 AM	21	2	0	5	16	0		0	1	7	0	52	0	0	0	0	
8:50 AM	26	2	0	5	16	0		0	0	3	0	52	0	0	0	0	
8:55 AM	16	1	0	1	18	0		0	1	5	0	42	0	0	0	0	
Total Survey	647	24	0	57	265	0		0	12	139	0	1,144	0	0	3	0	

15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
7:00 AM	115	1	0	4	26	0		0	2	25	0	173	0	0	0	0	
7:15 AM	91	2	0	8	31	0		0	0	24	0	156	0	0	2	0	
7:30 AM	79	1	0	7	28	0		0	3	18	0	136	0	0	0	0	
7:45 AM	61	4	0	3	35	0		0	0	18	0	121	0	0	0	0	
8:00 AM	86	2	0	7	28	0		0	3	12	0	138	0	0	1	0	
8:15 AM	86	3	0	11	29	0		0	1	13	0	143	0	0	0	0	
8:30 AM	66	6	0	6	38	0		0	1	14	0	131	0	0	0	0	
8:45 AM	63	5	0	11	50	0		0	2	15	0	146	0	0	0	0	
Total Survey	647	24	0	57	265	0		0	12	139	0	1,144	0	0	3	0	

Peak Hour Summary 7:00 AM to 8:00 AM

By Approach	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total	Pedestrians Crosswalk			
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total		North	South	East	West
Volume	354	125	479	0	142	431	573	0	0	0	0	90	30	120	0	586	
%HV	2.0%			5.6%			0.0%			1.1%			2.7%				
PHF	0.76			0.81			0.00			0.83			0.85				

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total	
	T	R	Total	L	T	Total		Total	L	R	Total			
Volume	346	8	354	22	120	142		142	0	5	85	90	586	
%HV	NA	2.0%	0.0%	2.0%	13.6%	4.2%	NA	5.6%	NA	NA	NA	1.2%	1.1%	2.7%
PHF	0.75	0.50	0.76	0.55	0.81	0.81		0.81	NA	0.42	0.85	0.83	0.85	

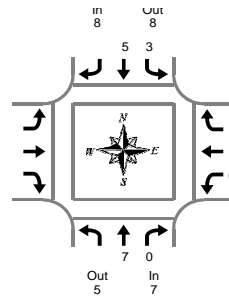
Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
7:00 AM	346	8	0	22	120	0		0	5	85	0	586	0	0	2	0	
7:15 AM	317	9	0	25	122	0		0	6	72	0	551	0	0	3	0	
7:30 AM	312	10	0	28	120	0		0	7	61	0	538	0	0	1	0	
7:45 AM	299	15	0	27	130	0		0	5	57	0	533	0	0	1	0	
8:00 AM	301	16	0	35	145	0		0	7	54	0	558	0	0	1	0	

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Out 0
In 0

Peak Hour Summary
7:00 AM to 8:00 AM

SE 362nd Ave & Dubarko Rd

Thursday, May 23, 2019
7:00 AM to 9:00 AM

Heavy Vehicle 5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total			
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	
7:05 AM	2	0	2	0	0	0	0	0	0	0	0	2	
7:10 AM	1	0	1	0	0	0	0	0	0	0	0	1	
7:15 AM	1	0	1	0	0	0	0	0	0	0	0	1	
7:20 AM	1	0	1	1	0	1	1	0	0	1	1	3	
7:25 AM	0	0	0	0	0	0	0	0	0	0	0	0	
7:30 AM	0	0	0	1	2	3	3	0	0	0	0	3	
7:35 AM	1	0	1	1	0	1	1	0	0	0	0	2	
7:40 AM	0	0	0	0	0	0	0	0	0	0	0	0	
7:45 AM	1	0	1	0	2	2	2	0	0	0	0	3	
7:50 AM	0	0	0	0	1	1	1	0	0	0	0	1	
7:55 AM	0	0	0	0	0	0	0	0	0	0	0	0	
8:00 AM	0	0	0	0	1	1	1	0	0	0	0	1	
8:05 AM	1	0	1	0	0	0	0	0	0	0	0	1	
8:10 AM	0	0	0	0	0	0	0	0	0	0	0	0	
8:15 AM	3	1	4	0	1	1	1	0	0	0	0	5	
8:20 AM	0	0	0	0	0	0	0	0	0	0	0	0	
8:25 AM	0	0	0	0	2	2	2	0	0	1	1	3	
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	
8:35 AM	0	0	0	0	2	2	2	0	0	0	0	2	
8:40 AM	1	0	1	0	0	0	0	0	0	0	0	1	
8:45 AM	1	0	1	0	0	0	0	0	0	0	0	1	
8:50 AM	1	0	1	0	1	1	1	0	0	0	0	2	
8:55 AM	6	0	6	0	1	1	1	0	0	1	1	8	
Total Survey	20	1	21	3	13	16		0	0	3	3	40	

Heavy Vehicle 15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total			
7:00 AM	3	0	3	0	0	0	0	0	0	0	0	3	
7:15 AM	2	0	2	1	0	1	1	0	0	1	1	4	
7:30 AM	1	0	1	2	2	4	4	0	0	0	0	5	
7:45 AM	1	0	1	0	3	3	3	0	0	0	0	4	
8:00 AM	1	0	1	0	1	1	1	0	0	0	0	2	
8:15 AM	3	1	4	0	3	3	3	0	0	1	1	8	
8:30 AM	1	0	1	0	2	2	2	0	0	0	0	3	
8:45 AM	8	0	8	0	2	2	2	0	0	1	1	11	
Total Survey	20	1	21	3	13	16		0	0	3	3	40	

Heavy Vehicle Peak Hour Summary

7:00 AM to 8:00 AM

By Approach	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	7	5	12	8	8	16	0	0	0	1	3	4	16
PHF	0.44			0.50			0.00			0.25			0.67

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	T	R	Total	L	T	Total	Total	L	R	Total			
Volume	7	0	7	3	5	8	0	0	0	1	1	16	
PHF	0.44	0.00	0.44	0.38	0.42	0.50		0.00	0.00	0.25	0.25	0.67	

Heavy Vehicle Rolling Hour Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total			
7:00 AM	7	0	7	3	5	8		0	0	1	1	16	
7:15 AM	5	0	5	3	6	9		0	0	1	1	15	
7:30 AM	6	1	7	2	9	11		0	0	1	1	19	
7:45 AM	6	1	7	0	9	9		0	0	1	1	17	
8:00 AM	13	1	14	0	8	8		0	0	2	2	24	

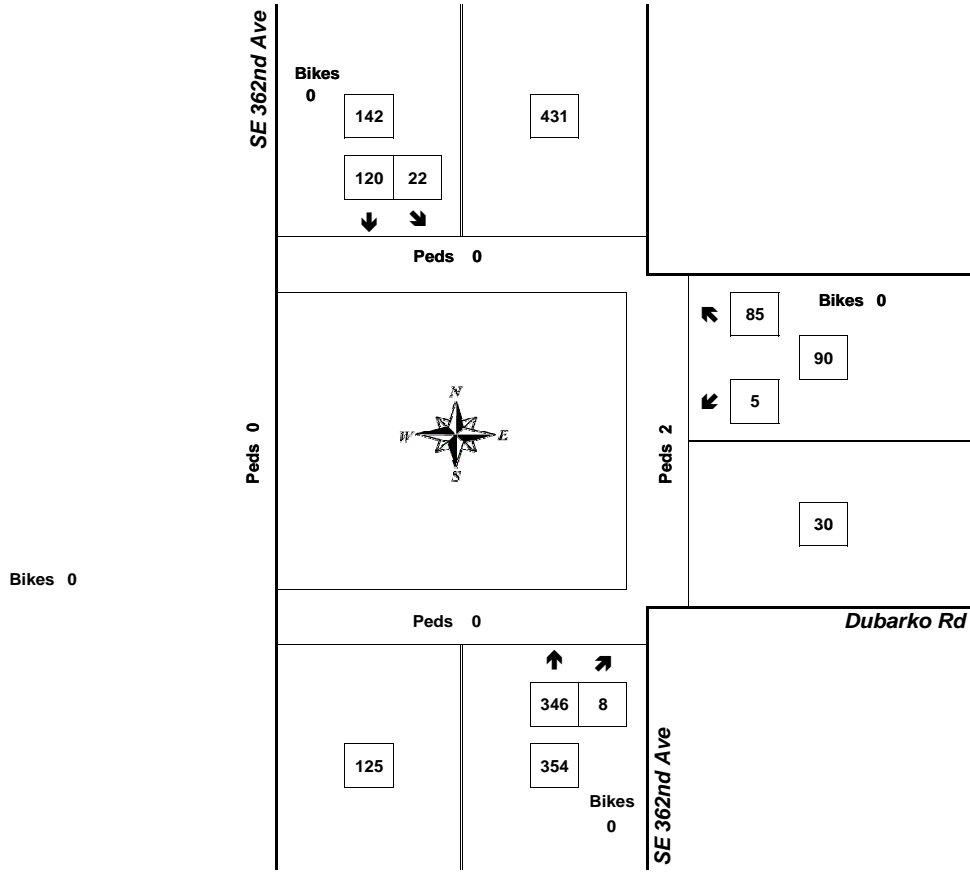
Peak Hour Summary



Clay Carney
(503) 833-2740

SE 362nd Ave & Dubarko Rd

7:00 AM to 8:00 AM
Thursday, May 23, 2019



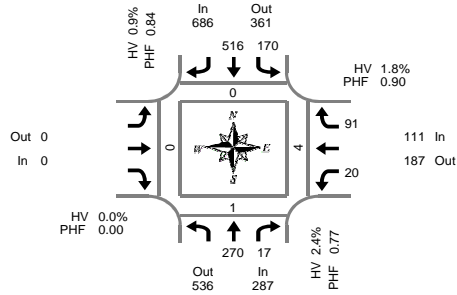
Approach	PHF	HV%	Volume
EB	0.00	0.0%	0
WB	0.83	1.1%	90
NB	0.76	2.0%	354
SB	0.81	5.6%	142
Intersection	0.85	2.7%	586

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary



Clay Carney
(603) 833-2740



**Peak Hour Summary
4:30 PM to 5:30 PM**

SE 362nd Ave & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

**5-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
4:00 PM	25	0	0	11	35	0		0	1	6	0	78	1	0	3	0	
4:05 PM	21	2	0	7	36	0		0	1	5	0	72	0	0	0	0	
4:10 PM	19	2	0	8	36	0		0	1	6	0	72	0	0	0	0	
4:15 PM	26	3	0	8	32	0		0	0	4	0	73	0	0	1	0	
4:20 PM	22	1	0	14	45	0		0	3	4	0	89	0	0	0	0	
4:25 PM	21	2	0	15	34	0		0	0	5	0	77	0	0	0	0	
4:30 PM	19	2	0	18	30	0		0	1	8	0	78	0	0	2	0	
4:35 PM	27	0	0	9	42	0		0	0	9	0	87	0	0	0	0	
4:40 PM	17	3	0	12	33	0		0	2	9	0	76	0	0	0	0	
4:45 PM	28	0	0	7	46	0		0	1	6	0	88	0	0	0	0	
4:50 PM	28	2	0	14	33	0		0	3	7	0	87	0	0	0	0	
4:55 PM	30	2	0	10	51	0		0	4	3	0	100	0	0	0	0	
5:00 PM	30	1	0	15	42	0		0	3	11	0	102	0	0	0	0	
5:05 PM	21	4	0	16	45	0		0	0	7	0	93	0	0	0	0	
5:10 PM	21	1	0	20	49	0		0	2	6	0	99	0	0	0	0	
5:15 PM	16	1	0	14	60	0		0	1	7	0	99	0	0	0	0	
5:20 PM	17	1	0	19	42	0		0	2	12	0	93	0	1	0	0	
5:25 PM	16	0	0	16	43	0		0	1	6	0	82	0	0	2	0	
5:30 PM	19	0	0	16	24	0		0	2	4	0	65	0	0	0	0	
5:35 PM	16	1	0	12	33	0		0	2	7	0	71	0	0	0	0	
5:40 PM	26	0	0	9	39	0		0	1	6	0	81	0	0	0	0	
5:45 PM	18	2	0	13	36	0		0	2	5	0	76	0	0	0	0	
5:50 PM	19	2	0	17	43	0		0	1	7	0	89	0	0	0	0	
5:55 PM	17	3	0	17	29	0		0	1	7	0	74	0	0	0	0	
Total Survey	519	35	0	317	938	0		0	35	157	0	2,001	1	1	8	0	

**15-Minute Interval Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
4:00 PM	65	4	0	26	107	0		0	3	17	0	222	1	0	3	0	
4:15 PM	69	6	0	37	111	0		0	3	13	0	239	0	0	1	0	
4:30 PM	63	5	0	39	105	0		0	3	26	0	241	0	0	2	0	
4:45 PM	86	4	0	31	130	0		0	8	16	0	275	0	0	0	0	
5:00 PM	72	6	0	51	136	0		0	5	24	0	294	0	0	0	0	
5:15 PM	49	2	0	49	145	0		0	4	25	0	274	0	1	2	0	
5:30 PM	61	1	0	37	96	0		0	5	17	0	217	0	0	0	0	
5:45 PM	54	7	0	47	108	0		0	4	19	0	239	0	0	0	0	
Total Survey	519	35	0	317	938	0		0	35	157	0	2,001	1	1	8	0	

**Peak Hour Summary
4:30 PM to 5:30 PM**

By Approach	Northbound SE 362nd Ave				Southbound SE 362nd Ave				Eastbound Dubarko Rd				Westbound Dubarko Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	287	536	823	0	686	361	1,047	0	0	0	0	0	111	187	298	0	1,084	0	1	4	0
%HV	2.4%				0.9%				0.0%				1.8%				1.4%				
PHF	0.77				0.84				0.00				0.90				0.92				

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Total
	T	R	Total	L	T	Total		Total	L	R	Total		
Volume	270	17	287	170	516	686		0	20	91	111	1,084	
%HV	NA	2.6%	0.0%	2.4%	1.2%	0.8%	NA	0.9%	NA	NA	NA	1.4%	
PHF	0.77	0.61	0.77	0.80	0.84	0.84		0.00	0.50	0.88	0.90	0.92	

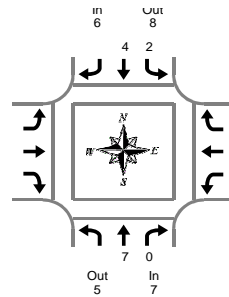
**Rolling Hour Summary
4:00 PM to 6:00 PM**

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd			Westbound Dubarko Rd			Interval Total	Pedestrians Crosswalk			
	T	R	Bikes	L	T	Bikes		Bikes	L	R	Bikes	North		South	East	West	
4:00 PM	283	19	0	133	453	0		0	17	72	0	977	1	0	6	0	
4:15 PM	290	21	0	158	482	0		0	19	79	0	1,049	1	0	3	0	
4:30 PM	270	17	0	170	516	0		0	20	91	0	1,084	0	1	4	0	
4:45 PM	268	13	0	168	507	0		0	22	82	0	1,060	0	1	2	0	
5:00 PM	236	16	0	184	485	0		0	18	85	0	1,024	0	1	2	0	

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Out 0
In 0

SE 362nd Ave & Dubarko Rd

Wednesday, May 22, 2019
4:00 PM to 6:00 PM

Peak Hour Summary
4:30 PM to 5:30 PM

Heavy Vehicle 5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total		
4:00 PM	2	0	2	0	1	1		0	0	0	0	3
4:05 PM	0	0	0	0	0	0		0	0	1	1	1
4:10 PM	2	0	2	0	1	1		0	0	0	0	3
4:15 PM	1	0	1	0	1	1		0	0	0	0	2
4:20 PM	0	0	0	0	1	1		0	0	0	0	1
4:25 PM	0	0	0	0	0	0		0	0	0	0	0
4:30 PM	0	0	0	0	3	3		0	0	0	0	3
4:35 PM	1	0	1	0	0	0		0	0	0	0	1
4:40 PM	0	0	0	1	0	1		0	1	0	1	2
4:45 PM	0	0	0	0	0	0		0	0	0	0	0
4:50 PM	0	0	0	0	0	0		0	0	0	0	0
4:55 PM	0	0	0	0	1	1		0	0	0	0	1
5:00 PM	0	0	0	0	0	0		0	0	0	0	0
5:05 PM	2	0	2	0	0	0		0	0	0	0	2
5:10 PM	0	0	0	0	0	0		0	0	0	0	0
5:15 PM	1	0	1	0	0	0		0	0	0	0	1
5:20 PM	1	0	1	0	0	0		0	0	1	1	2
5:25 PM	2	0	2	1	0	1		0	0	0	0	3
5:30 PM	1	0	1	0	1	1		0	0	0	0	2
5:35 PM	0	0	0	0	0	0		0	0	0	0	0
5:40 PM	0	0	0	0	0	0		0	0	0	0	0
5:45 PM	0	0	0	0	0	0		0	0	0	0	0
5:50 PM	0	0	0	1	0	1		0	0	0	0	1
5:55 PM	1	0	1	0	1	1		0	0	0	0	2
Total Survey	14	0	14	3	10	13		0	1	2	3	30

Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total		
4:00 PM	4	0	4	0	2	2		0	0	1	1	7
4:15 PM	1	0	1	0	2	2		0	0	0	0	3
4:30 PM	1	0	1	1	3	4		0	1	0	1	6
4:45 PM	0	0	0	0	1	1		0	0	0	0	1
5:00 PM	2	0	2	0	0	0		0	0	0	0	2
5:15 PM	4	0	4	1	0	1		0	0	1	1	6
5:30 PM	1	0	1	0	1	1		0	0	0	0	2
5:45 PM	1	0	1	1	1	2		0	0	0	0	3
Total Survey	14	0	14	3	10	13		0	1	2	3	30

Heavy Vehicle Peak Hour Summary 4:30 PM to 5:30 PM

By Approach	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total			
Volume	7	5	12	6	8	14	0	0	0	2	4	15
PHF	0.44			0.38			0.00		0.50			0.63

By Movement	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Total
	T	R	Total	L	T	Total	Total	L	R	Total		
Volume	7	0	7	2	4	6	0	1	1	2	15	
PHF	0.44	0.00	0.44	0.50	0.33	0.38	0.00	0.25	0.25	0.50	0.63	

Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound SE 362nd Ave			Southbound SE 362nd Ave			Eastbound Dubarko Rd		Westbound Dubarko Rd			Interval Total
	T	R	Total	L	T	Total	Total	L	R	Total		
4:00 PM	6	0	6	1	8	9		0	1	1	2	17
4:15 PM	4	0	4	1	6	7		0	1	0	1	12
4:30 PM	7	0	7	2	4	6		0	1	1	2	15
4:45 PM	7	0	7	1	2	3		0	0	1	1	11
5:00 PM	8	0	8	2	2	4		0	0	1	1	13

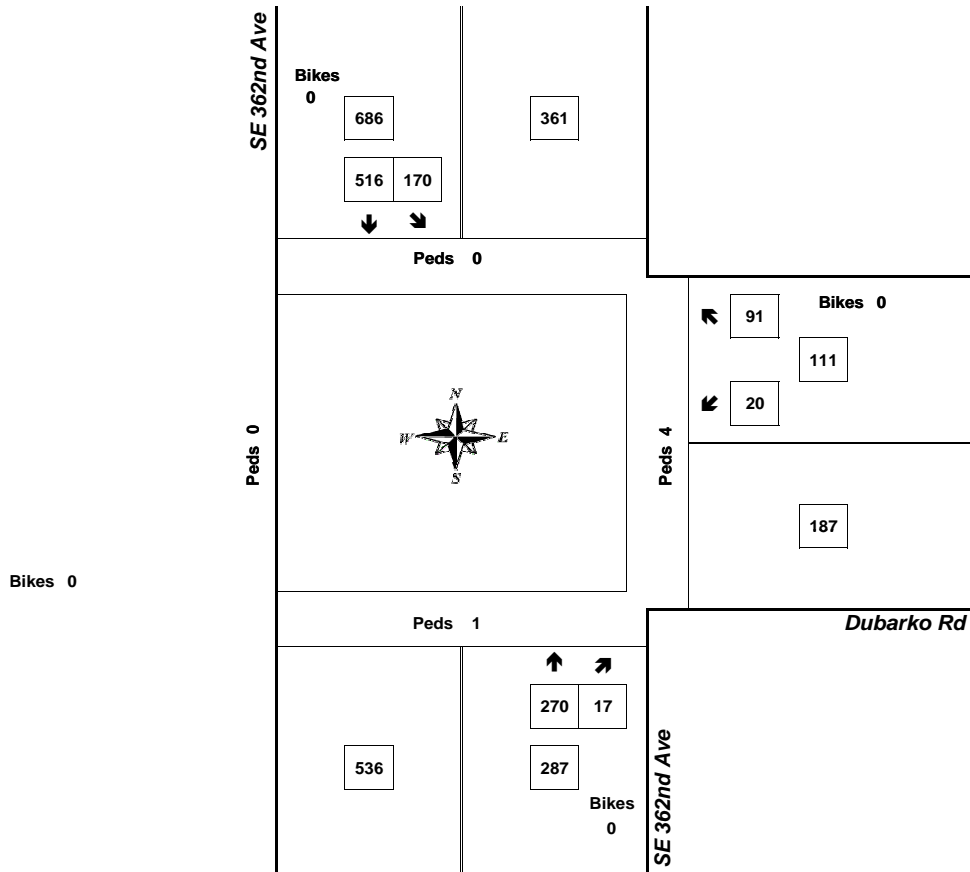
Peak Hour Summary



Clay Carney
(503) 833-2740

SE 362nd Ave & Dubarko Rd

4:30 PM to 5:30 PM
Wednesday, May 22, 2019



Approach	PHF	HV%	Volume
EB	0.00	0.0%	0
WB	0.90	1.8%	111
NB	0.77	2.4%	287
SB	0.84	0.9%	686
Intersection	0.92	1.4%	1,084

Count Period: 4:00 PM to 6:00 PM

CDS380
05/17/2019

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING

CITY OF SANDY, CLACKAMAS COUNTY

362ND DR at DUBARKO RD, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

1 - 1 of 1 Crash records shown.

SER#	S	D	M	P	R	J	S	W	DATE	CLASS	CITY STREET	RD CHAR	INT-TYPE	OFFRD	WTHR	CRASH	SPCL USE	MOVE	A	S	G	E	LICNS	PED	ACT	EVENT	CAUSE		
INVEST	E	A	U	I	C	O	DAY	DIST	FIRST STREET	RD CHAR	(MEDIAN)	INT-REL	OFFRD	WTHR	CRASH	TRLR QTY	MOVE	OWNER	FROM	PRTC	INJ	G	E	LICNS	PED	ACT	EVENT	CAUSE	
RD DPT	E	L	G	N	H	R	TIME	FROM	SECOND STREET	DIRECT	LEGS	TRAF-	RNDBT	SURF	COLL	OWNER	FROM	PRTC	INJ	G	E	LICNS	PED	ACT	EVENT	CAUSE			
UNLOC?	D	C	S	V	L	K	LAT	LONG	LRS	LOCTN	(#LANES)	CONTL	DRVWY	LIGHT	SVRTY	V#	TYPE	TO	P#	TYPE	SVRTY	E	X	RES	LOC	ERROR	ACT	EVENT	CAUSE
00737	N	N	N				02/27/2015	17	DUBARKO RD	INTER	3-LEG	N	N	UNK	S-1STOP	01	NONE	0	STRGHT									29	
NONE							FR	0	362ND DR	E		STOP SIGN	N	WET	SS-O		PRVTE	E -W								000		00	
N							12P			06	0		N	DAY	PDO		PSNGR CAR			01	DRVR	NONE	00	M	UNK	026	000	29	
N							45 23 57.42	-122 17 27.9																					
																	02	NONE	0	STOP									
																	PRVTE	E -W									011		00
																	PSNGR CAR			01	DRVR	NONE	22	M	OR-Y	000	000	00	

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

CDS380
05/17/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
362ND DR at DUBARKO RD, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 2

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CDS380
05/12/2019

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at BLUFF RD, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 1

CITY OF SANDY, CLACKAMAS COUNTY

SER#	P	R	J	S	W	DATE	CLASS	CITY STREET	RD CHAR	INT-TYPE	OFFRD	WTHR	CRASH	SPCL USE	MOVE	A	S	RD DPT	E	L	G	N	H	R	TIME	FROM	SECOND STREET	DIRECT	LEGS	TRAF-	RNDBT	SURF	COLL	OWNER	FROM	PRTC	INJ	G	E	LICNS	PED	UNLOC?	D	C	S	V	L	K	LAT	LONG	LRS	LOCTN	(#LANES)	CONTL	DRVWY	LIGHT	SVRTY	V#	TYPE	TO	P#	TYPE	SVRTY	E	X	RES	LOC	ERROR	ACT	EVENT	CAUSE
------	---	---	---	---	---	------	-------	-------------	---------	----------	-------	------	-------	----------	------	---	---	--------	---	---	---	---	---	---	------	------	---------------	--------	------	-------	-------	------	------	-------	------	------	-----	---	---	-------	-----	--------	---	---	---	---	---	---	-----	------	-----	-------	----------	-------	-------	-------	-------	----	------	----	----	------	-------	---	---	-----	-----	-------	-----	-------	-------

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CDS380
05/12/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at BLUFF RD, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 2

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

CITY OF SANDY, CLACKAMAS COUNTY

DUBARKO RD at MELISSA AVE, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

1 - 2 of 2 Crash records shown.

SER#	S D M	P R J S W DATE	CLASS	CITY STREET	RD CHAR	INT-TYPE	INT-REL	OFFRD	WTHR	CRASH	SPCL USE	MOVE	A S	ACT	EVENT	CAUSE					
INVEST	E A U I C O DAY	RD DPT	FROM	FIRST STREET	DIRECT	LEGS	TRAF-	RNDBT	SURF	COLL	TRLR QTY	FROM	PRTC	INJ	G E LICNS	PED					
UNLOC?	D C S V L K LAT		LONG	SECOND STREET	LOCTN	(#LANES)	CONTL	DRVWY	LIGHT	SVRTY	V# TYPE	TO	P# TYPE	SVRTY	E X RES	LOC	ERROR				
00557	N N N	02/07/2014	16	DUBARKO RD	INTER	3-LEG	N	N	SNOW	ANGL-STP	01 NONE 0	TURN-L						124	08		
NONE		FR	0	MELISSA AVE	S		STOP SIGN	N	ICE	TURN	PRVTE	SE-S						000	124	00	
N		3P			06	0		N	DAY	PDO	PSNGR CAR		01 DRVR	NONE	59 M	OR-Y	002	017	08		
N		45 23	-122 16													OR<25					
		30.2562959	36.081048																		
											02 NONE 0	STOP							011	00	
											PRVTE	S -N							000	000	00
											PSNGR CAR		01 DRVR	NONE	57 F	OR-Y					
																OR<25					
01045	N N N	03/26/2015	16	DUBARKO RD	INTER	3-LEG	N	N	CLR	ANGL-OTH	01 NONE 0	STRGHT								02	
NONE		TH	0	MELISSA AVE	CN		STOP SIGN	N	DRY	TURN	PRVTE	NW-SE							000	00	
N		8A			04	0		N	DAWN	PDO	PSNGR CAR		01 DRVR	NONE	23 F	OR-Y	000	000	000	00	
N		45 23 30.26	-122 16													OR<25					
			36.08																		
											02 NONE 0	TURN-L							015	00	
											PRVTE	S -NW							000	000	02
											PSNGR CAR		01 DRVR	NONE	00 F	UNK	028				
																UNK					

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

CDS380
05/12/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at MELISSA AVE, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

Page: 2

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

CDS380
05/12/2019

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING
DUBARKO RD at RUBEN LN, City of Sandy, Clackamas County, 01/01/2012 to 12/31/2016

CITY OF SANDY, CLACKAMAS COUNTY

SER#	S	D	M	CLASS	CITY STREET	INT-TYPE	SPCL USE	MOVE	A	S	RD DPT	E	L	G	N	H	R	TIME	FROM	SECOND STREET	DIRECT	LEGS	TRAF-	RNDBT	SURF	COLL	OWNER	FROM	PRTC	INJ	G	E	LICNS	PED	UNLOC?	D	C	S	V	L	K	LAT	LONG	LRS	LOCTN	(#LANES)	CONTL	DRVWY	LIGHT	SVRTY	V#	TYPE	TO	P#	TYPE	SVRTY	E	X	RES	LOC	ERROR	ACT	EVENT	CAUSE
------	---	---	---	-------	-------------	----------	----------	------	---	---	--------	---	---	---	---	---	---	------	------	---------------	--------	------	-------	-------	------	------	-------	------	------	-----	---	---	-------	-----	--------	---	---	---	---	---	---	-----	------	-----	-------	----------	-------	-------	-------	-------	----	------	----	----	------	-------	---	---	-----	-----	-------	-----	-------	-------

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CDS380
05/12/2019

CITY OF SANDY, CLACKAMAS COUNTY

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
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Page: 2

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: SE 362nd Drive Minor Street: Dubarko Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 538 PM Peak Hour Volumes: 103

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	5,380	8,850	
Minor Street*	1,030	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	5,380	13,300	
Minor Street*	1,030	1,350	No
<i>Combination Warrant</i>			
Major Street	5,380	10,640	
Minor Street*	1,030	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: Dubarko Road Minor Street: Ruben Lane
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 248 PM Peak Hour Volumes: 19

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	2,480	8,850	
Minor Street*	190	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	2,480	13,300	
Minor Street*	190	1,350	No
<i>Combination Warrant</i>			
Major Street	2,480	10,640	
Minor Street*	190	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: Dubarko Road Minor Street: Melissa Avenue
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 84 PM Peak Hour Volumes: 113

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	840	8,850	
Minor Street*	1,130	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	840	13,300	
Minor Street*	1,130	1,350	No
<i>Combination Warrant</i>			
Major Street	840	10,640	
Minor Street*	1,130	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Morning Peak Hour

Major Street: Dubarko Road Minor Street: Bluff Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 164 PM Peak Hour Volumes: 36

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	1,640	8,850	
Minor Street*	360	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	1,640	13,300	
Minor Street*	360	1,350	No
<i>Combination Warrant</i>			
Major Street	1,640	10,640	
Minor Street*	360	2,120	No

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: SE 362nd Drive Minor Street: Dubarko Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 1073 PM Peak Hour Volumes: 114

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	10,730	8,850	
Minor Street*	1,140	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	10,730	13,300	
Minor Street*	1,140	1,350	No
<i>Combination Warrant</i>			
Major Street	10,730	10,640	
Minor Street*	1,140	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: Dubarko Road Minor Street: Ruben Lane
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 374 PM Peak Hour Volumes: 116

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	3,740	8,850	
Minor Street*	1,160	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	3,740	13,300	
Minor Street*	1,160	1,350	No
<i>Combination Warrant</i>			
Major Street	3,740	10,640	
Minor Street*	1,160	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: Dubarko Road Minor Street: Melissa Avenue
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 287 PM Peak Hour Volumes: 68

Warrant Used:
 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	2,870	8,850	
Minor Street*	680	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	2,870	13,300	
Minor Street*	680	1,350	No
<i>Combination Warrant</i>			
Major Street	2,870	10,640	
Minor Street*	680	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Traffic Signal Warrant Analysis

Project: 18197 - Ponder Subdivision
 Date: 6/20/2019
 Scenario: Year 2021 Buildout Conditions - Evening Peak Hour

Major Street: Dubarko Road Minor Street: Bluff Road
 Number of Lanes: 1 Number of Lanes: 1
 PM Peak Hour Volumes: 220 PM Peak Hour Volumes: 61

Warrant Used:

 X 100 percent of standard warrants used
 70 percent of standard warrants used due to 85th percentile speed in excess of 40 mph or isolated community with population less than 10,000.

Number of Lanes for Moving Traffic on Each Approach:		ADT on Major St. (total of both approaches)		ADT on Minor St. (higher-volume approach)	
Major St.	Minor St.	100% Warrants	70% Warrants	100% Warrants	70% Warrants
WARRANT 1, CONDITION A					
1	1	8,850	6,200	2,650	1,850
2 or more	1	10,600	7,400	2,650	1,850
2 or more	2 or more	10,600	7,400	3,550	2,500
1	2 or more	8,850	6,200	3,550	2,500
WARRANT 1, CONDITION B					
1	1	13,300	9,300	1,350	950
2 or more	1	15,900	11,100	1,350	950
2 or more	2 or more	15,900	11,100	1,750	1,250
1	2 or more	13,300	9,300	1,750	1,250

Note: ADT volumes assume 8th highest hour is 5.6% of the daily volume

	Approach Volumes	Minimum Volumes	Is Signal Warrant Met?
Warrant 1			
<i>Condition A: Minimum Vehicular Volume</i>			
Major Street	2,200	8,850	
Minor Street*	610	2,650	No
<i>Condition B: Interruption of Continuous Traffic</i>			
Major Street	2,200	13,300	
Minor Street*	610	1,350	No
<i>Combination Warrant</i>			
Major Street	2,200	10,640	
Minor Street*	610	2,120	No

* Minor street right-turning traffic volumes reduced by 25%.

Left-Turn Lane Warrant Analysis

Project: 18197 - Ponder Subdivision
 Intersection: Melissa Avenue at Dubarko Road
 Date: 6/20/2019
 Scenario: 2021 Buildout AM

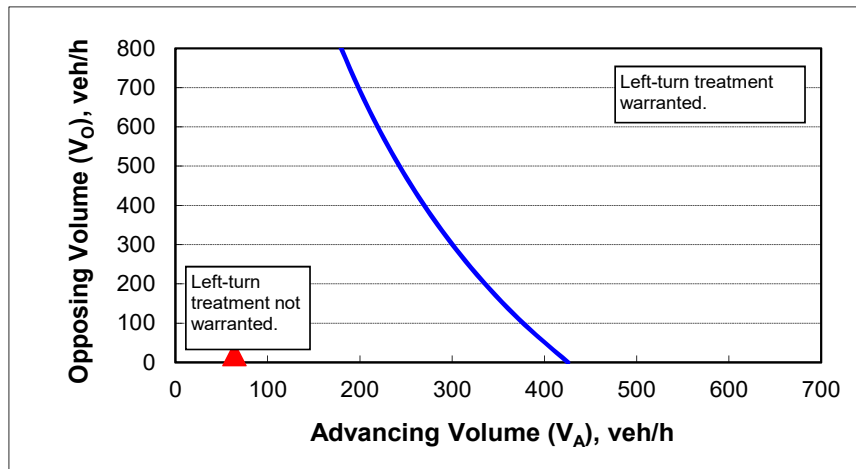
2-lane roadway (English)

INPUT

Variable	Value
85 th percentile speed, mph:	25
Left-turns in advancing volume (V_A), veh/hr:	23
Advancing volume (V_A), veh/h:	64
Opposing volume (V_O), veh/h:	20

OUTPUT

Variable	Value
Limiting advancing volume (V_A), veh/h:	415
Guidance for determining the need for a major-road left-turn bay:	
Left-turn treatment NOT warranted.	



CALIBRATION CONSTANTS (2-Lane Roadway)

Variable	Value
Average time for making left-turn, s:	3.0
Critical headway, s:	5.0
Average time for left-turn vehicle to clear the advancing lane, s:	1.9

Left-Turn Lane Warrant Analysis

Project: 18197 - Ponder Subdivision
 Intersection: Melissa Avenue at Dubarko Road
 Date: 6/20/2019
 Scenario: 2021 Buildout PM

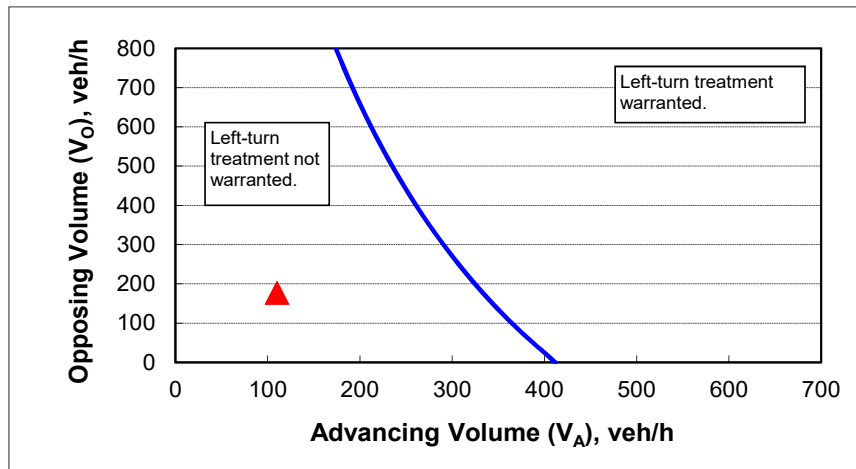
2-lane roadway (English)

INPUT

Variable	Value
85 th percentile speed, mph:	25
Left-turns in advancing volume (V_A), veh/hr:	48
Advancing volume (V_A), veh/h:	110
Opposing volume (V_O), veh/h:	177

OUTPUT

Variable	Value
Limiting advancing volume (V_A), veh/h:	333
Guidance for determining the need for a major-road left-turn bay:	
Left-turn treatment NOT warranted.	



CALIBRATION CONSTANTS (2-Lane Roadway)

Variable	Value
Average time for making left-turn, s:	3.0
Critical headway, s:	5.0
Average time for left-turn vehicle to clear the advancing lane, s:	1.9

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

05/28/2019

Intersection

Int Delay, s/veh	2.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		T		T	T
Traffic Vol, veh/h	5	85	346	8	22	120
Future Vol, veh/h	5	85	346	8	22	120
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	6	100	407	9	26	141

Major/Minor

	Minor1	Major1		Major2	
Conflicting Flow All	605	412	0	0	416
Stage 1	412	-	-	-	-
Stage 2	193	-	-	-	-
Critical Hdwy	6.41	6.21	-	-	4.16
Critical Hdwy Stg 1	5.41	-	-	-	-
Critical Hdwy Stg 2	5.41	-	-	-	-
Follow-up Hdwy	3.509	3.309	-	-	2.254
Pot Cap-1 Maneuver	462	642	-	-	1122
Stage 1	671	-	-	-	-
Stage 2	842	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	451	642	-	-	1122
Mov Cap-2 Maneuver	451	-	-	-	-
Stage 1	671	-	-	-	-
Stage 2	822	-	-	-	-

Approach

	WB	NB	SB
HCM Control Delay, s	11.9	0	1.3
HCM LOS	B		

Minor Lane/Major Mvmt

	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	627	1122
HCM Lane V/C Ratio	-	-	0.169	0.023
HCM Control Delay (s)	-	-	11.9	8.3
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	0.6	0.1

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

05/28/2019

Intersection

Int Delay, s/veh 1.6

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	19	14	48	89	10	6
Future Vol, veh/h	19	14	48	89	10	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	21	16	54	100	11	7

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	154	0	-	0	162	104
Stage 1	-	-	-	-	104	-
Stage 2	-	-	-	-	58	-
Critical Hdwy	4.16	-	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	-	3.617	3.417
Pot Cap-1 Maneuver	1402	-	-	-	804	922
Stage 1	-	-	-	-	893	-
Stage 2	-	-	-	-	937	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1402	-	-	-	792	922
Mov Cap-2 Maneuver	-	-	-	-	792	-
Stage 1	-	-	-	-	893	-
Stage 2	-	-	-	-	923	-

Approach EB WB SB

HCM Control Delay, s	4.4	0	9.4
HCM LOS			A

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1402	-	-	-	836
HCM Lane V/C Ratio	0.015	-	-	-	0.022
HCM Control Delay (s)	7.6	0	-	-	9.4
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0.1

HCM 2010 TWSC
 3: Melissa Avenue & Dubarko Road

05/28/2019

Intersection

Int Delay, s/veh 5.5

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	1	14	39	40	27
Future Vol, veh/h	8	1	14	39	40	27
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	1	18	49	51	34

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	11	0	96	11
Stage 1	-	-	-	-	11	-
Stage 2	-	-	-	-	85	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1608	-	903	1070
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	938	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1608	-	892	1070
Mov Cap-2 Maneuver	-	-	-	-	892	-
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	927	-

Approach EB WB NB

HCM Control Delay, s	0	1.9	9.1
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	956	-	-	1608	-
HCM Lane V/C Ratio	0.089	-	-	0.011	-
HCM Control Delay (s)	9.1	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.3	-	-	0	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

05/28/2019

Intersection	
Intersection Delay, s/veh	7.6
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	25	9	12	11	40	55
Future Vol, veh/h	25	9	12	11	40	55
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	36	13	17	16	57	79
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.5	7.7	7.6
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	42%	0%	52%
Vol Thru, %	0%	74%	48%
Vol Right, %	58%	26%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	95	34	23
LT Vol	40	0	12
Through Vol	0	25	11
RT Vol	55	9	0
Lane Flow Rate	136	49	33
Geometry Grp	1	1	1
Degree of Util (X)	0.145	0.057	0.04
Departure Headway (Hd)	3.844	4.21	4.435
Convergence, Y/N	Yes	Yes	Yes
Cap	927	844	801
Service Time	1.892	2.267	2.495
HCM Lane V/C Ratio	0.147	0.058	0.041
HCM Control Delay	7.6	7.5	7.7
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.5	0.2	0.1

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

05/28/2019

Intersection

Int Delay, s/veh 2.9

Movement WBL WBR NBT NBR SBL SBT

Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	20	91	270	17	170	516
Future Vol, veh/h	20	91	270	17	170	516
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	22	99	293	18	185	561

Major/Minor Minor1 Major1 Major2

Conflicting Flow All	1233	303	0	0	312	0
Stage 1	303	-	-	-	-	-
Stage 2	930	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.11	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.209	-
Pot Cap-1 Maneuver	195	737	-	-	1254	-
Stage 1	749	-	-	-	-	-
Stage 2	384	-	-	-	-	-
Platoon blocked, %			-	-	-	-
Mov Cap-1 Maneuver	166	737	-	-	1254	-
Mov Cap-2 Maneuver	166	-	-	-	-	-
Stage 1	749	-	-	-	-	-
Stage 2	327	-	-	-	-	-

Approach WB NB SB

HCM Control Delay, s	15.7	0	2.1
HCM LOS	C		

Minor Lane/Major Mvmt NBT NBRWBLn1 SBL SBT

Capacity (veh/h)	-	-	455	1254	-
HCM Lane V/C Ratio	-	-	0.265	0.147	-
HCM Control Delay (s)	-	-	15.7	8.4	-
HCM Lane LOS	-	-	C	A	-
HCM 95th %tile Q(veh)	-	-	1.1	0.5	-

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

05/28/2019

Intersection

Int Delay, s/veh 3.1

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	16	147	68	50	67	33
Future Vol, veh/h	16	147	68	50	67	33
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	18	165	76	56	75	37

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	133	0	-	0	305	104
Stage 1	-	-	-	-	104	-
Stage 2	-	-	-	-	201	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1458	-	-	-	689	953
Stage 1	-	-	-	-	923	-
Stage 2	-	-	-	-	835	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1458	-	-	-	679	953
Mov Cap-2 Maneuver	-	-	-	-	679	-
Stage 1	-	-	-	-	923	-
Stage 2	-	-	-	-	823	-

Approach EB WB SB

HCM Control Delay, s	0.7	0	10.6
HCM LOS			B

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1458	-	-	-	750
HCM Lane V/C Ratio	0.012	-	-	-	0.15
HCM Control Delay (s)	7.5	0	-	-	10.6
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.5

HCM 2010 TWSC
 3: Melissa Avenue & Dubarko Road

05/28/2019

Intersection						
Int Delay, s/veh	2.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	85	47	22	58	21	16
Future Vol, veh/h	85	47	22	58	21	16
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	100	55	26	68	25	19
Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	155	0	248	128
Stage 1	-	-	-	-	128	-
Stage 2	-	-	-	-	120	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1438	-	745	927
Stage 1	-	-	-	-	903	-
Stage 2	-	-	-	-	910	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1438	-	731	927
Mov Cap-2 Maneuver	-	-	-	-	731	-
Stage 1	-	-	-	-	903	-
Stage 2	-	-	-	-	893	-
Approach	EB	WB	NB			
HCM Control Delay, s	0	2.1	9.7			
HCM LOS			A			
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	805	-	-	1438	-	
HCM Lane V/C Ratio	0.054	-	-	0.018	-	
HCM Control Delay (s)	9.7	-	-	7.5	0	
HCM Lane LOS	A	-	-	A	A	
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-	

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

05/28/2019

Intersection	
Intersection Delay, s/veh	7.4
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↷	
Traffic Vol, veh/h	19	89	23	16	56	24
Future Vol, veh/h	19	89	23	16	56	24
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	22	105	27	19	66	28
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.2	7.6	7.7
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	70%	0%	59%
Vol Thru, %	0%	18%	41%
Vol Right, %	30%	82%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	80	108	39
LT Vol	56	0	23
Through Vol	0	19	16
RT Vol	24	89	0
Lane Flow Rate	94	127	46
Geometry Grp	1	1	1
Degree of Util (X)	0.109	0.127	0.055
Departure Headway (Hd)	4.175	3.606	4.282
Convergence, Y/N	Yes	Yes	Yes
Cap	853	983	829
Service Time	2.228	1.668	2.345
HCM Lane V/C Ratio	0.11	0.129	0.055
HCM Control Delay	7.7	7.2	7.6
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.4	0.4	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh	2.5					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	9	101	367	9	27	127
Future Vol, veh/h	9	101	367	9	27	127
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	11	119	432	11	32	149

Major/Minor

	Minor1	Major1		Major2	
Conflicting Flow All	650	437	0	0	442
Stage 1	437	-	-	-	-
Stage 2	213	-	-	-	-
Critical Hdwy	6.41	6.21	-	-	4.16
Critical Hdwy Stg 1	5.41	-	-	-	-
Critical Hdwy Stg 2	5.41	-	-	-	-
Follow-up Hdwy	3.509	3.309	-	-	2.254
Pot Cap-1 Maneuver	435	622	-	-	1097
Stage 1	653	-	-	-	-
Stage 2	825	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	422	622	-	-	1097
Mov Cap-2 Maneuver	422	-	-	-	-
Stage 1	653	-	-	-	-
Stage 2	801	-	-	-	-

Approach

	WB	NB	SB
HCM Control Delay, s	12.7	0	1.5
HCM LOS	B		

Minor Lane/Major Mvmt

	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	599	1097
HCM Lane V/C Ratio	-	-	0.216	0.029
HCM Control Delay (s)	-	-	12.7	8.4
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	0.8	0.1

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh	1.5					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	20	20	66	101	14	6
Future Vol, veh/h	20	20	66	101	14	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	22	22	74	113	16	7

Major/Minor

	Major1	Major2	Minor2		
Conflicting Flow All	188	0	0	198	131
Stage 1	-	-	-	131	-
Stage 2	-	-	-	67	-
Critical Hdwy	4.16	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	3.617	3.417
Pot Cap-1 Maneuver	1362	-	-	766	890
Stage 1	-	-	-	869	-
Stage 2	-	-	-	929	-
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	1362	-	-	754	890
Mov Cap-2 Maneuver	-	-	-	754	-
Stage 1	-	-	-	869	-
Stage 2	-	-	-	914	-

Approach

	EB	WB	SB
HCM Control Delay, s	3.8	0	9.7
HCM LOS			A

Minor Lane/Major Mvmt

	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1362	-	-	-	790
HCM Lane V/C Ratio	0.016	-	-	-	0.028
HCM Control Delay (s)	7.7	0	-	-	9.7
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0.1	-	-	-	0.1

HCM 2010 TWSC
 3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 5.6

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	1	15	41	42	29
Future Vol, veh/h	8	1	15	41	42	29
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	1	19	52	53	37

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	11	0	101	11
Stage 1	-	-	-	-	11	-
Stage 2	-	-	-	-	90	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1608	-	898	1070
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	934	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1608	-	887	1070
Mov Cap-2 Maneuver	-	-	-	-	887	-
Stage 1	-	-	-	-	1012	-
Stage 2	-	-	-	-	923	-

Approach EB WB NB

HCM Control Delay, s	0	1.9	9.2
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	954	-	-	1608	-
HCM Lane V/C Ratio	0.094	-	-	0.012	-
HCM Control Delay (s)	9.2	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.3	-	-	0	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

Intersection	
Intersection Delay, s/veh	7.6
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	27	10	19	12	42	60
Future Vol, veh/h	27	10	19	12	42	60
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	39	14	27	17	60	86
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.6	7.8	7.6
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	41%	0%	61%
Vol Thru, %	0%	73%	39%
Vol Right, %	59%	27%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	102	37	31
LT Vol	42	0	19
Through Vol	0	27	12
RT Vol	60	10	0
Lane Flow Rate	146	53	44
Geometry Grp	1	1	1
Degree of Util (X)	0.156	0.062	0.055
Departure Headway (Hd)	3.864	4.233	4.475
Convergence, Y/N	Yes	Yes	Yes
Cap	919	838	794
Service Time	1.923	2.299	2.54
HCM Lane V/C Ratio	0.159	0.063	0.055
HCM Control Delay	7.6	7.6	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.6	0.2	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh	3.4					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	23	105	287	22	191	548
Future Vol, veh/h	23	105	287	22	191	548
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	25	114	312	24	208	596

Major/Minor

	Minor1	Major1		Major2	
Conflicting Flow All	1335	324	0	0	336
Stage 1	324	-	-	-	-
Stage 2	1011	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.11
Critical Hdwy Stg 1	5.42	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.209
Pot Cap-1 Maneuver	169	717	-	-	1229
Stage 1	733	-	-	-	-
Stage 2	352	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	140	717	-	-	1229
Mov Cap-2 Maneuver	140	-	-	-	-
Stage 1	733	-	-	-	-
Stage 2	292	-	-	-	-

Approach

	WB	NB	SB
HCM Control Delay, s	18.1	0	2.2
HCM LOS	C		

Minor Lane/Major Mvmt

	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	412	1229
HCM Lane V/C Ratio	-	-	0.338	0.169
HCM Control Delay (s)	-	-	18.1	8.5
HCM Lane LOS	-	-	C	A
HCM 95th %tile Q(veh)	-	-	1.5	0.6

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh 3.2

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	17	171	82	57	78	35
Future Vol, veh/h	17	171	82	57	78	35
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	19	192	92	64	88	39

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	156	0	-	0	354	124
Stage 1	-	-	-	-	124	-
Stage 2	-	-	-	-	230	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1430	-	-	-	646	929
Stage 1	-	-	-	-	904	-
Stage 2	-	-	-	-	811	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1430	-	-	-	636	929
Mov Cap-2 Maneuver	-	-	-	-	636	-
Stage 1	-	-	-	-	904	-
Stage 2	-	-	-	-	799	-

Approach EB WB SB

HCM Control Delay, s	0.7	0	11.2
HCM LOS			B

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1430	-	-	-	705
HCM Lane V/C Ratio	0.013	-	-	-	0.18
HCM Control Delay (s)	7.6	0	-	-	11.2
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.7

HCM 2010 TWSC
3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 2.1

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	90	50	23	62	22	17
Future Vol, veh/h	90	50	23	62	22	17
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	106	59	27	73	26	20

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	165	0	262	135
Stage 1	-	-	-	-	135	-
Stage 2	-	-	-	-	127	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1426	-	731	919
Stage 1	-	-	-	-	896	-
Stage 2	-	-	-	-	904	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1426	-	716	919
Mov Cap-2 Maneuver	-	-	-	-	716	-
Stage 1	-	-	-	-	896	-
Stage 2	-	-	-	-	886	-

Approach EB WB NB

HCM Control Delay, s	0	2	9.8
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	792	-	-	1426	-
HCM Lane V/C Ratio	0.058	-	-	0.019	-
HCM Control Delay (s)	9.8	-	-	7.6	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

Intersection	
Intersection Delay, s/veh	7.6
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	20	94	28	17	59	31
Future Vol, veh/h	20	94	28	17	59	31
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	24	111	33	20	69	36
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.3	7.7	7.8
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	66%	0%	62%
Vol Thru, %	0%	18%	38%
Vol Right, %	34%	82%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	90	114	45
LT Vol	59	0	28
Through Vol	0	20	17
RT Vol	31	94	0
Lane Flow Rate	106	134	53
Geometry Grp	1	1	1
Degree of Util (X)	0.122	0.135	0.063
Departure Headway (Hd)	4.162	3.631	4.314
Convergence, Y/N	Yes	Yes	Yes
Cap	854	975	822
Service Time	2.222	1.7	2.385
HCM Lane V/C Ratio	0.124	0.137	0.064
HCM Control Delay	7.8	7.3	7.7
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.4	0.5	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 3

Movement WBL WBR NBT NBR SBL SBT

Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	15	117	367	11	33	127
Future Vol, veh/h	15	117	367	11	33	127
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	2	2	6	6
Mvmt Flow	18	138	432	13	39	149

Major/Minor Minor1 Major1 Major2

Conflicting Flow All	665	438	0	0	445	0
Stage 1	438	-	-	-	-	-
Stage 2	227	-	-	-	-	-
Critical Hdwy	6.41	6.21	-	-	4.16	-
Critical Hdwy Stg 1	5.41	-	-	-	-	-
Critical Hdwy Stg 2	5.41	-	-	-	-	-
Follow-up Hdwy	3.509	3.309	-	-	2.254	-
Pot Cap-1 Maneuver	427	621	-	-	1094	-
Stage 1	653	-	-	-	-	-
Stage 2	813	-	-	-	-	-
Platoon blocked, %			-	-	-	-
Mov Cap-1 Maneuver	412	621	-	-	1094	-
Mov Cap-2 Maneuver	412	-	-	-	-	-
Stage 1	653	-	-	-	-	-
Stage 2	784	-	-	-	-	-

Approach WB NB SB

HCM Control Delay, s	13.3	0	1.7
HCM LOS	B		

Minor Lane/Major Mvmt NBT NBRWBLn1 SBL SBT

Capacity (veh/h)	-	-	587	1094	-
HCM Lane V/C Ratio	-	-	0.265	0.035	-
HCM Control Delay (s)	-	-	13.3	8.4	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	1.1	0.1	-

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh 1.3

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	20	28	88	112	14	6
Future Vol, veh/h	20	28	88	112	14	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	6	6	2	2	13	13
Mvmt Flow	22	31	99	126	16	7

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	225	0	-	0	238	162
Stage 1	-	-	-	-	162	-
Stage 2	-	-	-	-	76	-
Critical Hdwy	4.16	-	-	-	6.53	6.33
Critical Hdwy Stg 1	-	-	-	-	5.53	-
Critical Hdwy Stg 2	-	-	-	-	5.53	-
Follow-up Hdwy	2.254	-	-	-	3.617	3.417
Pot Cap-1 Maneuver	1320	-	-	-	727	855
Stage 1	-	-	-	-	841	-
Stage 2	-	-	-	-	920	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1320	-	-	-	715	855
Mov Cap-2 Maneuver	-	-	-	-	715	-
Stage 1	-	-	-	-	841	-
Stage 2	-	-	-	-	904	-

Approach EB WB SB

HCM Control Delay, s	3.2	0	9.9
HCM LOS			A

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1320	-	-	-	752
HCM Lane V/C Ratio	0.017	-	-	-	0.03
HCM Control Delay (s)	7.8	0	-	-	9.9
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0.1	-	-	-	0.1

HCM 2010 TWSC
 3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 6.6

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	8	12	23	41	75	51
Future Vol, veh/h	8	12	23	41	75	51
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	22	22	2	2	2	2
Mvmt Flow	10	15	29	52	95	65

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	25	0	128	18
Stage 1	-	-	-	-	18	-
Stage 2	-	-	-	-	110	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1589	-	866	1061
Stage 1	-	-	-	-	1005	-
Stage 2	-	-	-	-	915	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1589	-	850	1061
Mov Cap-2 Maneuver	-	-	-	-	850	-
Stage 1	-	-	-	-	1005	-
Stage 2	-	-	-	-	898	-

Approach EB WB NB

HCM Control Delay, s	0	2.6	9.7
HCM LOS			A

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	924	-	-	1589	-
HCM Lane V/C Ratio	0.173	-	-	0.018	-
HCM Control Delay (s)	9.7	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.6	-	-	0.1	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

Intersection	
Intersection Delay, s/veh	7.8
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↷	
Traffic Vol, veh/h	41	18	19	17	45	60
Future Vol, veh/h	41	18	19	17	45	60
Peak Hour Factor	0.70	0.70	0.70	0.70	0.70	0.70
Heavy Vehicles, %	12	12	9	9	4	4
Mvmt Flow	59	26	27	24	64	86
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.8	7.9	7.8
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	43%	0%	53%
Vol Thru, %	0%	69%	47%
Vol Right, %	57%	31%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	105	59	36
LT Vol	45	0	19
Through Vol	0	41	17
RT Vol	60	18	0
Lane Flow Rate	150	84	51
Geometry Grp	1	1	1
Degree of Util (X)	0.164	0.099	0.064
Departure Headway (Hd)	3.944	4.224	4.488
Convergence, Y/N	Yes	Yes	Yes
Cap	897	838	788
Service Time	2.024	2.302	2.572
HCM Lane V/C Ratio	0.167	0.1	0.065
HCM Control Delay	7.8	7.8	7.9
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.6	0.3	0.2

HCM 2010 TWSC
1: SE 362nd Drive & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh	3.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		Y		Y	Y
Traffic Vol, veh/h	27	116	287	28	210	548
Future Vol, veh/h	27	116	287	28	210	548
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	115	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	1	1
Mvmt Flow	29	126	312	30	228	596

Major/Minor

	Minor1	Major1		Major2	
Conflicting Flow All	1379	327	0	0	342
Stage 1	327	-	-	-	-
Stage 2	1052	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.11
Critical Hdwy Stg 1	5.42	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.209
Pot Cap-1 Maneuver	159	714	-	-	1223
Stage 1	731	-	-	-	-
Stage 2	336	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	129	714	-	-	1223
Mov Cap-2 Maneuver	129	-	-	-	-
Stage 1	731	-	-	-	-
Stage 2	273	-	-	-	-

Approach

	WB	NB	SB
HCM Control Delay, s	20.5	0	2.4
HCM LOS	C		

Minor Lane/Major Mvmt

	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	385	1223
HCM Lane V/C Ratio	-	-	0.404	0.187
HCM Control Delay (s)	-	-	20.5	8.6
HCM Lane LOS	-	-	C	A
HCM 95th %tile Q(veh)	-	-	1.9	0.7

HCM 2010 TWSC
2: Dubarko Road & Ruben Lane

06/06/2019

Intersection

Int Delay, s/veh 3.2

Movement EBL EBT WBT WBR SBL SBR

Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	17	196	97	64	90	35
Future Vol, veh/h	17	196	97	64	90	35
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	19	220	109	72	101	39

Major/Minor Major1 Major2 Minor2

Conflicting Flow All	181	0	-	0	403	145
Stage 1	-	-	-	-	145	-
Stage 2	-	-	-	-	258	-
Critical Hdwy	4.11	-	-	-	6.41	6.21
Critical Hdwy Stg 1	-	-	-	-	5.41	-
Critical Hdwy Stg 2	-	-	-	-	5.41	-
Follow-up Hdwy	2.209	-	-	-	3.509	3.309
Pot Cap-1 Maneuver	1400	-	-	-	605	905
Stage 1	-	-	-	-	885	-
Stage 2	-	-	-	-	787	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1400	-	-	-	596	905
Mov Cap-2 Maneuver	-	-	-	-	596	-
Stage 1	-	-	-	-	885	-
Stage 2	-	-	-	-	775	-

Approach EB WB SB

HCM Control Delay, s	0.6	0	11.9
HCM LOS			B

Minor Lane/Major Mvmt EBL EBT WBT WBR SBLn1

Capacity (veh/h)	1400	-	-	-	659
HCM Lane V/C Ratio	0.014	-	-	-	0.213
HCM Control Delay (s)	7.6	0	-	-	11.9
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.8

HCM 2010 TWSC
 3: Melissa Avenue & Dubarko Road

06/06/2019

Intersection

Int Delay, s/veh 3.3

Movement EBT EBR WBL WBT NBL NBR

Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	90	87	48	62	44	32
Future Vol, veh/h	90	87	48	62	44	32
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	1	1	0	0	0	0
Mvmt Flow	106	102	56	73	52	38

Major/Minor Major1 Major2 Minor1

Conflicting Flow All	0	0	208	0	343	157
Stage 1	-	-	-	-	157	-
Stage 2	-	-	-	-	186	-
Critical Hdwy	-	-	4.1	-	6.4	6.2
Critical Hdwy Stg 1	-	-	-	-	5.4	-
Critical Hdwy Stg 2	-	-	-	-	5.4	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	1375	-	657	894
Stage 1	-	-	-	-	876	-
Stage 2	-	-	-	-	851	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1375	-	629	894
Mov Cap-2 Maneuver	-	-	-	-	629	-
Stage 1	-	-	-	-	876	-
Stage 2	-	-	-	-	815	-

Approach EB WB NB

HCM Control Delay, s	0	3.4	10.7
HCM LOS			B

Minor Lane/Major Mvmt NBLn1 EBT EBR WBL WBT

Capacity (veh/h)	719	-	-	1375	-
HCM Lane V/C Ratio	0.124	-	-	0.041	-
HCM Control Delay (s)	10.7	-	-	7.7	0
HCM Lane LOS	B	-	-	A	A
HCM 95th %tile Q(veh)	0.4	-	-	0.1	-

HCM 2010 AWSC
4: Dubarko Road & Bluff Road

06/06/2019

Intersection	
Intersection Delay, s/veh	7.7
Intersection LOS	A

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	29	100	28	33	68	31
Future Vol, veh/h	29	100	28	33	68	31
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85
Heavy Vehicles, %	0	0	0	0	1	1
Mvmt Flow	34	118	33	39	80	36
Number of Lanes	1	0	0	1	1	0

Approach	EB	WB	NB
Opposing Approach	WB	EB	
Opposing Lanes	1	1	0
Conflicting Approach Left		NB	EB
Conflicting Lanes Left	0	1	1
Conflicting Approach Right	NB		WB
Conflicting Lanes Right	1	0	1
HCM Control Delay	7.5	7.8	8
HCM LOS	A	A	A

Lane	NBLn1	EBLn1	WBLn1
Vol Left, %	69%	0%	46%
Vol Thru, %	0%	22%	54%
Vol Right, %	31%	78%	0%
Sign Control	Stop	Stop	Stop
Traffic Vol by Lane	99	129	61
LT Vol	68	0	28
Through Vol	0	29	33
RT Vol	31	100	0
Lane Flow Rate	116	152	72
Geometry Grp	1	1	1
Degree of Util (X)	0.137	0.156	0.086
Departure Headway (Hd)	4.249	3.695	4.316
Convergence, Y/N	Yes	Yes	Yes
Cap	833	955	819
Service Time	2.33	1.78	2.401
HCM Lane V/C Ratio	0.139	0.159	0.088
HCM Control Delay	8	7.5	7.8
HCM Lane LOS	A	A	A
HCM 95th-tile Q	0.5	0.6	0.3

Exhibit E: Property Ownership Information

JB

WARRANTY DEED - STATUTORY FORM
(Individual or Corporation)

JOE B. PHILLIPS

Grantor, conveys and warrants to:

LAWRENCE L. PULLEN and RICHARD L. PULLEN and MARK D. TEN EYCK

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

PLEASE SEE ATTACHED DESCRIPTION SHEET

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

ENCUMBRANCES:
NONE

The true consideration for this conveyance is \$40,000.00.

Dated this 21st day of April, 1993; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

CHICAGO TITLE INSURANCE COMPANY
C-108/08

Joe B. Phillips
JOE B. PHILLIPS

STATE OF OREGON,)
County of Clackamas)ss.
April 21, 1993.)

Personally appeared the above named JOE B. PHILLIPS and acknowledged the foregoing instrument to be his/her/their voluntary act and deed.

Before me:

Luella J. Taylor
Notary Public for Oregon
My commission expires: 3-2-94



After recording return and send tax statements to:
LAWRENCE L. PULLEN
36940 SE Deming
Sandy, OR 97055

Escrow No. 2300-00570-LF - Order No. 108108

93 28438

A portion of the Southwest one-quarter of the Northeast one-quarter of Section 23, Township 2 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, being more particularly described as follows:

Beginning at a stone marking the Northwest corner of said legal subdivision; thence N.88°26'40"E., along the North line thereof, a distance of 1321.91 feet to the Northeast corner of said legal subdivision; thence S.0°18'10"E., along the East line thereof, a distance of 388.20 feet to a point in the Northwesterly right-of-way line of Oregon State Highway No. 211; thence S.33°18'01"W., along said right-of-way line, a distance of 558.61 feet to an iron rod; thence N.51°08'54"W., leaving said right-of-way line, a distance of 1305.73 feet to the point of beginning.

2

STATE OF OREGON }
County of Clackamas } ss.
I, John Kaufman, County Clerk, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

93 APR 29 PM 2:00



Witness my hand and seal this 29th day of April 1993.
John Kaufman
JOHN KAUFMAN
County Clerk
Recording Certificate
CCPR-1 (Rev. 5/91)

93 28438



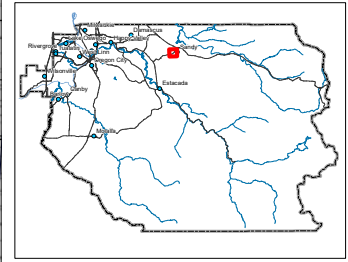
Exhibit F: Clackamas County Assessor's Map

SECTION 23 T.2S. R.4E. W.M.
CLACKAMUS COUNTY
1" = 400'

Cancelled Taxlots

- 2801
- 1000
- 2319
- 2300A1
- 1301
- 2701
- 503E1
- 503
- 1902
- 1802
- 517

- Parcel Boundary
- - - Private Road ROW
- - - Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- ▨ Plats
- Water
- ⊙ Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- ⊕ Historic Corridor 40'
- ⊕ Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY



517/2018

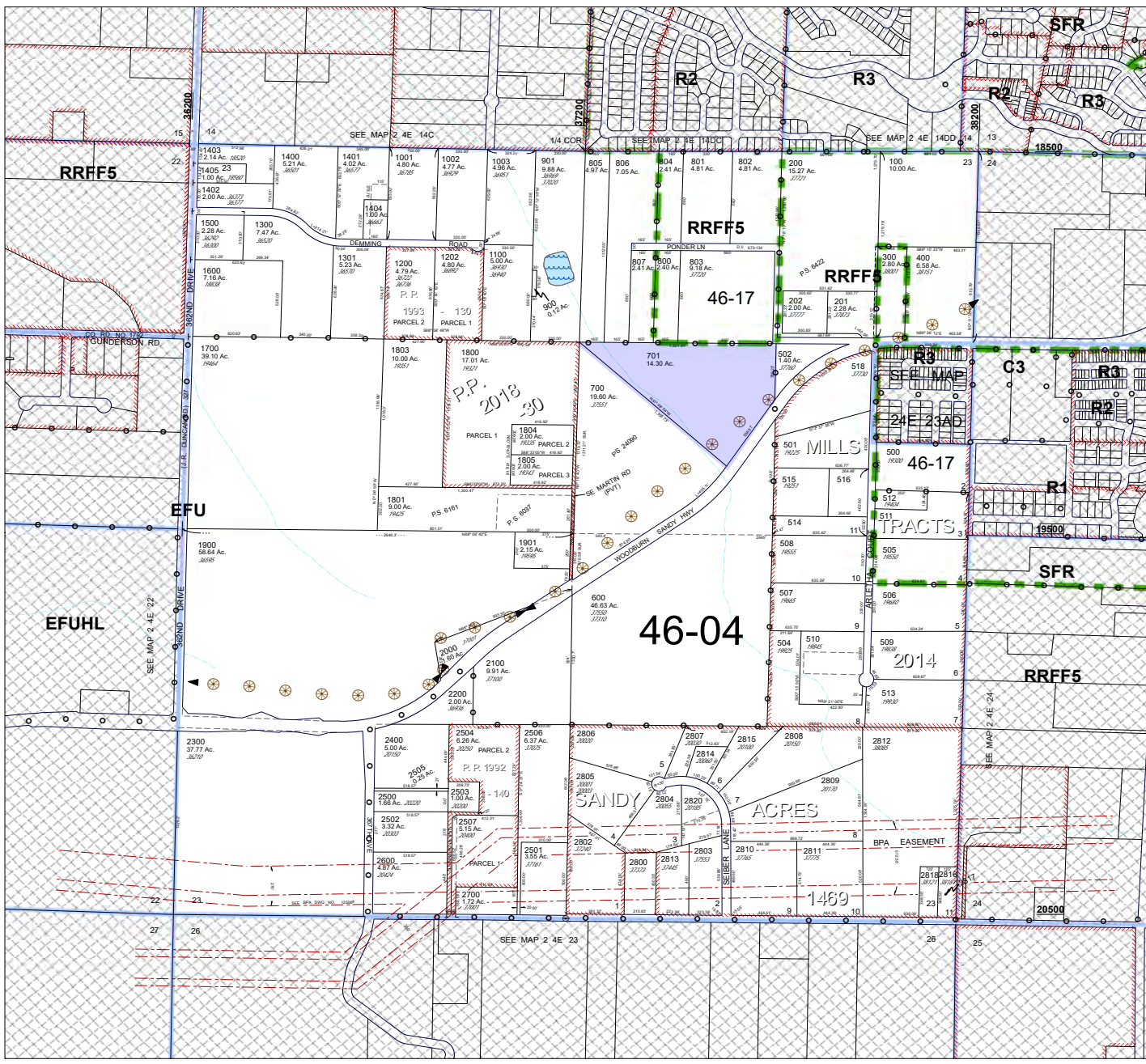
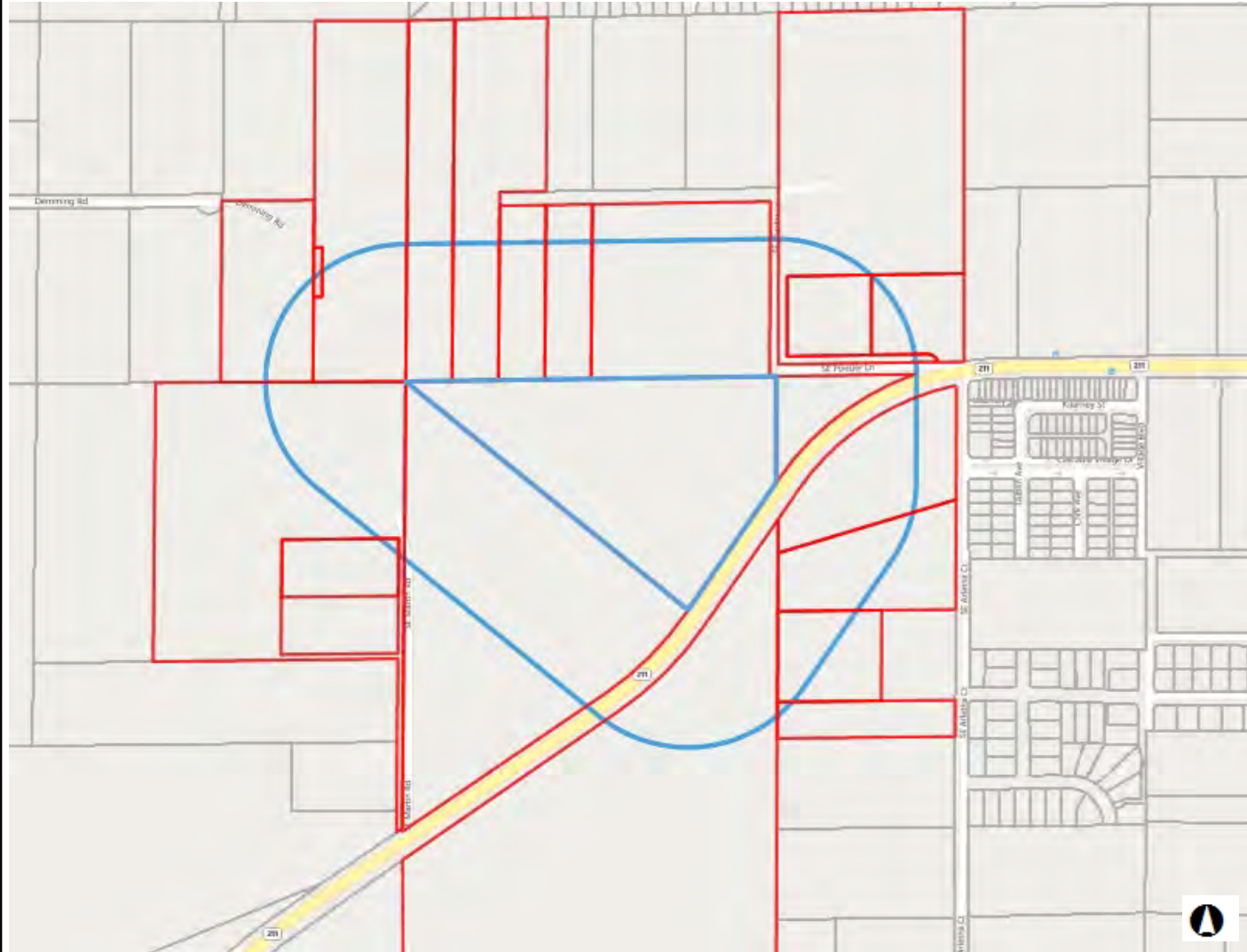


Exhibit G: Noticing Materials

24E23 00701 - 500' Radius

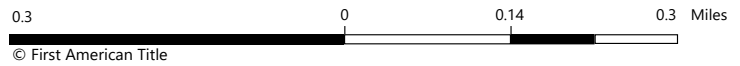


- Subject
- Radius
- Radius Properties

1/2/2020



Notes



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24E23 00200
Leslie Geren
37721 SE Ponder Ln
Sandy, OR 97055

24E23 00201
Paul Klahn
Po Box 671
Sandy, OR 97055

24E23 00202
Lucille Tiscus
37777 SE Ponder Ln
Sandy, OR 97055

24E23 00501
Nancy Bennett
19225 SE Arletha Ct
Sandy, OR 97055

24E23 00502
Broek Boaz & Brian Galovin
244 Plant Ln SE
Salem, OR 97317

24E23 00514
Robert & Barbara Johnson
19555 SE Arletha Ct
Sandy, OR 97055

24E23 00515
William Fisher
19251 SE Arletha Ct
Sandy, OR 97055

24E23 00518
Garrett & Meri Lang
37730 SE Highway 211
Sandy, OR 97055

24E23 00600
Robert & Shana Foster
21442 S Parkview Ln
Estacada, OR 97023

24E23 00700
Calvin & Teresa Mckinnis
37551 SE Highway 211
Sandy, OR 97055

24E23 00701
Lawrence Pullen
36940 Deming Rd
Sandy, OR 97055

24E23 00800
Grant Sturm
647 E Historic Columbia River Hwy
Troutdale, OR 97060

24E23 00803
Grant Sturm
647 E Historic Columbia River Hwy
Troutdale, OR 97060

24E23 00805
Sherrene Teneyck
37020 Deming Rd
Sandy, OR 97055

24E23 00806
Sherrene Teneyck
37020 Deming Rd
Sandy, OR 97055

24E23 00807
Sherrene Teneyck
37020 Deming Rd
Sandy, OR 97055

24E23 00900
Eyck Ten & Richard Pullen
37020 Deming Rd
Sandy, OR 97055

24E23 00901
Sherrene Teneyck
37020 Deming Rd
Sandy, OR 97055

24E23 01100
Richard Pullen
36940 Deming Rd
Sandy, OR 97055

24E23 01800
University Developments Llc
17150 University Ave STE 200
Sandy, OR 97055

24E23 01804
Sixth Generation Properties Llc
Po Box 1750
Oregon City, OR 97045

Exhibit GGGG



January 13, 2020

Emily Meharg
Senior Planner
City of Sandy Development Services
39250 Pioneer Boulevard
Sandy, OR 97055

**RE: CITY OF SANDY BAILEY MEADOWS SUBDIVISION (FILE NO. 19-023 SUB/VAR/TREE)
PRELIMINARY REVIEW**

Dear Emily:

This letter is in response to the September 27, 2019 memo from Hassan Ibrahim with Curran-McLeod, Inc. Consulting Engineers to the City of Sandy.

Comments

1. *We have briefly reviewed the “Geotechnical Engineering Report” prepared by Geopacific Engineering, Inc., dated June 18, 2019 and recommend that the developer retains appropriate professional geotechnical services for observation of construction of earthwork and grading activities. The grading setbacks, drainage and terracing should comply with the Oregon Structural Specialty Code (OSSC) requirements and the geotechnical report recommendations and conclusions as indicated in the report. When the grading is completed, a final report should be submitted to the City by the Geotechnical Engineer stating that adequate inspections and testing have been performed on the lots and all of the work is in compliance with the above noted report and the OSSC.*

Response: Professional geotechnical engineering services will be provided for observation of construction earthwork and grading activities. Grading setbacks, drainage, and terracing will meet the OSSC and the geotechnical engineer’s report recommendations. A final geotechnical engineering observation report will be submitted as required.

2. *We have reviewed the preliminary stormwater calculations that was provided with this submittal. The calculations are found to meet the water quality/quantity criteria as stated in the City of Sandy Development Code (SDC) 13.18 Standards and the City of Portland Stormwater Management Manual (SWMM) Standards, that were adopted by reference into the Sandy Development Code. However, a detailed final report stamped by a licensed professional shall be submitted for review with the final construction plans.*

Response: A final stormwater report, including updated calculations, will be submitted with the final construction plans.

3. *We have reviewed the “Traffic Impact Analysis” prepared by Lancaster Engineering dated June 20, 2019. The study doesn’t identify any concerns as a result of this development.*

Response: This is understood.

4. *3/4 Improvements should be required on Ponder Street north-south between Gunderson Road and the most northerly east-west street to include 28-foot wide paved surface, curbs on both sides, 5-foot*

BEND, OR | KEIZER, OR | TUALATIN, OR | VANCOUVER, WA
www.aks-eng.com

planter strip with street trees, street lighting and 5-foot wide sidewalks on the west side of the roadway.

Response: A three-quarter street improvement cannot be constructed in this portion of Ponder Lane because there is not adequate right-of-way. The existing right-of-way width is only 30 feet for this section. Also, the existing right-of-way is currently being used as driveway access for the neighboring property to the east (Tax Lot 200; Clackamas County Assessor's Map 2 4E 23) and blocking this access (with this project) is not desirable. Emergency vehicle access gates will be provided at the ends of the east-west oriented street stubs, so only emergency vehicles are permitted to ingress/egress. This provides for desirable emergency vehicle access between Bailey Meadows, Ponder Lane, and neighborhoods to the north. Introducing the opportunity for additional traffic (beyond what exists currently) to access the intersection of Highway 211 and Ponder Lane, as a 3/4 street improvement would do, is also considered not desirable.

5. *All interior streets to include the east-west Ponder lane should be constructed to local street standards (28-foot wide paved surface, curbs on both sides, 5-foot planter strips and 5-foot wide sidewalks) in compliance with the City of Sandy Transportation System Plan (TSP), figure 12. The proposed 50-foot right of way is adequate.*

Response: All interior streets will be designed and constructed as required.

6. *Gunderson Road is classified in the City of Sandy Transportation System Plan (TSP), figure 5 as a minor arterial street. A minimum of 34 feet of right of way dedication will be required along the entire site frontage as per City of Sandy Development Code, chapter 17.84. This roadway will be extended in the future as the surrounding properties develop around this site.*

A half Improvements would be required on Gunderson Road to include 22-foot wide paved surface, curbs on one side, 5-foot planter strips and 6-foot wide sidewalks along the south plat boundary line as per the TSP. At the request of the City, we have developed a layout of this site and came up with 98 lots including a 34-foot of right of way dedication along Gunderson Road.

Response: This comment is outdated. The alignment of Gunderson Road has been modified to better fit actual on-site conditions based on other applicable information that has become available. The reference to a different layout is also not applicable at this time.

7. *Melissa Avenue is classified in the City of Sandy Transportation System Plan (TSP), figure 5 as a local street and is proposed to be the only access to this development. Currently, the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glen No. 2 is 2,490 trips. The traffic volumes increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1,000 ADT. The projected capacity exceeds the preferred capacity limitations.*

We are also concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case an evacuation is needed. A review by the Fire Department is needed to confirm whether an additional emergency access is needed or not. However, we recommend as a minimum a temporary/emergency access to Hwy 211.

Response: The City has performed maintenance on Melissa Avenue since the date this comment was made. The project's traffic engineer (Todd Mobley with Lancaster-Mobley Engineering) performed a site visit analysis on Melissa Avenue after the maintenance was completed



and stated that the avenue appears to be in good condition. Please see photographs included below. We also do not see any basis for the statement that additional trips will “cause a complete failure.” The TSP is not an approval criterion for this land use action.

A secondary emergency access to the site has been discussed with and reviewed by the fire marshal. A secondary emergency access to Ponder Lane has been provided, as shown on the preliminary plans and described in the response to #5, above.

Inclusions: Photos taken on Melissa Avenue on Thursday, December 26, 2019.



8. *The developer’s engineer should provide a profile design for a minimum of 200 feet for all future street extensions stubbed streets past the project boundary to ensure future grades can be met.*

Response: The profile design will be provided as required.

9. *All ADA ramps shall be designed, inspected by the design engineer and constructed by the contractor to meet the most current PROWAG requirements.*

Response: ADA ramps will be designed and constructed as required.

10. *All public sanitary sewer, waterline mains to be a minimum of 8-inches in diameter and a minimum of 12—inches in diameter for storm drains and be extended to the plat boundaries where practical to provide future connections to adjoining properties. All utilities are extended to the plat boundary for future connections.*

Response: Sanitary sewer, storm drain, and water mains will be provided as required and will be extended to boundaries where practical.



11. The new site layout eliminated the detention pond and a detention tank can be used in lieu of a pond meeting the requirements of the 2016 City of Portland StormWater Management Manual (SWWM).

Response: Stormwater facilities meeting the City's requirements will be provided.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC



Montgomery B. Hurley, PE, PLS - Principal
503-563-6151 | monty@aks-eng.com
12965 SW Herman Road, Suite 100
Tualatin, OR 97062



**PLANNING COMMISSION
STAFF REPORT
TYPE III LAND DIVISION**

DATE OF REPORT: December 10, 2019

HEARING DATE: December 17, 2019

FILE NO.: 19-023 SUB/VAR/TREE

PROJECT NAME: Bailey Meadows Subdivision

OWNER/APPLICANT: Allied Homes & Development

LEGAL DESCRIPTION: T2S R4E Section 23 Tax Lots 800, 801, 802, 803, 804

EXHIBITS:

Applicant's Submittals

A. Land Use Application Form

B. Narrative

C. Project Plan Set

- Sheet P1-01: Cover Sheet with Site & Vicinity Maps & Legend
- Sheet P1-02: Preliminary Existing Conditions Plan
- Sheet P1-03: Preliminary Existing Conditions Plan
- Sheet P1-04: Preliminary Subdivision Plat with Future Building Setbacks
- Sheet P1-05: Preliminary Grading & Erosion & Sediment Control Plan
- Sheet P1-06: Preliminary Grading & Erosion & Sediment Control Plan
- Sheet P1-07: Preliminary Composite Utility Plan
- Sheet P1-08: Preliminary Composite Utility Plan
- Sheet P1-09: Preliminary Street Plan
- Sheet P1-10: Preliminary Street Plan
- Sheet P1-11: Preliminary Street Cross Sections & Profiles
- Sheet P1-12: Preliminary Street Profiles
- Sheet P1-13: Preliminary Street Profiles
- Sheet P1-14: Preliminary Street Profiles
- Sheet P1-15: Conceptual Future Street Plan
- Sheet P1-16: Preliminary Tree Preservation & Removal Plan & Arborist Report
- Sheet P1-17: Preliminary Tree Preservation & Removal Plan & Arborist Report
- Sheet P1-18: Preliminary Tree Preservation & Removal Table & Arborist Report
- Sheet P1-19: Preliminary Tree Preservation & Removal Table & Arborist Report
- Sheet P1-20: Preliminary Demolition Plan
- Sheet P1-21: Preliminary Demolition Plan
- Sheet P1-22: Preliminary Street Tree and Stormwater Screening Planting Plan
- Sheet P1-23: Preliminary Landscape Notes and Details
- Sheet P1-24: Preliminary Parking Plan

- Sheet P1-25: Preliminary Emergency Vehicle Access Plan
- Sheet P1-26: Preliminary Emergency Vehicle Access Plan
- D. Conceptual Connectivity Plan
- E. Preliminary Numbered Parking Plan
- F. Traffic Impact Analysis
- G. Preliminary Stormwater Report
- H. Flood & Slope Hazard (FSH) Analysis
- I. Geotechnical Engineering Report
- J. Letter from Michael Robinson (July 2, 2019)
- K. Mailing Labels
- L. Applicant Submittal Checklist
- M. Warranty Deed
- N. Clackamas County Assessor's Map
- O. Documentation of Plat Name Reservation
- P. Letter from Michael Robinson with Exhibits (August 20, 2019)
- Q. 120 Day Extension Letter (October 15, 2019)
- R. Letter from Michael Robinson (November 21, 2019)
- S. Updated Sheet P1-04 (Plan Dated November 15, 2019)
- T. Updated Sheet P1-15 (Plan Dated November 21, 2019)
- U. Updated Narrative (November 21, 2019)
- V. Gunderson Extension Exhibit from Todd Mobley (November 22, 2019)
- W. Letter from Michael Robinson with Exhibits (November 25, 2019)
- X. Trip Distribution with Gunderson Road Email from Todd Mobley (December 5, 2019)

Agency Comments Received Prior to November 2019 Updated Submittal

- Y. City Engineer (September 27, 2019)
- Z. PGE (September 18, 2019)
- AA. ODOT (October 4, 2019)
- BB. Parks and Trails Advisory Board (October 9, 2019)
- CC. ODOT Design Speed Email (November 19, 2019)

Public Comments

- DD. Paul and Jolette Owen, 37189 Rachael Drive (September 14, 2019)
- EE. Paul Savage, 37506 Rachael Drive (September 26, 2019)
- FF. Sarah Bettey, 18195 Melissa Avenue (September 26, 2019)
- GG. Tiffany Harris, Rachael Drive (September 27, 2019)
- HH. Todd Cooper, 18190 Melissa Avenue (September 27, 2019)
- II. Tom Newell, 18007 Rachael Drive (September 27, 2019)
- JJ. Cary Mallon, corner of Melissa Avenue and Rachael Drive (September 28, 2019)
- KK. Lonnie McVey, No address provided (September 28, 2019)
- LL. John and Carol Dick, 18255 Grey Avenue (September 29, 2019)
- MM. Marilyn and Treena Siewell, No address provided (October 1, 2019)
- NN. Marguerite Wadkins, 18291 Myra Court (October 1, 2019)
- OO. Doris E. Rooney, 37214 Rachael Drive (October 1, 2019)
- PP. Susan Hebb, Reich Court and Dubarko Road (October 1, 2019)
- QQ. Dawn and Jordan Allen, Melissa Avenue (October 1, 2019)

RR. Dave Meeker, 18198 Grey Avenue (October 1, 2019)
 SS. Carol Hassebroek, 39400 SE Trubel Road (October 1, 2019)
 TT. Karen Higgins, 37487 Rachael Drive (October 2, 2019)
 UU. The Molcany Family, Wewer Avenue (October 2, 2019)
 VV. Esther Naomi Quick, 18214 Grey Avenue (October 2, 2019)
 WW. Edith Newton, 18246 Grey Avenue (October 2, 2019)
 XX. Lori Graham, 37322 Rachael Drive (October 3, 2019)
 YY. Jeff Conder, 36345 Dubarko Road (October 3, 2019)
 ZZ. Belus and Juanita Schonek, 18102 Wewer Avenue (October 3, 2019)
 AAA. Danielle and Oliver Mullon, Myra Court (October 3, 2019)
 BBB. Corri Baldwin, 37524 Rachael Drive (October 3, 2019)
 CCC. Mike Schell, 37524 Rachael Drive (October 3, 2019)
 DDD. Ashley Parrish, 37356 Rachael Drive (October 3, 2019)
 EEE. Guimar and James DeVaere, 18176 Rachael Drive (October 3, 2019)
 FFF. Erin Findlay, 37616 Rachael Drive (October 3, 2019)
 GGG. Krista and Gabriel Stone, 18111 Rachael Drive (October 4, 2019)
 HHH. Faith Egli, 37708 Rachael Drive (October 4, 2019)
 III. Tim Sellin, 18256 Melissa Avenue (October 4, 2019)
 JJJ. Nicole Sellin, 18256 Melissa Avenue (October 4, 2019)
 KKK. Barbara Coutts, 37265 Solso Drive (October 4, 2019)
 LLL. Roberta (Shelly) Evett, 18192 Rachael Drive (October 4, 2019)
 MMM. Laura Kvamme, 37438 Rachael Drive (October 11, 2019)
 NNN. Kelli Acord, 36366 Industrial Way Ste B (October 18, 2019)
 OOO. Elizabeth A. (Libby) Burke, 37412 Rachael Drive (October 20, 2019)
 PPP. Brad Robison, 37412 Rachael Drive (October 20, 2019)
 QQQ. Laurie Gilbert, 18392 SE 370th Avenue (November 4, 2019)

BACKGROUND AND SIGNIFICANT ISSUES

1. Allied Homes & Development submitted an application to subdivide 23.42 acres into a 100-lot residential subdivision. The subject property is located on Ponder Lane south of the Nicholas Glen subdivision and north of Highway 211. The 100 proposed lots vary in size from 7,500 to 9,706 square feet. The proposal also includes a 22,521 square foot stormwater detention tract. The proposed development includes removal of trees to accommodate the extension and/or construction of rights-of-way. There are no existing structures on the subject property. The application as submitted proposed to rely solely on using Melissa Avenue in the Nicolas Glen subdivision to access the 100 lots in this subdivision.
2. The city received the application on July 5, 2019, and notified the applicant that it was incomplete. The applicant responded with a letter and additional submittal items that the city received on August 22, 2019. Under state law, the application was deemed complete on August 22, 2019 because the applicant provided some information in response to the incompleteness notice and stated that it would provide no additional information.
3. The subject site consists of five lots with a total area of approximately 23.42 acres. The site is located north of Highway 211, south of Rachael Drive, and west of Ponder Lane. The parcel has

a Plan Map designation of Low Density Residential and Zoning Map designation of SFR, Single Family Residential.

4. According to the applicant, the 100 proposed lots will add approximately 944 vehicle trips each weekday to Melissa Avenue. In discussions with the applicant, both during the preapplication stage and after the application was submitted, staff expressed concerns about having one access into Bailey Meadows via Melissa Avenue.
5. One challenge in providing a second access into the proposed subdivision is the location of the subject property relative to the city's urban growth boundary ("UGB"). The city has a road identified in its transportation system plan ("TSP") that would serve as a second way to access Bailey Meadows. That road ("Gunderson Road") could connect the southern portion of the subdivision with Highway 211, as the TSP generally envisions. However, the connection from the subject property to 211 would occur outside of the city's UGB. State law would only allow Gunderson Road to be built if it were either: (a) in the city's UGB; or (b) Clackamas County approved an "exception" in accordance with state law that would allow the road to be built on rural land outside the UGB.
6. Initially, during the preapplication period, the applicant considered filing an exception application with Clackamas County to extend Gunderson. However, senior planning staff at the county were not supportive of an exception. The applicant discusses the exception in more detail on page 3 of its August 20, 2019 letter to city staff (Exhibit P). After concluding that an exception would not be approved, the applicant submitted the application and proposed relying solely on Melissa Avenue for access to the subdivision. As discussed further in Exhibit P, the applicant asserts that state law prohibits the city from denying the application for only proposing one access point from Melissa Avenue. The city attorney will address these assertions at the hearing on December 17.
7. After the application was deemed complete, the applicant chose to hold a neighborhood meeting regarding the proposed subdivision, which occurred on September 18, 2019 at the Sandy library. Subsequent to that meeting, on September 26, the applicant, its representatives and its attorney met with city staff and the city attorney to discuss issues related to the application. The parties discussed the impacts to Melissa Avenue and the residents of Nicolas Glen if a second access was not provided. At the conclusion of that meeting, the applicant agreed to explore a UGB expansion that would, if approved, permit the construction of Gunderson Road and provide a second access into and out of the proposed subdivision.
8. Ideally, a UGB expansion and the specifics of how Gunderson Road could be built and financed would occur prior to considering the subdivision application. However, this approach does not work for the applicant for reasons it can discuss at the December 17 hearing. Instead, the applicant is proposing that the city impose a condition of approval on its subdivision application that would require the applicant to seek, in a subsequent application process, an expansion of the UGB to allow the applicant to construct Gunderson Road, subject to certain contingencies. The applicant summarizes this proposal in a November 25, 2019 letter to the city (Exhibit W).

9. The specific details of the second access intersecting with HWY 211 are still being defined by the City of Sandy, the Oregon Department of Transportation (“ODOT”), and the applicant. The city, the county, the Oregon Department of Land Conservation and Development (“DLCD”) and ODOT have discussed the concept of a possible UGB expansion to accommodate a Gunderson Road connection. While the county had some procedural questions, these agencies have not expressed opposition to the concept and DLCD understood the justification for it. The land to be added to the UGB, and upon which Gunderson Road would be built, is under the control of the applicant. The amount of land added to the UGB would essentially be limited to the right-of-way necessary to accommodate constructing Gunderson Road from the subdivision to HWY 211 in accordance with the city’s right-of-way standards for a minor arterial road. The basis for adding the land to the UGB would be to satisfy an unmet need for a transportation facility and it would not justify any other type of development (e.g. additional housing or commercial development). The applicant currently intends to seek a UGB expansion in early January 2020. The city would need to hold at least two hearings on the proposed expansion – one before the planning commission and one before the city council. If approved, the county would also need to hold a hearing to amend its comprehensive plan map to account for the change to Sandy’s UGB.
10. Although there are significant details to address, staff is encouraged that the applicant is seeking a solution to provide a second access to the subdivision. As of the date of this report, a draft condition of approval is being considered that the city could ultimately impose on the subdivision, which we intend to discuss at the hearing on December 17.

PUBLIC COMMENTS

11. Neighbors in the vicinity of the proposed subdivision and other members of the public have expressed significant interest in and concern regarding the proposed subdivision, particularly regarding the impacts it may have on city infrastructure and services. As of the date of this report, the city has received approximately 40 written comments from the public. These comments are contained in the record in Exhibits DD through QQQ. The vast majority of the public comments express concern with traffic and access issues, particularly the effect of adding 100 new homes if a second access is not provided to the subdivision. As discussed above, city staff shares this concern.

PROCEDURAL ISSUES

12. The Planning Commission hearing was originally scheduled to be held on October 28, 2019. The applicant agreed to postpone the original hearing to a later date to consider a second access into the proposed subdivision. The original 120-day deadline was December 20, 2019. On October 15, 2019 the City of Sandy received a notice from the applicant’s attorney granting an extension of the 120-day clock to February 8, 2020 (Exhibit Q).
13. Notification of the proposal was originally mailed to property owners within 500 feet of the subject property and to affected agencies on September 12, 2019 regarding the October 28, 2019 public hearing. On October 16, 2019 a notice was mailed to property owners within 500 feet of the subject property stating that the October 28, 2019 meeting was cancelled. On November 27, 2019 notification of the revised proposal was mailed to property owners within 500 feet of the subject property and a legal notice was published in the Sandy Post on December 4, 2019 regarding the rescheduled public hearing on December 17, 2019.

14. Agency comments were initially received from the City Engineer, PGE, the Parks and Trails Advisory Board, and ODOT. On November 21, 2019, the applicant submitted updated materials to city staff (Exhibits R-U). On November 25, 2019, the applicant through its legal counsel clarified its intention to seek a UGB expansion to allow a Gunderson Road connection, subject to certain conditions (Exhibit W). On December 5, 2019, the applicant's traffic consultant submitted a memo (Exhibit X) that outlines anticipated changes in trip distributions from the subdivision if Gunderson Road were built and connected to HWY 211. As of the date of this report, the city has not received comments from other agencies or outside consultants to the city relative to the applicant's November 21 revised submittals or the December 5 memo from the applicant's traffic consultant. Staff would like to have these comments to guide the planning commission's review of the application. In particular, staff would like to have the city's traffic consultant review the applicant's December 5 submittal regarding anticipated trip redistribution if Gunderson Road were constructed. As of the date of this report, the city is also anticipating construction cost estimates for the Gunderson Road connection. These estimates are important for the city to consider in order to adequately respond to certain conditions that accompany the applicant's willingness to accept the condition of approval described above.
15. In light of the Thanksgiving holiday, planning staff schedules, staff workloads (exacerbated by the departure of one of the city's associate planners) and details that remain to be considered relative to a Gunderson Road connection, a number of code sections are still being evaluated by staff. Staff anticipates continuing to work on a customary staff report for the planning commission's consideration.
16. Staff understands from talking with the city attorney that the applicant anticipates there will be a desire and a need to allow the planning commission to consider additional evidence and testimony after the December 17 hearing, prior to the planning commission making a decision on the application. Staff concurs with this and an approach that the applicant's attorney and the city attorney have discussed for the planning commission's consideration is discussed below.

RECOMMENDATION

Staff recommends the Planning Commission open a public hearing to receive public testimony. Once the hearing has been completed staff recommends the Planning Commission close the public hearing but leave the record open in accordance with state law, specifically ORS 197.763(6).

Given the upcoming holidays and the issues relating to the condition of approval for the additional access from Gunderson Road, the city attorney believes the best way to proceed is to have an initial open record period that would end on January 14, 2020. During this first open record period, any party would be able to submit any additional evidence or testimony that is relevant to the application. Then, a second open record period would begin that would run through January 28, 2020. During this second open record period, parties would be able to submit evidence and testimony that responds to issues raised during the first open record period, but parties would not be able to raise new issues. A final period of seven days would be reserved exclusively for the applicant to submit its final argument. This period would expire on February 4, 2020.

Staff would review the submissions and put together a summary of what was received, as well as a final recommendation to the planning commission. The planning commission would then reconvene in a public meeting to deliberate and make a decision on the application. Consistent with the poll staff recently sent to commissioners, the date of that meeting would be February 11, 2020. Based on discussions with the city attorney, staff understands that this proposed schedule is acceptable to the applicant and that the applicant would extend the 120-day deadline for the amount of time between December 17 and the date the commission would reconvene to make a decision on February 11, 2020.

RECEIVED

JAN 16 2020

CITY OF SANDY

Exhibit III

JAN 16 2020

January 15th, 2020

Les & Kathy Geren
37721 SE Ponder Ln.
Sandy, OR 97055

To Whom It May Concern:

For the past 46 years we have owned the property east of the proposed development Bailey Meadows. We own a strip of land from our home to Highway 211 via Ponder Lane. We recently had the property line resurveyed and are planning on building a security fence on the west side of our property, which is the east side of what is called Ponder Lane. We plan on installing a gate on both ends of our property. One gate will be where there is a direct access to our home and property. The second gate will be on the south end of our property where Ponder Lane heads east towards Highway 211. Both gates would be electronic gates with punch boxes for emergency vehicle access.

This will assure us that we can continue to receive semi-trucks to our barn for our business, Geren's Farm Supply, as well make our multiple trips to the barn to retrieve hay or straw for said business. It will also assure that the only access to Highway 211 via Ponder Lane will be for the four existing homes with no restrictions.

Looking at the plot plan for Bailey Meadows, they need to have pylons installed to prevent access to Ponder Lane, and have traffic exist via Avenue 2 and the proposed Gunderson access to Highway 211.

We are sharing our plans to assist in the planning of Bailey Meadows and to reassure the state highway department that there would be limited access to Highway 211 via Ponder Lane.

Thank you,


Les Geren
503-668-5913

19023 sub/VAR/Tree
Bailey Meadows

January 15th, 2020

To whom it may concern:

We want to address an awareness of the seasonal spring that lives on two properties on Ponder Lane and runs through a culvert on the corner of Ponder Lane. When it isn't running we still have storm runoff that exits the properties from the North and East in the same manner. This would be running down the South end of Bailey Meadows to No Name creek and eventually makes its way to Tickle Creek and a man made pond on land adjacent to this property. This could impact the proposed housing on plots 55 thru 64.

Thank you for including these concerns in the overall land management plan.



Existing
Drainage
Area

1/9/2020

20200101_130310.jpg



<https://mail.google.com/mail/u/2/?ogbiinbox=MrqyxwGCKdsJjwSdgkTrnnsGvzvqKv?projecto=1&messagePartId=0.1>

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1/9/2020

20200101_130302.jpg



<https://mail.google.com/mail/u/2/?ogblnbox/FMcqpwGCkdsJnqHscPbhMRkzhhLw?projector=1&messagePartId=0.1>

1/1



Exhibit JJJJ

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows Subdivision File No. 19-023 SUB/VAR/TREE

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Tue, Jan 21, 2020 at 11:27 AM

To: "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

Cc: Emily Meharg <emeharg@ci.sandy.or.us>, David Doughman <David@gov-law.com>, Marisol Martinez <mmartinez@ci.sandy.or.us>

Mike and Cody - Below is a new public comment regarding Bailey Meadows.

Emily - Please make 15 copies of the email you received from the Crosswhites for the meeting on Thursday.

----- Forwarded message -----

From: **Emily Meharg** <emeharg@ci.sandy.or.us>

Date: Tue, Jan 21, 2020 at 8:58 AM

Subject: Fwd: Bailey Meadows Subdivision File No. 19-023 SUB/VAR/TREE

To: Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

----- Forwarded message -----

From: **Melissa Reeb** <melissa.reeb@gmail.com>

Date: Mon, Jan 20, 2020 at 9:50 PM

Subject: Bailey Meadows Subdivision File No. 19-023 SUB/VAR/TREE

To: <emeharg@cityofsandy.com>

Cc: Brian ICE <crosswhb@yahoo.com>

Dear Mrs. Meharg,

I am writing you to voice my family's concern about the proposed subdivision, Bailey Meadows. We are concerned about the impact it will have on our neighborhood. We are residents of Melissa Ave and find this proposal extremely concerning.

*944 additional car trips per day on OUR street. We have a two year old and 4 year old. There are many families with young children in our neighborhood too. Safety is a concern for us. More cars, more accidents, more strangers driving by our home.

*Emergency Vehicle Access in and out. Response time will be drastically reduced, which is scary. If we ever need to evacuate our home (forest fire, earthquake) the only escape route (Melissa AVE) would be heavily clogged by an excess of vehicles. The outcome devastating for our neighborhood and the proposed neighborhood.

*The ONLY access to these new homes would be Melissa AVE. Our street will be overburdened, along with Dubarko, Bluff, Ruben and 362nd.

*With more cars there will be more noise, more pollution (tickle creek, air quality and surrounding areas) and ultimately it will lower home values on our street/ neighborhood. Not many families want a home on a street that has literally thousands of cars driving by everyday. (Usually WAY too fast)

*Our little neighborhood's parks and trails (which is one of my favorite parts of living in Sandy and this neighborhood) would become overcrowded and more dangerous. Per the developer they don't plan on adding another park. That's a lot more families who will be occupying our existing parks and trails.

*We are very concerned about this new development and the impacts it is going to have on our quiet, safe, small town neighborhood. We are seriously considering moving because of this. We moved here to start a family in a small community/ neighborhood that would be great for raising kids. This development is going to have a huge impact on so many families including ours.

1/22/2020

City of Sandy Mail - Fwd: Bailey Meadows Subdivision File No. 19-023 SUB/VAR/TREE

Thank you for letting us voice our concerns.

Melissa and Brian Crosswhite

1/23/2020

City of Sandy Mail - Fwd: Bailey Meadows



Exhibit KKKK

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows

2 messages

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>
To: Planning Commission <planningcommission@ci.sandy.or.us>
Cc: Marisol Martinez <mmartinez@ci.sandy.or.us>

Wed, Jan 22, 2020 at 9:21 PM

Another public comment for the record for tomorrow night's hearing.

-Kelly

----- Forwarded message -----

From: **Emily Sheldon** <emilinaamoon@gmail.com>
Date: Wed, Jan 22, 2020, 9:18 PM
Subject: Bailey Meadows
To: <emeharg@cityofsandy.com>, <koneill@cityofsandy.com>

January 22, 2010

Dear Ms. Meharg,

I am writing to voice my family's concerns regarding the new subdivision: Bailey Meadows. My primary concern is the detrimental impact to our safety, not to mention the burden this development will have on our quiet street and neighborhood. First, I would like to apologize for the lateness of this letter. Next, I would like to address my concerns.

Traffic concerns: 944 additional car trips is just too many on Melissa Ave. Melissa Ave is a narrow street in which residents park curbside. This congestion already makes Melissa only navigable via one lane to travel up and down. Currently, residents are patient and accommodating but with 100 new homes this is likely to no longer be the case. Melissa Ave also has a steep grade and is very unsafe in the winter with ice & snow. From reviewing the current staff reports and traffic analysis, it is presumed some of the brunt of additional traffic will be directed to the newly constructed Gunderson Rd (if that even happens). This is also concerning because Gunderson Rd to Melissa Ave will become a bypass for other residents of the City of Sandy. Bringing with it a myriad of other concerns such as speed and an increase in petty crimes. This brings leads me to my next concern.

The Traffic Analysis: The traffic analysis was engineered by Lancaster Engineering. Meaning, Todd Mobley who sits on the City of Sandy's Planning Commission prepared the traffic analysis. The same Todd Mobley provides a public testimonial for the Developer, Allied Homes and Development on their website. Albeit, Mr. Mobley recused himself from the Planning Commission in regards to Bailey Meadows. But, this raises many questions and concerns about the impartiality and fairness of the study. How many other traffic analyses has Lancaster Mobley done for the City of Sandy? Were they impartial? As a constituent of the City of Sandy, I find this completely disturbing and a conflict of interest. While I am not an engineer or traffic analyst, I do not believe the findings of this study to be accurate. Also, the intersection of Hwy 211 and Dubarko were left out of the traffic study. Why, was this, as I would suspect this new roadway intersection will only become a replication of this dangerous intersection. It may in fact be worse, as the proposed area had little shoulder to allow people time and space to react to potential hazards. Also, I do not believe that the data regarding traffic collisions to be an accurate reflection of the described intersections. While the study includes traffic collisions that have been reported to the DMV, I believe it would be imperative to include all data that is reported in the Sandy Police and Fire Log. Not all crashes meet the criteria necessary to be reported to the DMV. Why aren't these included. And, if they were, how would they change the results of the study?

<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permthid=thread-f%3A1656495157297106198&siml=msg-f%3A16564951572...> 1/2

1/23/2020

City of Sandy Mail - Fwd: Bailey Meadows

Safety: If the development were to be approved without the construction of Gunderson Rd, the City of Sandy will put all residents of both the Nicholas Glen neighborhood as well as Bailey Meadows (and other surrounding neighborhoods & residents) in harm's way. With only one entrance and exit into the neighborhoods, emergency vehicles entrance and exit will be severely diminished. In case of natural disaster, this design creates a huge bottleneck and blocks evacuation for residents. This is frightening.

Lack of Park: Why doesn't the City of Sandy require a park in Bailey Meadows. Why do they leave an out for developers to pay a rather small fee in lieu of? Why is the Park's Master Plan completely disregarded? Without a park, the residents of both neighborhoods will have a decreased standard of living and the existing nearby parks will face undue strain.

Trees: Lastly, when I last spoke to you regarding the removal of the massive trees that line the property I found out that the giant Spruce behind my next door neighbor's home will remain. Yet, the 3 companion trees that block what will be Melissa Ave will be removed. This is terrifying. When the developers grade the property to prepare to build they will damage the root system which secures the tree. Additionally, when the other trees in the group are removed there will no longer be any shelter for this tree, which is commonly pushed toward my home during heavy winds. This causes a HUGE concern that this tree will fall on my house and my family will suffer injury or more. Who is responsible to remove this tree, and who should be responsible when it falls on someone's home, largely due to the root and securement being destroyed during roadway excavation of this project.

In conclusion, I would like to ask the City of Sandy & the Planning Commission to take these points into careful consideration. Kindly, I would also like to request that a new traffic study & analysis is executed by an unbiased engineering firm. While I do not want to directly call into question Mr. Mobley's ethics or integrity, this does raise a concern of possible biases toward a specific developer and a conflict of interest. On Allied Homes Website, Mr. Mobley is quoted as saying that he "*fortunate enough to work on the opposite side of a number of land deals with Cody Bjugan and the team at Allied Development*" (<https://discoverallieddevelopment.com/allied-land-development-testimonials/>). Is this the standard of professionalism and fairness that we, as a city, want to project to not only the public, but also other developers. Especially when so much of the study was based upon estimates and professional experience.

Thank you for your time,
Emily Sheldon

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Wed, Jan 22, 2020 at 9:22 PM

To: Cody Bjugan <cody@investpdx.com>, "Robinson, Michael C." <MRobinson@schwabe.com>

Cc: David Doughman <David@gov-law.com>, Emily Meharg <emeharg@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

Another comment for the public hearing tomorrow night.

-Kelly

[Quoted text hidden]

Kathleen Walker
15920 SE Bluff Rd.
Sandy, Oregon 97055

Exhibit LLLL

January 23, 2020

Dear Planning Commission and City Council:

Road Access: Staff Report Item #7 Page 22 of 960 and Exhibit W on Page 471 of 960: We appreciate the developer's willingness to work with the City, County, ODOT and other agencies to provide the secondary egress for the proposed development. We respectfully disagree with their opinion that development of adequate transportation as outlined in the TSP is not required for development or cannot be required under State statute. This is especially in light of the already over capacity single egress on local access street Melissa Avenue and the fact that the fire department found that temporary access gates on Ponder were not sufficient for fire fighting..

Staff Report Item #9: *"9. Ideally, a UGB expansion and the specifics of how Gunderson Road could be built and financed would occur prior to considering the subdivision application. However, this approach does not work for the applicant. Instead, the applicant is proposing that the city impose a condition of approval on its subdivision application that would require the applicant to seek, in a subsequent application process, an expansion of the UGB to allow the applicant to construct Gunderson Road, subject to certain contingencies. The applicant summarizes this proposal in a November 25, 2019 letter to the city (Exhibit W)."*

While this condition of approval is hopeful, it only requires the applicant to seek, and not receive approval for the UGB expansion to build out Gunderson Road. While it is understandable that the decision for the UGB expansion is outside of the applicant's control, it is a key component to the success of the development and must be acquired and built as part of the development and not as a subsequent request. In addition, it appears that one of the contingencies desired by the applicant in Exhibit W is that the City have jurisdiction over Highway 211, rather than ODOT. While this has been a desire by the City for years, and ODOT can be onerous to work with on projects like this, it is unrealistic to make this large ask a contingency for development of Gunderson. Jurisdictional decisions like that take years to complete. In fact any "contingencies" desired by the developer should be spelled out to the public prior to the condition for approval for the Bailey Meadows being drafted and not at a later date. Nevertheless, we appreciate the effort all sides have made to work together on developing this badly needed secondary access.

Staff Report #29, #37 and #49 and Exhibit W: For clarification, is Exhibit W proposing to only develop "a portion" - one lane of Gunderson? It appears that the proposed width of this minor arterial should exceed those of the local streets. The entire road to lane road needs to be built as outlined in Staff Report #49. It should also include room for bike lane access because once curbs and sidewalks go in, it will be difficult to make room for bikes. The use on Melissa will not be abated if Gunderson is not built for full use by the new subdivision! Please ensure the Condition of Approval does not leave loopholes for the future.

Staff Report #30: It is very difficult to assess and approve a development in front of the public and planning commission when major roads, and access points to lots are not clearly depicted on the final plan being approved. I was not able to review a final revised plan in the 900+ pages!

The orientation and access of lots 55-59 should require a variance (which could be issued) to face away from Gunderson. If they do not plan to seek the variance, then they should be required to build Gunderson to the end of the block (lot 55). It is unclear what pedestrian access from their front door will lead to. The applicant should submit the Plan Set prior to approval of the plan by the planning commission.

Park land and staff report # 57, #62, and #64 The discussion at a City workshop was not specific (and intentionally so) to Bailey Meadows. The entire Nicholas Glen subdivision including open space along Tickle Creek was prior to even having both a Parks Master Plan or a Tickle Creek Trail. Please clarify the staff report. The Parks Board and neighbors were unanimous in their desire for these 100 homes and Nicholas Glen to have access to a park. On a positive note, the option for the applicant to donate 2+ acres of park land adjacent to the Gunderson Road and Bailey Meadows development represents success. Without a complete revised plat map, it is difficult to know. Assuming the City can accept the required park land and any additional land they want to get off the tax rolls, this would be a win for everyone. This should be a condition for approval.

In conclusion, I appreciate and am grateful for the steady positive progress at addressing the concerns of the community regarding traffic and park land. I encourage you to strongly and clearly clarify that approval of the proposed development is contingent on construction of the entire Gunderson Road (with at least one bike lane and sidewalks) prior to building permits being issued. Also, require as a condition for approval, dedication of park property to the City adjacent to the subdivision but outside the UGB as proposed.

Kindest Regards,

Kathleen Walker



Kelly O'Neill <koneill@ci.sandy.or.us>

Exhibit MMMM

Open Recod Period

Robinson, Michael C. <MRobinson@schwabe.com>

Thu, Jan 23, 2020 at 5:12 PM

To: "Kelly O'Neill, Jr" <koneill@ci.sandy.or.us>, "David Doughman Esq." <david@gov-law.com>

Cc: Cody Bjugan <cody@investpdx.com>

Corrected email

Sent from my iPhone

> On Jan 23, 2020, at 5:00 PM, Robinson, Michael C. <MRobinson@schwabe.com> wrote:

>

> David, confirming that because tonight is the initial evidentiary hearing, the applicant will ask that the hearing be closed but the written record held open for two 7 day periods, the first ending on January 30 at 5pm for anyone to submit argument and evidence and the second ending on February 6 at 5pm for rebuttal of first open record periods without new issues. The applicant will waive final written argument and will extend the 120-day period by 14 days if this schedule is granted. We understand that the Planning Commission would return on February 11 to deliberate on the application without accepting public testimony.

>

> Sent from my iPhone

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OPEN RECORD PERIOD #1 FOR BAILEY MEADOWS

FILE NO. 19-023 SUB/VAR/TREE
JANUARY 24, 2020 - JANUARY 30, 2020 AT 5:00 P.M.



PUBLIC TESTIMONY





Exhibit NNNN

Kelly O'Neill <koneill@ci.sandy.or.us>

Nicholas Glenn community

Marie Debatty <debattym@yahoo.com>
Reply-To: "debattym@yahoo.com" <debattym@yahoo.com>
To: "koneill@cityofsandy.com" <koneill@cityofsandy.com>

Mon, Jan 27, 2020 at 6:20 AM

I was unable to attend the last meeting concerning my neighborhood. I along with others have taken this issue at hand very seriously. As I hope you have also.

I implore you and your committee to not allow Baily Meadows to come in and over take our quiet neighborhood. By abusing us with there grandiose ideas of overtaking our only way in and out. By there way of wanting to take over Melissa for all there trucks and all other equipment which it takes to build a development. They will come in and rape us of peace. Disheval our lives get there money and leave. Not caring one bit about of their ability to destroy our quiet community. Pure greed. Please stand up for us.

And remember this all began because people did not see into the future when they allowed this property to be part of urban growth planning. This is after all the city of Sandy fault.

Marie DeBatty

[Sent from Yahoo Mail on Android](#)



Exhibit 0000

Emily Meharg <emeharg@ci.sandy.or.us>

urgent concerns reg: UGB expansion and Developers plans

Karen Higgins <khiggins.chwb@gmail.com>
To: emeharg@cityofsandy.com

Mon, Jan 27, 2020 at 3:43 PM

Dear Emily and City of Sandy Commisioners,

I am a Sandy resident, living on Rachael Dr. at Melissa Rd, wishing to voice my urgent concerns regarding the present plans for Bailey Meadows Subdivision and the UGB expansion.

First of all, I strongly oppose any development until it is clear who will pay for the construction of Gunderson and where the funds will come from. As a Sandy taxpayer, I can not afford any increase in property taxes, especially when it is for a development that I strongly oppose. I believe the developer should be paying for the UGB expansion.

As mentioned multiple times by several concerned neighbors at prior public meetings, we are all upset about the amount of increased auto traffic on Dubarko, Melissa and Rachael streets. If this development goes through, there must be some serious safety measures implemented for the intersections of Melissa&Rachael; Dubarko&Melissa and Solso&Melissa due to the huge increase of auto traffic. With a back up of traffic waiting to get through intersections on a very steep hill, Melissa, there will be dangerous instabilities for school buses and during icy winters. This is totally unacceptable and totally unsafe!

Realizing that the City of Sandy is expanding and looks for more progress, I understand that this new development would bring monetary gain for Sandy, but I ask for the respect of the taxpayers who have lived here and supported this city for many years that you would hear and acknowledge the safety of your current residents.

Thank you,
Karen Higgins
37487 Rachael Dr.
Sandy, Or 97055

Exhibit PPPP

Erin Findlay

37616 Rachael Drive
Sandy, OR 97055
(503) 312-2608
stewstac@hotmail.com

January 27th, 2020

Emily Meharg (via email: emeharg@cityofsandy.com)

City of Sandy, Planning Division
39250 Pioneer Blvd.
Sandy, OR 97055

Dear Ms. Meharg,

This is my follow-up letter in response to the most recent staff report and planning commission meeting for the proposed development of Bailey Meadows.

I was really pleased to see so many conditions added to the staff report. We have come a long way from that first neighbor meeting with developers. I know that our planning department has put in many hours for this subdivision alone.

I never thought that I would be in favor of a UGB expansion. Newcomers often seek out Sandy for residence because of how protected it seems to be. In comparison to many Oregon cities, Sandy still gives the *appearance* of supported and controlled growth (i.e. well-designed and planned for).

I will voice my support for the UGB expansion, allowing Gunderson road to be developed for the safety of current and future neighbors. I will also support any additional land applications necessary for the development of Gunderson road.

I have learned so much recently about Oregon law as it pertains to land use. I continue to be surprised that our laws support a developer's ability to build -- regardless of the existing infrastructure or funds needed.

Does the city inherit the financial burden of Gunderson road?

How do small cities survive this?

If, in the future, our city is unable to fund water treatment, sufficient fire/police services, safe and well-maintained city roads, etc. who is accountable?

I hold the developers accountable. Doing what you can (the very minimum) in compliance with state law is very different from “best practice”. I believe that they are doing more, by seeking out the UGB expansion. But, putting the “cart before the horse”, we know that the UGB has not been approved as of yet.

If the UGB is not approved, and this subdivision moves forward regardless, it is not best practice. Everyone should be made aware if this complete disregard for public safety.

If protecting the safety of current and future residents is not mandated by current Oregon land use laws, then it falls upon us (neighbors, city, developers) to ensure that best practice still prevails.

I am asking that the City of Sandy also take a stand for best practice. I am not as familiar with the types of legal or fiscal risks the city might undertake when standing up for best practice.

So, without a clear understanding of what our small city risks in taking a stand, I've listed below what I would like to see rewritten within the conditions:

- Do not allow any development, until the UGB is expanded.
- Once the UGB is expanded, do not allow any development until it is clear who will pay for the construction of Gunderson and where those funds will come from. If the city must pay, do not allow development until the city *can* pay...and still provide sufficient infrastructure on all other levels.
- Include all possible safety measures for the intersections of Melissa/Rachael, Solso/Melissa, and Dubarko/Melissa.
 - Add, within the conditions, a 4-way stop at Melissa/Rachael.
 - Include speed bumps where they can be effective in reducing speed.
 - Create a designated school bus stop area on Rachael, above Melissa that is well-marked. Loading/unloading students on the hill is already unsafe.
 - Ensure that the speed limit is well-marked throughout our neighborhood. *If Melissa will start to operate vehicle numbers more similar to Dubarko, it should include similar speed limit signage, etc.*
 - Consider adding designated, well-marked, reflective crosswalks. Portions of our streets are well-lit. Others are not.
 - Please make pedestrian safety a priority. Sadly, we know very well that pedestrians, including children, have been hit and

killed while following all safety rules/laws. Good drivers do not need nearly as much support. Unfortunately, there are drivers who need even more. Once Melissa connects to 211, all drivers including visitors watching their GPS screens, are likely to use Melissa as an alternative route.

Thank you for including this additional letter with the testimony.

Sincerely,

Erin Findlay



Exhibit QQQQ

Emily Meharg <emeharg@ci.sandy.or.us>

One more chance to speak up

Tom Newell <tom.newell@live.com>
To: "emeharg@cityofsandy.com" <emeharg@cityofsandy.com>

Mon, Jan 27, 2020 at 4:04 PM

Hi Emily.....

I am writing today concerning file number 19-023 SUB/VAR/TREE, the Bailey Meadows development.

Please include this email in comments regarding the proposal.

Following last week's Planning Commission meeting, I am disturbed by the developers belief (as presented by their representatives) they are being Good Neighbors through potential litigation and lawsuits if the City does not bow to their every desire.

My common-sense keeps yelling out to me that this 100 home development SHOULD NOT PROCEED unless AND until there is a new, major(central) single point of ingress and regress (Gunderson Road) for the access to the subdivision. Melissa should remain a barricaded Emergency Exit only and Ponder Road should be the second access to Bailey Meadows. This fits the minimal requirements established for the Nicolas Glen development (we have only one way in and barricaded Emergency Exit at Solso Drive). NO homes should be built until roads are complete.

Other concerns seem to have brought forward regarding who will pay for street construction. I don't understand why it wouldn't automatically be the developers, who would pass the cost on to the new property owners (not the entire City of Sandy population).

Sidebar: if Melissa is 'punched through' and Gunderson is completed.....there will be too much traffic thru Nicolas Glen that result from travelers "short-cutting" from Hwy 211 to Dubarko or Dubarko to Hwy 211. Safety issue here, as noted that traffic already exceeds capacity of these streets.

Thank you for allowing this one more round of input from your city residents. Thank you for your full attention and consideration.

Tom Newell
18007 Rachael Drive
Sandy, Or 97055
503-477-2911

Sent from [Mail](#) for Windows 10



Exhibit RRRR

Emily Meharg <emeharg@ci.sandy.or.us>

Bailey Meadows Proposal

1 message

Cary Mallon <cary.mallon@gmail.com>
To: emeharg@ci.sandy.or.us

Tue, Jan 28, 2020 at 8:52 AM

Hello Emily,

I am writing to oppose the proposed Bailey Meadows subdivision application. There are several reasons for my opposition.

1. It is unconscionable to approve a doubling of traffic on Melissa Avenue when the city knows that the traffic load on that street is already over capacity.
2. The application has no plans for park space. There is precedent and policy for developers to include park space in their projects.
3. There hasn't been approval of expansion of the UGB.
4. The proposal, as I understand it, may require the city to pay for road access through Gunderson Rd. Developers should pay for their own access.
5. The developer should be willing to bring construction equipment to the property by way of Hwy 211, not via Melissa avenue.

I know growth is inevitable, but growth should be done wisely and without profit being made on the backs of city taxpayers and nearby residents.

Cary Mallon
37537 Rachael Dr
Sandy, OR

RECEIVED
JAN 29 2020
CITY OF SANDY

January 27th, 2020

Exhibit SSSS

Les & Kathy Geren
37721 SE Ponder Ln.
Sandy, OR 97055

After the hearing on Bailey Meadows, January 23rd, 2020 we understand that all concerns must be brought up during the fact finder period in order to be appealed after the committee reaches their decision.

We have no concerns at this time, but we have not seen the final plan. We continue to need to have our current access for semi's to access our barn with deliveries of straw, local hay, eastern oregon grass hay, grass/alfalfa mix hay and alfalfa hay for our business, Geren's Farm Supply. Our trucks access our barn multiple times a week to keep product in the store for our customers.

We have provided for and been responsible for the maintenance of Ponder Lane, including rock, grading and asphalt since 1974. This includes the entire North to South stretch of Ponder Lane. Due to the fact the county has taken zero responsibility for Ponder Lane, we desire to continue to use it as we have for the past 46 years. We are optimist that we will feel no impact on our business.

We are eagerly awaiting for the final plan from the planning commission and thank them for performing a thankless job for our community.

19-023
Bailey Meadows
Les Geren
503-319-5660

January 28, 2020

Exhibit TTTT

To Planning Commission and City Council,

I want comment on the Bailey Meadows subdivision, since moving here in 2003 and purchasing a home in the Nicholas Glenn subdivision I wondered why there was only one access point into and out this subdivision, the codes in the 1980's were not as robust as today's. Current Oregon State Fire Codes (2019 Appendix D107.1) as well as the 2014 codes are very clear that there shall be more than one "Fire Access" road into and out of one and two family dwelling subdivisions. These access roads shall comply either with public road standards or with the fire code for private access road ways. This where there are more than 30 homes or 100 multifamily home units. So if the developers want to use Mellissa for the primary access the existing homes would be required to be added to the count, currently far exceeding the 30 single-family homes required by Oregon State Fire Code, they might be able to install fire sprinkler in all the new homes to avoid the required second access road.

Another issue that should be considered is that the grade of Mellissa is pretty steep and there has been times where weather causes all kinds of issues of vehicles trying to get up and down the hill safely. The Oregon Fire code has a maximum grade of 10%, which could be modified to maximum 15% grade.

The Bailey Meadows subdivision may not be stopped, but it shall be held to all state and local requirements. Yes, growth coming, but it shall be based on the capacity of the services of the City, Fire District. The developer shall be the one to building the roads to access the subdivision and the entire infrastructure needed at no cost to the City of Sandy, the City of Sandy will pay for the maintenance of the entire infrastructure once the subdivision is signed off and approved, so there will be a cost to us all. If the UGB is not successful in gaining approval the developer should have to redesign the proposed subdivision or seek the secondary access from an area already approved for growth. Gunderson Road shall be improved by the developer, not the City.

The City and those that are charged to protect the City along with every citizen need to remember that once this built people will come and what do you do if "The Big earthquake" hits the area, how will emergency services and citizens get in or out of the single access road?

My concern about community play areas goes back to the Nicholas Glenn Subdivision, the City allowed the developer to build the park/ play area once all homes were done, oh and we don't have one! Maybe we should learn from that mistake.

Thank you

Robert Mottice

18050 Rachael Drive

Sandy, Oregon 97055

Exhibit UUUU

City of Sandy
Planning Division/Commission
Sandy, OR

Date: January 28, 2020

Re: Proposed Bailey Meadows Subdivision

I own the Nicholas Glen home located at 37506 Rachael Drive (re: tax lot 6100). I purchased the home in early 2018 knowing full well someday there would be homes built on the property behind my home. I expected the development to be more intelligently designed/implemented. I did not expect the development to be an island of homes surrounded by multiple land owners with limited access into and out of the subdivision.

I wrote my first letter to the Sandy Planning Division/Commission after attending the first AKS September 18, 2019 meeting. I attended the December 17, 2019 meeting but provided no public comment during the meeting or letter after that meeting. I attended the commission meeting of January 23, 2020. I did not provide public input as what I had planned to say in opposition to the Bailey Meadows subdivision was expressed well by my neighbors.

The following four points is a response to what I heard in the Planning Commission, Director and Legal statements and discussion per the synopsis of public input. Unable to challenge or comment once public input was complete was very frustrating.

- 1.) Director: Two key points of public input that were not stated (maybe intentionally) in the synopsis:
 - **Our neighborhood input requests the commission to delay the approval of the subdivision until the expansion of the UGB is approved for the proposed road improvement/expansion into the subdivision from Highway 211 and the proposed park.**
 - **Our neighborhood input requests the commission to delay the construction of the subdivision until the expansion and second road improvement from Highway 211 into the subdivision is completed.**

The staff report recommendation is to approve the Bailey Meadows subdivision and allow up to 30 homes be built prior to the improvement of the road from Highway 211. This recommendation totally ignores public input. This leaves Melissa Avenue the only access to and from the proposed subdivision for all construction equipment and construction personal making Melissa Avenue a very busy unsafe street during construction. In addition there is no guarantee the requested UGB expansion will be approved.

- 2.) Director: If traffic usage of any given road/street in Sandy exceeds recommended usage, the commission can still approve the subdivision and can state the traffic usage as an exception in its approval. The city of Sandy does not have a legal safety liability if the subdivision is approved with this exception.

As stated during public input, it is very hard to believe/trust the travel usage models/numbers in the report. If the UGB expansion is approved and the road improvement into the Bailey Meadows subdivision is completed, Melissa Avenue will continue to be the primary access into and out of the Bailey Meadows subdivision with the secondary access road to Highway 211 little used. For work, shopping and recreation the primary route for this subdivision will be Melissa Avenue to access Highway 26. It is also possible the proposed Highway 211 access road could result into a new shortcut from Highway 211 through Melissa Avenue to the west side of Sandy.

- 3.) Legal: Literally stated the city of Sandy could be sued if the Bailey Meadows subdivision is not approved. The commission was basically told to approve the subdivision. The roll of the commission seems to be one of not representing the citizens of Sandy but to insure the city of Sandy is not sued.

- 4.) Director: The term “needed housing” does not mean low cost housing. The intent of the term is to legally make a statement there is a need to the proposed housing intended to meet future population growth. ...Argument 1: if there is no housing and there is no growth...Argument 2: the city of Sandy is a bedroom community, there is not industry/companies planning to move to Sandy to justify needed housing...Argument 3: if the housing is needed, the infrastructure of increased road capacity and public safety (and schools) to support population growth must be indirectly common sense considered and not ignored though they cannot be legally considered per the State Oregon.

When this subdivision is approved (it will be per the commission, staff and legal discussion in the meeting of January 16), it is my request is to have the Planning Commission provide a “valued-add” statement in the approval that fully justifies the need for this subdivision in our community.

Plans to extend Mellissa Avenue

I stated this in my first letter and restating it here. My house and lot is on the corner of Melissa Avenue and Rachael Drive. As this impact my house and property, I would like to see detailed concept drawings of what will be done to understand any impact extending Melissa Avenue into the subdivision may have on my property.

Thank you,
Paul Savage
37506 Rachael Drive
Sandy, OR 97055

Exhibit VVVV

Planning Commission

January 28, 2021

City Hall

39250 Pioneer Blvd.

Sandy, OR 97055

To Whom It May Concern,

Re: Bailey Meadows Subdivision

I want to voice my concern
regarding the Bailey Meadows
Subdivision,

WHO IS GOING TO PAY
FOR THE CONSTRUCTION
OF GUNDERSON ROAD TO
HWY. 211 ???

MELISSA AVE. IS NOT
WIDE ENOUGH FOR THE
ADDITIONAL TRAFFIC OF
100-200 CARS- SINCE MOST
FAMILIES HAVE 2 CARS!!!

(over)

THE ADDITIONAL TRAFFIC
IS A HUGE CONCERN TO ALL
THE FAMILIES IN THE AREA!!!

Sec. 17.86 OF THE CITY CODE
REQUIRES DEDICATED PARKLAND
WHO IS GOING TO PAY FOR THAT
SINCE YOU MENTIONED THE
LOCATION IN YOUR SUBDIVISION
AT THE JANUARY 23, 2020
MEETING???

Your Truly,
Therese Wackin
18790 Myra Ct.
Sandy, OR 97055



Exhibit WWWW

Emily Meharg <emeharg@ci.sandy.or.us>

Testimony - Bailey Meadows - 19-023 SUB/VAR

Sarah Bettey <sarahbettey2978@hotmail.com>
To: "emeharg@cityofsandy.com" <emeharg@cityofsandy.com>

Wed, Jan 29, 2020 at 10:10 AM

January 29, 2020

Ms. Meharg,

I am writing in follow-up to the other letters of concern I have submitted regarding the proposed Bailey Meadows subdivision.

I am glad to see that there has been some progress towards our goals and that the developers are looking to make adjustments to their plans to make things safer and create less impact on our existing Nicholas Glen neighborhood. I attended both the December 17th 2019 and January 23rd, 2020 meetings and saw some positive progress. I appreciate all the work that the planning commission and city staff have put into this project already.

We all still have questions: We still wonder who is slated to pay for this Gunderson Road project if it is approved? The city? The developers? I do not believe the answer was clear in any meeting.

As I understand it, the developer can say "we tried" and then still be allowed to proceed with the subdivision, pay their park fees, and direct all traffic up Melissa Ave if the UGB expansion is denied. This is unacceptable. I would like to see it a prerequisite that the UGB expansion must be approved and the construction of Gunderson Rd and other connecting surface streets in the Bailey Meadows complex completed before a single home is built. If the UGB expansion is not approved, then the development should also not be approved.

I would like the construction traffic, including utility vehicles, lumber and concrete/asphalt trucks, etc. be required to primarily access the subdivision off the highway onto Gunderson Rd instead of up Melissa Ave and through our small, quiet neighborhood.

Something that has not been addressed much in the meetings is the huge trench that will be dug up Melissa to expand the utilities. I worry how this will affect our traffic and the quiet community during this construction. I would like to know more about a timeline as to when and how long this will happen. This will potentially affect the neighborhoods ability to get services from emergency vehicles and school buses being able to access the neighborhood for quite some time and this is a huge safety concern. Again, if we had the second access already in place from the expansion of Gunderson Rd before the rest of the neighborhood progresses, it would help alleviate this concern greatly.

I agree with the suggestion of putting a 4-way stop at the intersection at the top of the hill at Melissa Ave and Rachel Ave instead of the proposed 2-way stop. I think this 4-way stop should also include crosswalks for pedestrian safety. I would also like to see at least one speed bump installed about halfway down the hill to also help slow down traffic. This could be done immediately as even without the added traffic that will clearly happen with the addition of this development and access to Hwy 211, cars already speed up and down the Melissa Ave hill. I would also ask that speed limit signs be added along Melissa Ave to reinforce. There are currently no speed limit signs in Nicholas Glen.

As someone that lives on Melissa Ave, I still feel my family and our neighbors are going to be greatly impacted by this development in a negative way. The safety of our current and future neighbors needs to be the number one priority.

Thank you again for continuing to work towards solutions to our concerns and for including this letter as additional testimony.

Sarah Bettey
18195 Melissa Ave
Sandy OR 97055

Dear Planning Commission members and Sandy City staff: **Exhibit XXXX**

The initial draft of this letter was not done by me but done by someone that has more knowledge than I on the legal aspects of my concerns and my neighborhood's concerns on the proposed Bailey Meadows subdivision. The points outlined in this letter accurately and better express in detail the concerns I have expressed in the two letters I have previously sent to you the issues/concerns of myself and my neighborhood.

We appreciate the appearance of cooperation from the developer to construct the necessary arterial (Gunderson Road) at the January 23rd meeting and the inclusion of some parkland within the UGB.

We are concerned about the lack of any specifics on the Development Agreement that is referenced in #49 and Condition #D3, especially the timing and the details on who pays what. Mr. Robinson alluded to the City paying part of the costs in his oral testimony, but no specifics were mentioned. The City has just committed to building out Bell Street to 362nd, so we are concerned that their budgets are tapped out. In addition, Gunderson Road is not currently in the UGB and is not on the CIP list that allows the City to use SDC's to help fund this share. While we can agree that a small portion of traffic from the existing Nicholas Glen may use the Gunderson Road, and therefore a cost share agreement may be appropriate, what if the City cannot come up with the funds? What is an equitable split? What if the UGB gets denied? How does the availability of City funds affect the 30th house condition? What are the assurances that we do not end up with 30 homes and then stall with no road? All these should be addressed in the Development Agreement.

Approval of a Type III land use development by the planning commission prior to the approval of a development agreement to share costs for construction of Gunderson Road to 211, which is integral to the intent of the Conditions for Approval violates the 2017 ORS 94.504, that states:

2) A development agreement shall specify:

- (a) The duration of the agreement;*
- (b) The permitted uses of the property;*
- (c) The density or intensity of use;*
- (d) The maximum height and size of proposed structures;*
- (e) Provisions for reservation or dedication of land for public purposes;*
- (f) A schedule of fees and charges;*
- (g) A schedule and procedure for compliance review;*
- (h) Responsibility for providing infrastructure and services;*
- (i) The effect on the agreement when changes in regional policy or federal or state law or rules render compliance with the agreement impossible, unlawful or inconsistent with such laws, rules or policy;*
- (j) Remedies available to the parties upon a breach of the agreement;*
- (k) The extent to which the agreement is assignable; and*
- (L) The effect on the applicability or implementation of the agreement when a city annexes all or part of the property subject to a development agreement.*

(3) A development agreement shall set forth all future discretionary approvals required for the development specified in the agreement and shall specify the conditions, terms, restrictions and requirements for those discretionary approvals.

(4) A development agreement shall also provide that construction shall be commenced within a specified period of time and that the entire project or any phase of the project be completed by a specified time.

(5) A development agreement shall contain a provision that makes all city or county obligations to expend moneys under the development agreement contingent upon future appropriations as part of the local budget process. The development agreement shall further provide that nothing in the agreement requires a city or county to appropriate any such moneys.

(6) A development agreement must state the assumptions underlying the agreement that relate to the ability of the city or county to serve the development. The development agreement must also specify the procedures to be followed when there is a change in circumstances that affects compliance with the agreement.

...(9) ORS [94.504 \(Development agreements\)](#) to [94.528 \(Recording\)](#) do not limit the authority of a city or county to take action pursuant to ORS [456.270 \(Definitions for ORS 456.270 to 456.295\)](#) to [456.295 \(Action affecting covenant\)](#). [1993 c.780 §1; 2005 c.315 §1; 2007 c.691 §7]

The Development Agreement should have been finalized prior to, or at least concurrent with, the land use decision. The land use decision cannot be made without final agreement of the items listed above to ensure that the proposed development (amended with the Development Agreement) meets development code and the Transportation System Plan as outlined in ORS 94.508: In addition the Development Agreement should be consistent with the development phasing required in SDC17.100.60 D.20.

(1) A development agreement shall not be approved by the governing body of a city or county unless the governing body finds that the agreement is consistent with local regulations then in place for the city or county.

(2) The governing body of a city or county shall approve a development agreement or amend a development agreement by adoption of an ordinance declaring approval or setting forth the amendments to the agreement. Notwithstanding ORS [197.015 \(Definitions for ORS chapters 195, 196, 197 and ORS 197A.300 to 197A.325\)](#) (10)(b), the approval or amendment of a development agreement is a land use decision under ORS chapter 197. [1993 c.780 §2; 2005 c.22 §74; 2007 c.354 §27]

17: Unless otherwise provided by the development agreement, the comprehensive plan, zoning ordinances and other rules and policies of the jurisdiction governing permitted uses of land, density and design applicable to the development of the property subject to a development agreement shall be the comprehensive plan and those ordinances, rules and policies of the jurisdiction in effect at the time of approval of the development agreement. [1993 c.780 §4]

We continue to be concerned about the developer's positions stated that street requirements are not adequately documented and therefore do not apply to this development. It is unclear, and no finding of fact is stated in the staff report that would indicate the Comprehensive Plan, Transportation System Plan and City Development Code are not adequate to apply as they have applied in many recent and past development proposals. One argument made was that the TSP was not adopted as an amendment to Sandy's Comprehensive Plan

The City of Sandy's 2011 Transportation System Plan (TSP) that involved some of you planning commission members and City Council members, is an element and amendment to the City's Comprehensive Plan. The City's TSP addresses development outside the UGB, including the proposed Gunderson Road. Following is the introduction to the City's TSP as well as pertinent parts of the

Ordinance Adopting the TSP as an element and amendment to the City's Comprehensive Plan. I ask that the entire TSP, Adoption Ordinance and Exhibits be incorporated into the record by reference.

City of Sandy Transportation System Plan - Chapter 1 - 2011 Transportation Plan Introduction

The City of Sandy, in cooperation with the Oregon Department of Transportation (ODOT), has completed a thorough review of its transportation system with this update to the City Transportation System Plan (TSP). This TSP serves as the transportation element of the City of Sandy Comprehensive Land Use Plan, establishing a system of facilities and services to meet local transportation needs through the year 2029.

OAR 660 Division 12 (also referred to as the state Transportation Planning Rule, or TPR) requires jurisdictions throughout Oregon to prepare and adopt transportation plans as elements of their comprehensive plans. While cities with populations less than 10,000 may qualify for a whole or partial exemption from this requirement (Sandy's population was estimated at 9,570 as of the 2010 Census), the City of Sandy has chosen to undertake this planning effort because the plan will serve as a valuable resource for staff, policy makers, and the public. Having an adopted TSP establishes the function, capacity, and location of future transportation facilities, informs the community of the level of investment needed for facilities to support anticipated growth and development, and better positions the City to compete for scarce transportation funding. ...

ORDINANCE NO. 2011-12 - AN ORDINANCE ADOPTING A NEW TRANSPORTATION SYSTEM PLAN (TSP) TO ADDRESS THE REQUIREMENTS OF GOAL 12.

...WHEREAS, OAR 660 Division 12 (also referred to as the state Transportation Plan Rule, or TPR) requires jurisdictions throughout Oregon to prepare and adopt transportation plans as elements of comprehensive plans; and

WHEREAS, while this rule allows cities with populations less than 10,000 (Sandy's population is 9,655), a whole or partial exemption from these requirements, the City of Sandy has chosen to undertake this planning effort to establish a system of facilities and services to meet local transportation needs through the year 2029; ...

NOW, THEREFORE, THE CITY OF SANDY DOES ORDAIN AS FOLLOWS: Section 1. The Transportation System Plan for the City of Sandy dated December 2011 is hereby adopted, attached as Exhibit A and incorporated herein by reference. The information and data contained in Exhibit A supersedes any that exists to the contrary in the Transportation System Plan adopted by Ordinance No. 12-97 or its background documents. Section 2. The Transit Master Plan adopted by Ordinance No. 2009-02 is incorporated as an element of the new Transportation System Plan. Section 3. The adoption of the Transportation System Plan is supported by findings, attached hereto as Exhibit B and incorporated herein by reference.

There was also comments that the standards identified in the TSP were not spelled out in Development Code. **See Section 17.10.30** Code Definitions where classifications are reiterated.

...B. Arterial Streets: These interconnect and support the arterial highway system and link major commercial, residential, industrial, and institutional areas.

C. Residential Minor Arterial: A hybrid between minor arterial and collector street which allows moderate to high traffic volumes on streets where over 90 percent of the fronting lots are residential. Intended to provide some relief to the strained arterial system while ensuring a safe residential

environment. Paved width of 38 feet to 50 feet, minimum three-lane cross section, and may include on-street parking.

D. Collector Streets: These provide both access and circulation within residential neighborhoods and commercial/industrial areas.

E. Local Streets: The primary function is to provide access to immediately adjacent land. Service to through-traffic movement on local streets is discouraged

SDC Section 17.84 “provides general information regarding improvements required with residential, commercial, and industrial development. It is intended to clarify timing, extent, and standards for improvements required in conjunction with development. In addition to the standards in this chapter, additional standards for specific situations are contained in other chapters. “

The TSP and its standards are incorporated by reference in **Section 17.84.50 STREET REQUIREMENTS** and reference **accepted traffic engineering practices (clear and objective)** including:

A. Traffic evaluations may be required of all development proposals in accordance with the following:

1. A proposal establishing the scope of the traffic evaluation shall be submitted for review to the City Engineer. The evaluation requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. Large projects should assess all nearby key intersections.

Once the scope of the traffic evaluation has been approved, the applicant shall present the results with and an overall site development proposal. If required by the City Engineer, such evaluations shall be signed by a Licensed Professional Civil Engineer or Licensed Professional Traffic Engineer licensed in the State of Oregon.

2. If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.

B. Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:

1. Arterial streets should generally be spaced in one-mile intervals. ...

C. Local streets shall be designed to discourage through traffic. NOTE: for the purposes of this section, “through traffic” means the traffic traveling through an area that does not have a local origination or destination. To discourage through traffic and excessive vehicle speeds the following street design characteristics shall be considered, as well as other designs intended to discourage traffic:

The TSP’s “Functional Classification Management Objectives” (page 17 of TSP) sets the standard for Local Streets like Melissa Avenue

Local Street

Local streets have the sole function of providing immediate access to adjacent land. These streets have a typical capacity between 800 and 1,000 ADT. Service to through traffic movements on local streets is deliberately discouraged by design.

Contrary to comments made to the Planning Commission by the Developers representative, the City’s Traffic Engineering Report did express concerns about this development related to traffic capacity, road conditions and safety on Melissa Avenue. Therefore, under the codes already mentioned, we need to

ensure that approval of the subdivision is based on UGB incorporation and completion of a feasible Development Agreement. Their Traffic Report Exhibit Y said:

Gunderson Road is classified in the City of Sandy TSP Figure 5 as a minor arterial street. A minimum off 34 feet right of way dedication will ne required along the entire site frontage as per City of Sandy Development Code, chapter 17.84. This roadway will be extended in the future as the surrounding properties develop around this site.

A half improvement would be required on Gunderson Road to include 22 foot wide paved surface, curb cuts on one side, 5 foot planter strips and 6 foot wide sidewalks along the south plat boundary line as per the TSP. At the request of the City we have developed a layout to this site ...

Melissa Avenue is classified by the City of Sandy TSP figure 5 as a local street and is proposed to be the only access to this development. Currently, the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glen No 2 is 2,490 trips. The traffic volumes increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1,000 ADT. The projected capacity exceeds the preferred capacity limitations.

We are also concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case evacuation is needed...

The comments made by the developer's representative imply that the word "allude" in their report was a suggestion and not a requirement. As referenced in the appropriate code stated above, the Comprehensive Plan, TSP, and Sandy Development Code all incorporate the TSP by reference. SDC 17.84.50 refers to them as "minimum standards" and "accepted traffic engineering practices". If a development proposed an expected AADT of 1,100 it may be debatable, but the finding that the AADT with this development will be 2,490 - three times the 800 and 2.5 times the 1000 AADT threshold under accepted traffic engineering practices, as concluded by the City's Traffic Engineer, should leave no doubt that there is a definite need for the Gunderson connection and that the City Plans and Code language are sufficient to require it. Similarly, there are not specified pipe diameters for potential water and sewer needs in our Code, but the fact that we need adequate water and sewer systems are not questioned or allowed to be undersized and overloaded with proposed development.

The Condition for Approval as well as the finalized Development Agreement must require incorporation of Gunderson Road into the UGB as well as construction of Gunderson Road in order for Bailey Meadows development to be consistent with SDC 17.100.60 E and F:

- E. Approval Criteria. The Director or Planning Commission shall review the tentative plat for the subdivision based on the classification procedure (Type II or III) set forth in Section 17.102 and the following approval criteria: ...*
- 3. The proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy.(TSP).*
 - 4. Adequate public facilities are available or can be provided to serve the proposed subdivision.*
 - 5. All proposed improvements meet City standards.*
 - 6. The phasing plan, if requested, can be carried out in a manner that meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops.*

F. Conditions. The Director or Planning Commission may require dedication of land and easements and may specify such conditions or modifications of the tentative plat as deemed necessary.

Gunderson Road must be constructed and Melissa Ave must be managed under SDC 17.100.100 to ensure that development provides safe options, and addresses

B 2. If the study identifies level-of-service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered as part of the land use decision for the proposal.

To further refute the comments that the SDC does not contain objective standards in the City's Code, SDC 17.100.110 references specific drawings and incorporates by reference and summary statements, the TSP itself.

Again, while we appreciate the intent to move forward with Gunderson and we understand the complication of the parcel being outside the UGB, we want to be on the record with all the reasons and rationale for why existing City Code, TSP, and Comprehensive Plan call for the development to construct secondary access by way of Gunderson Road. We believe in order to meet all the While it may be appropriate for the City to pitch in some of the costs (to the extent the existing Nicholas Glen neighbors may use the Gunderson Road), the City and its taxpayers should not be required to shoulder the costs for a necessary arterial road that primarily benefits and allows development for the proposed Bailey Meadows subdivision.

We believe in "responsible growth", and that Bailey Meadows must meet SDC17.100.310: In order to do that, we must condition approval with the UGB expansion to feasibly meet this code.

17.100.310 REQUIRED IMPROVEMENTS

The following improvements shall be installed at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.

... I. Streets

Needed Housing Exemptions:

The developer's blanket justification for Bailey Meadows not having to implement conditions they find onerous, and in their conclusion are "subjective", or could cause "unreasonable costs or delay" as stated in the 900 page report, appears to be House Bill 2001 including the premise that the statutes under "Needed Housing" apply to Bailey Meadows. The HB2001 revised housing rules 1) required that the City allow duplexes on single family zones - which is immaterial, as duplexes are not being proposed in Bailey Meadows. 2) It allows the City to consider (and does not prohibit) middle housing on these zones – again not proposed in this development. And then there are the developers frequent references that exceptions are warranted because the 100 almost half million dollar homes proposed in Bailey Meadows fall under the "Needed Housing" provision. A reading of the definition should clarify this.

2017 ORS 197.303¹ - "Needed housing" defined:

*As used in ORS [197.307](#) (Effect of need for certain housing in urban growth areas), "needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary **at price ranges and rent levels that are affordable to households within the county with a variety of incomes, INCLUDING but not limited to households with low incomes, very low incomes and extremely low incomes**, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a.*

The key term is **INCLUDING** ...households with low incomes, to extremely low incomes. There are **NO** lots or homes **INCLUDED** in Bailey Meadows that are affordable to low, very low, or extremely low incomes. On the contrary, the developer has indicated that the homes will start at \$450,000 (almost half a million dollars!). The legislature defined needed housing with the intent to reduce barriers to provide housing for low to extremely low income people in need of housing. There is not a shortage of housing in the Sandy area for \$450k plus. These “Needed Housing” statutes are not a one size fits all loophole for developers wanting to build large, expensive single family lots and get a fast tracked development, where they either refuse to implement or put the costs of any onerous development conditions they find “subjective” or “unreasonable” on City taxpayers. The City’s lawyer should come up with the same interpretation! Bailey Meadows does not come under any provisions of HB2001. At a minimum, if there is any part of the new state statutes that over ride, compromise, or eliminate our Comprehensive Plan, TSP, or Development Code, applicable under the Bailey Meadows proposal, those statutes should be outlined in the Findings of Fact section of the Staff Report and they were not. Similarly, other than general mentions of the ORS197.303 and 197.307 by the developer, there were no specifics of how the Bailey Meadows Subdivision meets the criteria under these statutes or how they override our code.

Park land dedication:

It is unclear what the proposal is currently. The initial application states they intend to pay a fee in lieu of park land dedication. A later filing mentions dedication of just over 2 acres of park land outside the proposed development and within the UGB. A preliminary assessment of this proposed land is that it is very wet. *SDC 17.86.20 (3) The parkland must be able to accommodate play structures, play fields, picnic areas, or other active park use facilities. The average slope of the active use parkland shall not exceed 15%.* It appears that drainage and possible grading would be necessary to meet this part of the code.

SDC 17.86.20 (1) Homes must front on the parkland as shown in the example below: If this dedication is instead of the fee, then the requirements that homes face the park would require a new Condition for Approval, or a Request for a Variance from the developer. If they do not want to request a variance, then there would need to either be a Condition for Approval to have the final plat show homes that face the park, or, the developer can pay the fee in lieu to meet the City’s requirement and at the same time, donate land outside the UGB to the City outside the parkland dedication process. This last alternative was alluded as the intent by the developer’s attorney at the hearing. Whatever the proposal is, it should be clearly documented and Conditions of Approval #12 should be edited to ensure the park land policies in 17.86 are met.

In conclusion, we believe the Development Agreement should be developed and approved by City Council prior to, or concurrently with, the Planning Commission approval to ensure that Gunderson is primarily paid for by the benefitting entity Bailey Meadows developers. The City needs to ensure that they can come up with their share with available funds and addition of Gunderson onto the SDC roads CIP. And finally, we need to ensure for the developers and the neighbors that Gunderson can in fact be built before the 31st home is built, given they plan to break ground this summer. We reiterate our belief and it is reflected in our record, that the new 2001 House Bill does not come into play with Bailey Meadows as it is neither duplexes or middle housing, nor does it meet “needed housing” intended for low incomes. We support the donation of park land within the UGB, while paying the fee in lieu to meet parkland dedication policies.

Again, we support the Developer and City finalizing the Development Agreement to construct Gunderson Road prior to build out of Bailey Meadows. Like Mr. Robinson, we raise all these points, rationale, and references to ensure they are on the record for the Planning Commission and in the case of appeal.

Thank you,

Paul Savage
37506 Rachael Drive
Sandy, OR 97055

1/30/2020

City of Sandy Mail - Fwd: Concerns about Bailey Meadows Subdivision



Exhibit YYYY

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Concerns about Bailey Meadows Subdivision

1 message

Emily Meharg <emeharg@ci.sandy.or.us>

Thu, Jan 30, 2020 at 8:59 AM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

----- Forwarded message -----

From: **Corri Baldwin** <corri.baldwin@gmail.com>

Date: Wed, Jan 29, 2020 at 10:57 PM

Subject: Concerns about Bailey Meadows Subdivision

To: <emeharg@cityofsandy.com>

Dear Emily,

I am writing to you today with more concerns about the proposed development of Bailey Meadows Subdivision. After the meeting on 1/23, I feel very uneasy about the proposed development, even with the application of the UGB expansion.

My first concern is that if the UGB expansion gets denied, the development will still happen. For the safety of the community, both current and future, there absolutely has to be another road built. Melissa Ave is already beyond capacity and we cannot stress enough the major safety concerns with the addition of more cars. I believe that there should not be any developing happening until the UGB is approved to be expanded.

My second concern is who would be paying for road development, City of Sandy, or the Developers? It needs to be clear on who is paying for the road, and if it is indeed the city, development should not occur until the city can pay for road and still continue to provide sufficient infrastructure on all levels.

Another concern I have is, even with another road for new development, Melissa Ave will have more traffic. The intersection of Rachael/Melissa is already dangerous with the one stop sign. I witness near accidents frequently as I live on Rachael right at the top of Melissa. There needs to be a 4 way stop at this intersection. This needs to be a condition of approval. People to speed up and done Melissa and with the already narrow road due to parked cars, there should be speed bumps in place if there is to be more traffic with the new development.

I believe that if the conditions of no development if no UGB expansion approval, clear plan on payment of Gunderson Road, and updated safety with a 4 way stop at Melissa and Rachael are not made and rewritten into plan, this should not be approved.

The safety of both neighborhoods should be a top priority and if these conditions aren't met, I do not think that this would be a safe or smart decision.

Thank you,

Corri Schell
37524 Rachael Drive

<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permthid=thread-f%3A1657173240244529292&siml=msg-f%3A16571732402...> 1/1

1/30/2020

City of Sandy Mail - Fwd: Bailey Meadows



Exhibit ZZZZ

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows

1 message

Emily Meharg <emeharg@ci.sandy.or.us>

Thu, Jan 30, 2020 at 9:03 AM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

----- Forwarded message -----

From: **Mike Schell** <c.m.towing2018@gmail.com>

Date: Wed, Jan 29, 2020 at 11:41 PM

Subject: Bailey Meadows

To: <emeharg@cityofsandy.com>

Dear Emily,

I am a resident of the Nicholas Glen neighborhood and have some major concerns with the upcoming possible development of Bailey Meadows. To start off it would be really helpful to have a clear understanding of what the city of Sandy is doing? How can any plans be approved or property be developed with out the UGB being expanded first??? It seems as though no one cares about how important this should be to the city before development of any level starts.

After attending the last few meetings the city has held over this controversy of development and the UGB expansion. This next request is made with little regard from the city of Sandy I'm sure. But to see all development suspended until it's clear as to who will pay for the Gunderson Rd construction would be appropriate. As a Tax payer, business owner and member of the community I would like to know where the funds are supposed to appear from? If the city is supposed to pay where will these funds come from? I think its fair to say if the City must pay then all development of the project should still be halted until the city can afford to pay. The city should also be able to provide sufficient Infrastructure on all other levels before construction begins.

Again after going to these meeting I feel as though its pointless to complain about safety issues this Development brings, but I'm going to anyway... I think its more than a joke that that because the Developer has Big Money the city is willing to look the other way when it comes to road usage. The problem with using the existing streets Melissa / Rachael, Solso / Melissa and last but not least Dubarko / Melissa. These are all over capacity now. The streets are filled with kids, pets, and adults who walk play and ride bikes on them every day added with the current vehicle traffic this is INSANE to think the city is okay with using it in the new plan. This is Unacceptable to let this developer build and not address the issue of safety in the last meeting that was made very clear they don't care and will not be addressing the issue further.. **Over Capacity means Over Capacity.** The developer needs build another route that doesn't jeopardize the neighbors already here and if the route is not approved then building shouldn't start. Everyone agrees this is not right and we all feel like the developers money shouldn't buy the right to be negligent with safety for all.

I firmly believe that there is a solution to all the above problems, I think its important to consider Traffic and pedestrian safety, and most of all the developer should come up with a plan that insures that. The city should not entertain the idea of proceeding forward with out a strong plan in place. So far there has been many ideas thrown around, but nothing has clear direction or actions put in-place to show the community that the city cares about the people. With that said if the city cares as they claim to about this small community then action needs to take place, Roads with traffic control devices should be put in place with a way to enforce them. Not just install a stop sign or two and call it good. There is a speed limit, and one Stop sign on Melissa and Rachael now and few people acknowledge it as it is. So imagine adding all these new cars and people this will result in an injury crash. And when it does will the city think that the over capacity of the street was a good idea to over look??? I'd bet the Legal action to follow would be devastating to the city.. **The Bottom line is we need a strong clear plan, with new roads to paid for and in-place before building** can be approved or started with no exceptions no excuses..

Thank you,

Mike Schell
37524 Rachael Dr.

<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permthid=thread-f%3A1657173504958908542&siml=msg-f%3A16571735049...> 1/2

Exhibit AAAAA

Dear Planning Commission and City Planning Staff:

January 29th, 2020

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While the developer has indicated a willingness to construct Gunderson Road as part of their development, they continue to go on the record as saying they do not believe they are required to, by law, based on vaguely referenced shortcomings in our Comprehensive Plan, Transportation System Plan, and Sandy Development Code and by House Bill 2001. I would like to incorporate by reference all three of those documents and specifically the Sandy Ordinance 2011-12 that adopted our TSP in 2011 making it an element and amendment to our Comprehensive Plan. SDC 17.10.30, 17.84, 17.100.60,


The Condition for Approval as well as the finalized Development Agreement must require incorporation of Gunderson Road into the UGB, as well as construction of Gunderson Road in order for Bailey Meadows development to be consistent with SDC 17.100.60 E and F and other sections of SDC 17.100.

There is no Finding of Fact that states how Bailey Meadows falls under any provisions of House Bill 2001 with no duplexes, or affordable housing for low to very low incomes. Therefore all the provisions in our City Code, TSP and Comprehensive Plan related to streets and traffic are in affect and are clear and objective standards to guide responsible development, as they have done for many years here in Sandy.

I support the developer's proposal to donate park land in the UGB and pay the fee in lieu of parkland dedication policies in SDC 17.86.

I appreciate the effort all parties have made to find compromise and ensure safe roads, secondary access to the development, and potential park land in the area.

Sincerely,



Email to emeharg@cityofsandy.com before Thursday, January 30th at 5pm.

Exhibit BBBB

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Sincerely,

Email to:
emeharg@cityofsandy.com before Thursday, January 30th at 5pm.

RECEIVED

JAN 30 2020

CITY OF SANDY

Gretchen M. Benson 1/29/2020

Exhibit CCCCC

Dear Planning Commission and City Planning Staff:

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Sincerely,



(w/ Rachael)

Email to:

emeharg@cityofsandy.com before Thursday, January 30th at 5pm.

Exhibit DDDDD

Dear Planning Commission and City Planning Staff:

January 29th, 2020

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Sincerely, 

Treera L. Siewell

Email to:
emeharg@cityofsandy.com before Thursday, January 30th at 5pm.

Exhibit EEEEE

Dear Planning Commission and City Planning Staff:

January 29th, 2020

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Sincerely,

Karen Higgins
37457 Rachel Dr.

Email to:

emeharg@cityofsandy.com before Thursday, January 30th at 5pm.

Exhibit FFFFF

Dear Planning Commission and City Planning Staff:

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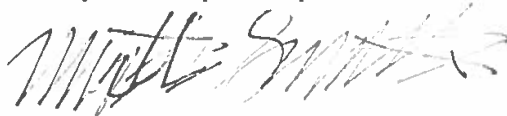
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Sincerely,



Email to:

emeharg@cityofsandy.com before Thursday, January 30th at 5pm.

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emeharg@cityofsandy.com before Thursday, January 30th at 5pm.

Exhibit IIII

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I support the developer's proposal to donate park land in the UGB and pay the fee in lieu of parkland dedication policies in SDC 17.86.

I appreciate the effort all parties have made to find compromise and ensure safe roads, secondary access to the development, and potential park land in the area.

Sincerely,



Email to:

emeharg@cityofsandy.com before Thursday, January 30th at 5pm.

Exhibit KKKKK

Dear Planning Commission members and City staff:

We appreciate the appearance of cooperation from the developer to construct the necessary arterial (Gunderson Road) at the January 23rd meeting and the inclusion of some parkland within the UGB.

We are concerned about the lack of any specifics on the Development Agreement that is referenced in #49 and Condition #D3, especially the timing and the details **on who pays what**. Mr. Robinson alluded to the City paying part of the costs in his oral testimony, but no specifics were mentioned. The City has just committed to building out Bell Street to 362nd, so we are concerned that their budgets are tapped out. In addition, Gunderson Road is not currently in the UGB and is not on the CIP list that allows the City to use SDC's to help fund this share. While we can agree that a small portion of traffic from the existing Nicholas Glen may use the Gunderson Road, and therefore a cost share agreement may be appropriate, what if the City cannot come up with the funds? What is an equitable split? **What if the UGB gets denied? How does the availability of City funds affect the 30th house condition? What are the assurances that we do not end up with 30 homes and then stall with no road?** All these should be addressed in the Development Agreement.

Approval of a Type III land use development by the planning commission prior to the approval of a development agreement to share costs for construction of Gunderson Road to 211, which is integral to the intent of the Conditions for Approval violates the 2017 ORS 94.504, that states:

2) A development agreement shall specify:

- (a) The duration of the agreement;*
- (b) The permitted uses of the property;*
- (c) The density or intensity of use;*
- (d) The maximum height and size of proposed structures;*
- (e) Provisions for reservation or dedication of land for public purposes;*
- (f) A schedule of fees and charges;*
- (g) A schedule and procedure for compliance review;*
- (h) Responsibility for providing infrastructure and services;*
- (i) The effect on the agreement when changes in regional policy or federal or state law or rules render compliance with the agreement impossible, unlawful or inconsistent with such laws, rules or policy;*
- (j) Remedies available to the parties upon a breach of the agreement;*
- (k) The extent to which the agreement is assignable; and*
- (L) The effect on the applicability or implementation of the agreement when a city annexes all or part of the property subject to a development agreement.*

(3) A development agreement shall set forth all future discretionary approvals required for the development specified in the agreement and shall specify the conditions, terms, restrictions and requirements for those discretionary approvals.

(4) A development agreement shall also provide that construction shall be commenced within a specified period of time and that the entire project or any phase of the project be completed by a specified time.

(5) A development agreement shall contain a provision that makes all city or county obligations to expend moneys under the development agreement contingent upon future appropriations as part of the local budget process. The development agreement shall further provide that nothing in the agreement requires a city or county to appropriate any such moneys.

(6) A development agreement must state the assumptions underlying the agreement that relate to the ability of the city or county to serve the development. The development agreement must also specify the procedures to be followed when there is a change in circumstances that affects compliance with the agreement.

...(9) ORS 94.504 (Development agreements) to 94.528 (Recording) do not limit the authority of a city or county to take action pursuant to ORS 456.270 (Definitions for ORS 456.270 to 456.295) to 456.295 (Action affecting covenant). [1993 c.780 §1; 2005 c.315 §1; 2007 c.691 §7]

The Development Agreement should have been finalized prior to, or at least concurrent with, the land use decision. The land use decision cannot be made without final agreement of the items listed above to ensure that the proposed development (amended with the Development Agreement) meets development code and the Transportation System Plan as outlined in ORS 94.508: In addition the Development Agreement should be consistent with the development phasing required in SDC17.100.60 D.20.

(1) A development agreement shall not be approved by the governing body of a city or county unless the governing body finds that the agreement is consistent with local regulations then in place for the city or county.

(2) The governing body of a city or county shall approve a development agreement or amend a development agreement by adoption of an ordinance declaring approval or setting forth the amendments to the agreement. Notwithstanding ORS 197.015 (Definitions for ORS chapters 195, 196, 197 and ORS 197A.300 to 197A.325) (10)(b), the approval or amendment of a development agreement is a land use decision under ORS chapter 197. [1993 c.780 §2; 2005 c.22 §74; 2007 c.354 §27]

17: Unless otherwise provided by the development agreement, the comprehensive plan, zoning ordinances and other rules and policies of the jurisdiction governing permitted uses of land, density and design applicable to the development of the property subject to a development agreement shall be the comprehensive plan and those ordinances, rules and policies of the jurisdiction in effect at the time of approval of the development agreement. [1993 c.780 §4]

We continue to be concerned about the developer's positions stated that street requirements are not adequately documented and therefore do not apply to this development. It is unclear, and no finding of fact is stated in the staff report that would indicate the Comprehensive Plan, Transportation System Plan and City Development Code are not adequate to apply as they have applied in many recent and past development proposals. One argument made was that the TSP was not adopted as an amendment to Sandy's Comprehensive Plan

The City of Sandy's 2011 Transportation System Plan (TSP) that involved some of you planning commission members and City Council members, is an element and amendment to the City's Comprehensive Plan. The City's TSP addresses development outside the UGB, including the proposed Gunderson Road. Following is the introduction to the City's TSP as well as pertinent parts of the Ordinance Adopting the TSP as an element and amendment to the City's Comprehensive Plan. I ask that the entire TSP, Adoption Ordinance and Exhibits be incorporated into the record by reference.

City of Sandy Transportation System Plan - Chapter 1 - 2011 Transportation Plan Introduction

The City of Sandy, in cooperation with the Oregon Department of Transportation (ODOT), has completed a thorough review of its transportation system with this update to the City Transportation System Plan (TSP). This TSP serves as the transportation element of the City of Sandy Comprehensive Land Use Plan, establishing a system of facilities and services to meet local transportation needs through the year 2029.

OAR 660 Division 12 (also referred to as the state Transportation Planning Rule, or TPR) requires jurisdictions throughout Oregon to prepare and adopt transportation plans as elements of their comprehensive plans. While cities with populations less than 10,000 may qualify for a whole or partial exemption from this requirement (Sandy's population was estimated at 9,570 as of the 2010 Census), the City of Sandy has chosen to undertake this planning effort because the plan will serve as a valuable resource for staff, policy makers, and the public. Having an adopted TSP establishes the function, capacity, and location of future transportation facilities, informs the community of the level of investment needed for facilities to support anticipated growth and development, and better positions the City to compete for scarce transportation funding. ...

ORDINANCE NO. 2011-12 - AN ORDINANCE ADOPTING A NEW TRANSPORTATION SYSTEM PLAN (TSP) TO ADDRESS THE REQUIREMENTS OF GOAL 12.

...WHEREAS, OAR 660 Division 12 (also referred to as the state Transportation Plan Rule, or TPR) requires jurisdictions throughout Oregon to prepare and adopt transportation plans as elements of comprehensive plans; and

WHEREAS, while this rule allows cities with populations less than 10,000 (Sandy's population is 9,655), a whole or partial exemption from these requirements, the City of Sandy has chosen to undertake this planning effort to establish a system of facilities and services to meet local transportation needs through the year 2029; ...

NOW, THEREFORE, THE CITY OF SANDY DOES ORDAIN AS FOLLOWS: Section 1. The Transportation System Plan for the City of Sandy dated December 2011 is hereby adopted, attached as Exhibit A and incorporated herein by reference. The information and data contained in Exhibit A supersedes any that exists to the contrary in the Transportation System Plan adopted by Ordinance No. 12-97 or its background documents. Section 2. The Transit Master Plan adopted by Ordinance No. 2009-02 is incorporated as an element of the new Transportation System Plan. Section 3. The adoption of the Transportation System Plan is supported by findings, attached hereto as Exhibit B and incorporated herein by reference.

There was also comments that the standards identified in the TSP were not spelled out in Development Code. See **Section 17.10.30** Code Definitions where classifications are reiterated.

...B. Arterial Streets: These interconnect and support the arterial highway system and link major commercial, residential, industrial, and institutional areas.

C. Residential Minor Arterial: A hybrid between minor arterial and collector street which allows moderate to high traffic volumes on streets where over 90 percent of the fronting lots are residential. Intended to provide some relief to the strained arterial system while ensuring a safe residential

environment. Paved width of 38 feet to 50 feet, minimum three-lane cross section, and may include on-street parking.

D. Collector Streets: These provide both access and circulation within residential neighborhoods and commercial/industrial areas.

E. Local Streets: The primary function is to provide access to immediately adjacent land. Service to through-traffic movement on local streets is discouraged

SDC Section 17.84 *"provides general information regarding improvements required with residential, commercial, and industrial development. It is intended to clarify timing, extent, and standards for improvements required in conjunction with development. In addition to the standards in this chapter, additional standards for specific situations are contained in other chapters. "*

The TSP and its standards are incorporated by reference in **Section 17.84.50 STREET REQUIREMENTS** and reference **accepted traffic engineering practices (clear and objective)** including:

A. Traffic evaluations may be required of all development proposals in accordance with the following:
1. A proposal establishing the scope of the traffic evaluation shall be submitted for review to the City Engineer. The evaluation requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. Large projects should assess all nearby key intersections. Once the scope of the traffic evaluation has been approved, the applicant shall present the results with and an overall site development proposal. If required by the City Engineer, such evaluations shall be signed by a Licensed Professional Civil Engineer or Licensed Professional Traffic Engineer licensed in the State of Oregon.

2. If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.

B. Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:

1. Arterial streets should generally be spaced in one-mile intervals. ...

C. Local streets shall be designed to discourage through traffic. NOTE: for the purposes of this section, "through traffic" means the traffic traveling through an area that does not have a local origination or destination. To discourage through traffic and excessive vehicle speeds the following street design characteristics shall be considered, as well as other designs intended to discourage traffic:

The TSP's "Functional Classification Management Objectives" (page 17 of TSP) sets the standard for Local Streets like Melissa Avenue

Local Street

Local streets have the sole function of providing immediate access to adjacent land. These streets have a typical capacity between 800 and 1,000 ADT. Service to through traffic movements on local streets is deliberately discouraged by design.

Contrary to comments made to the Planning Commission by the Developers representative, the City's Traffic Engineering Report did express concerns about this development related to traffic capacity, road conditions and safety on Melissa Avenue. Therefore, under the codes already mentioned, we need to

ensure that approval of the subdivision is based on UGB incorporation and completion of a feasible Development Agreement. Their Traffic Report Exhibit Y said:

Gunderson Road is classified in the City of Sandy TSP Figure 5 as a minor arterial street. A minimum off 34 feet right of way dedication will ne required along the entire site frontage as per City of Sandy Development Code, chapter 17.84. This roadway will be extended in the future as the surrounding properties develop around this site.

A half improvement would be required on Gunderson Road to include 22 foot wide paved surface, curb cuts on one side, 5 foot planter strips and 6 foot wide sidewalks along the south plat boundary line as per the TSP. At the request of the City we have developed a layout to this site ...

Melissa Avenue is classified by the City of Sandy TSP figure 5 as a local street and is proposed to be the only access to this development. Currently, the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glen No 2 is 2,490 trips. The traffic volumes increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1,000 ADT. The projected capacity exceeds the preferred capacity limitations.

We are also concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case evacuation is needed...

The comments made by the developer's representative imply that the word "allude" in their report was a suggestion and not a requirement. As referenced in the appropriate code stated above, the Comprehensive Plan, TSP, and Sandy Development Code all incorporate the TSP by reference. SDC 17.84.50 refers to them as "minimum standards" and "accepted traffic engineering practices". If a development proposed an expected AADT of 1,100 it may be debatable, but the finding that the AADT with this development will be 2,490 - three times the 800 and 2.5 times the 1000 AADT threshold under accepted traffic engineering practices, as concluded by the City's Traffic Engineer, should leave no doubt that there is a definite need for the Gunderson connection and that the City Plans and Code language are sufficient to require it. Similarly, there are not specified pipe diameters for potential water and sewer needs in our Code, but the fact that we need adequate water and sewer systems are not questioned or allowed to be undersized and overloaded with proposed development.

The Condition for Approval as well as the finalized Development Agreement must require incorporation of Gunderson Road into the UGB as well as construction of Gunderson Road in order for Bailey Meadows development to be consistent with SDC 17.100.60 E and F:

E. Approval Criteria. The Director or Planning Commission shall review the tentative plat for the subdivision based on the classification procedure (Type II or III) set forth in Section 17.102 and the following approval criteria: ...

3. The proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy.(TSP).

4. Adequate public facilities are available or can be provided to serve the proposed subdivision.

5. All proposed improvements meet City standards.

6. The phasing plan, if requested, can be carried out in a manner that meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops.

F. Conditions. The Director or Planning Commission may require dedication of land and easements and may specify such conditions or modifications of the tentative plat as deemed necessary.

Gunderson Road must be constructed and Melissa Ave must be managed under SDC 17.100.100 to ensure that development provides safe options, and addresses

B 2. If the study identifies level-of-service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered as part of the land use decision for the proposal.

To further refute the comments that the SDC does not contain objective standards in the City's Code, SDC 17.100.110 references specific drawings and incorporates by reference and summary statements, the TSP itself .

Again, while we appreciate the intent to move forward with Gunderson and we understand the complication of the parcel being outside the UGB, we want to be on the record with all the reasons and rationale for why existing City Code, TSP, and Comprehensive Plan call for the development to construct secondary access by way of Gunderson Road. We believe in order to meet all the While it may be appropriate for the City to pitch in some of the costs (to the extent the existing Nicholas Glen neighbors may use the Gunderson Road), the City and its taxpayers should not be required to shoulder the costs for a necessary arterial road that primarily benefits and allows development for the proposed Bailey Meadows subdivision.

We believe in "responsible growth", and that Bailey Meadows must meet SDC17.100.310: In order to do that, we must condition approval with the UGB expansion to feasably meet this code.

17.100.310 REQUIRED IMPROVEMENTS

The following improvements shall be installed at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.

... I. Streets

Needed Housing Exemptions:

The developer's blanket justification for Bailey Meadows not having to implement conditions they find onerous, and in their conclusion are "subjective", or could cause "unreasonable costs or delay" as stated in the 900 page report, appears to be House Bill 2001 including the premise that the statutes under "Needed Housing" apply to Bailey Meadows. The HB2001 revised housing rules 1) required that the City allow duplexes on single family zones - which is immaterial, as duplexes are not being proposed in Bailey Meadows. 2) It allows the City to consider (and does not prohibit) middle housing on these zones - again not proposed in this development. And then there are the developers frequent references that exceptions are warranted because the 100 almost half million dollar homes proposed in Bailey Meadows fall under the "Needed Housing" provision. A reading of the definition should clarify this.

2017 ORS 197.303' - "Needed housing" defined:

As used in ORS 197.307 (Effect of need for certain housing in urban growth areas), "needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, INCLUDING but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a.

The key term is **INCLUDING** ...households with low incomes, to extremely low incomes. There are **NO** lots or homes **INCLUDED** in Bailey Meadows that are affordable to low, very low, or extremely low incomes. On the contrary, the developer has indicated that the homes will start at \$450,000 (almost half a million dollars!). The legislature defined needed housing with the intent to reduce barriers to provide housing for low to extremely low income people in need of housing. There is not a shortage of housing in the Sandy area for \$450k plus. These "Needed Housing" statutes are not a one size fits all loophole for developers wanting to build large, expensive single family lots and get a fast tracked development, where they either refuse to implement or put the costs of any onerous development conditions they find "subjective" or "unreasonable" on City taxpayers. The City's lawyer should come up with the same interpretation! Bailey Meadows does not come under any provisions of HB2001. At a minimum, if there is any part of the new state statutes that over ride, compromise, or eliminate our Comprehensive Plan, TSP, or Development Code, applicable under the Bailey Meadows proposal, those statutes should be outlined in the Findings of Fact section of the Staff Report and they were not. Similarly, other than general mentions of the ORS197.303 and 197.307 by the developer, there were no specifics of how the Bailey Meadows Subdivision meets the criteria under these statutes or how they override our code.

Park land dedication:

It is unclear what the proposal is currently. The initial application states they intend to pay a fee in lieu of park land dedication. A later filing mentions dedication of just over 2 acres of park land outside the proposed development and within the UGB. A preliminary assessment of this proposed land is that it is very wet. *SDC 17.86.20 (3) The parkland must be able to accommodate play structures, play fields, picnic areas, or other active park use facilities. The average slope of the active use parkland shall not exceed 15%.* It appears that drainage and possible grading would be necessary to meet this part of the code.

SDC 17.86.20 (1) Homes must front on the parkland as shown in the example below: If this dedication is instead of the fee, then the requirements that homes face the park would require a new Condition for Approval, or a Request for a Variance from the developer. If they do not want to request a variance, then there would need to either be a Condition for Approval to have the final plat show homes that face the park, or, the developer can pay the fee in lieu to meet the City's requirement and at the same time, donate land outside the UGB to the City outside the parkland dedication process. This last alternative was alluded as the intent by the developer's attorney at the hearing. Whatever the proposal is, it should be clearly documented and Conditions of Approval #12 should be edited to ensure the park land policies in 17.86 are met.

In conclusion, we believe the Development Agreement should be developed and approved by City Council prior to, or concurrently with, the Planning Commission approval to ensure that Gunderson is primarily paid for by the benefitting entity Bailey Meadows developers. The City needs to ensure that they can come up with their share with available funds and addition of Gunderson onto the SDC roads CIP. And finally, we need to ensure for the developers and the neighbors that Gunderson can in fact be built before the 31st home is built, given they plan to break ground this summer. We reiterate our belief and it is reflected in our record, that the new 2001 House Bill does not come into play with Bailey Meadows as it is neither duplexes or middle housing, nor does it meet "needed housing" intended for low incomes. We support the donation of park land within the UGB, while paying the fee in lieu to meet parkland dedication policies.

Again, we support the Developer and City finalizing the Development Agreement to construct Gunderson Road prior to build out of Bailey Meadows. Like Mr. Robinson, we raise all these points, rationale, and references to ensure they are on the record for the Planning Commission and in the case of appeal.



**Exhibit LLLLL**

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Letter of Concern Bailey Meadows Subdivision

1 message

Emily Meharg <emeharg@ci.sandy.or.us>

Thu, Jan 30, 2020 at 11:03 AM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

----- Forwarded message -----

From: **Gigi Duncan** <gigiduncanhome@gmail.com>

Date: Thu, Jan 30, 2020 at 10:46 AM

Subject: Letter of Concern Bailey Meadows Subdivision

To: <emeharg@cityofsandy.com>

I am writing to ask the Planning Commission to consider the following:

1) The Nicholas Glen neighborhood was allowed to be built with no park and only 1 access road. It is currently at the highest end of what is considered a "safe" level of traffic. Adding any additional traffic from the proposed subdivision will most certainly raise traffic to an unsafe level on Melissa Ave. We heard from Staff that the Commission would be in violation for not punching Melissa through to a new neighborhood but we ask the Planning Commission to weight the safety of our neighborhood vs the requirement to connect our already taxes road. We feel that safety of the citizens should always be the #1 factor in any decision of this kind.

Please do not run any additional traffic through our neighborhood. If you Must, please add a 4 way stop at the top of Rachael and Melissa and speed bumps down Melissa, although we believe this is still unsafe for us.

2) The UGB expansion and access from the proposed subdivision out to Hwy 211 must be a condition of approval. This will create a safe access for the citizens of the Bailey Meadows subdivision and a needed park. We feel that the park is imperative in keeping with the vision of the City of Sandy and the State of Oregon.

3) Please condition that there be a plan (approved by the city) for the excavation of Melissa Ave for the utility access by the proposed subdivision (regardless of new subdivision access onto Melissa), a timeframe and deadline, notification requirements of the residents, access plan for the residents and strict guidelines for improvements of Melissa after excavation.

Many of the citizens living in Nicholas Glen are concerned about our safety with the intrusion of another subdivision. We feel that the spirit and vision of our city are very much in line with the State of Oregon in desiring parks, green space and responsible growth. I think perhaps we could learn from the mistakes when creating our Nicholas Glen subdivision that we did not have a dedicated park and our street was not created to handle more traffic than our current subdivision has. I am hoping that the Planning Commission, our only line of defense, will recognize the need to protect our community but demanding the new subdivision have it's own access and not further tax our one street. With the new subdivision having it's own access, it's own park, and adequate roads for future growth extending to it's parameters, the City will be setting up the next few developments for success.

Thank you again for your time and we hope you hear us.

Sincerely,

Gigi Duncan
18275 Rachael Drive
Sandy OR 97055

1/30/2020

City of Sandy Mail - Fwd: Bailey Meadows Subdivision File No. 19-023 SUB/VAR/TREE



Exhibit M M M M M

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows Subdivision File No. 19-023 SUB/VAR/TREE

1 message

Emily Meharg <emeharg@ci.sandy.or.us>

Thu, Jan 30, 2020 at 2:55 PM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

----- Forwarded message -----

From: **Melissa Reeb** <melissa.reeb@gmail.com>

Date: Thu, Jan 30, 2020 at 2:53 PM

Subject: Bailey Meadows Subdivision File No. 19-023 SUB/VAR/TREE

To: <emeharg@cityofsandy.com>

Cc: Brian ICE <crosswhb@yahoo.com>

Dear Mrs Meharg-

We are writing today about the proposed subdivision Bailey Meadows. After attending the meeting on 1/23/2020 we have some concerns and requests we'd like to share with you.

Our biggest concern is around safety. We are worried that the Urban Growth Boundary will not be approved, thus preventing the construction of Gunderson road and the proposed park. That the 100 houses will be built regardless whether or not the UGB is approved, and we'll end up with Melissa Ave as the only entrance and exit to our subdivision AND then to an additional 100 homes. Melissa Ave is already out of compliance with excessive traffic on our local road. Adding close to a thousand more daily trips is unacceptable and a disregard of public safety. OUR safety, OUR children's safety! We're not ok with this and don't believe that our city should be ok with this either.

We believe and plea that the developer should not be approved to start building until the UGB is approved, AND that their development plan is approved contingent upon the new park and Gunderson road being built as part of it's written plan.

Also please require them to include safety measures such as:

- 4 way stop at Melissa and Rachael
- Speed bumps on Melissa Ave
- Speed limit signs clearly posted on Melissa Ave
- Designated school bus stop on Rachael in a safe place for our children to load and unload.

As a mom of a toddler and a preschooler, living on Melissa Ave, I legitimately fear for our family's safety. Thank you so much for considering and acknowledging our concerns and requests regarding public safety, my children's safety, and the approval of this new development.

Melissa and Brian Crosswhite
Aubrianna and Austin Crosswhite

18298 Melissa Ave, Sandy, OR 97055

Exhibit NNNNN

Dear Planning Commission and City Planning Staff:

January 29th, 2020

I would like to submit the following points onto the Bailey Meadows record. I would ask that the elaboration of the rationale cited in K. Walker's written testimony submitted January 30th, be incorporated to my letter by reference for the purposes of any future appeals.

The Development Agreement referenced in the Conditions for Approval has not been drafted yet. There is no consensus on who is paying what, and when, to build Gunderson Road. It is not possible to clarify or confirm Conditions for Approval without this agreement completed at the time of Plan approval. It should be drafted and finalized prior to, or concurrently with, the Conditions for Approval for the proposed development in order to meet the terms under 2017 ORS 94.504 and be consistent with the development phasing required in SDC17.100.60 D.20 and the requirements in ORS 94.518.

While the developer has indicated a willingness to construct Gunderson Road as part of their development, they continue to go on the record as saying they do not believe they are required to, by law, based on vaguely referenced shortcomings in our Comprehensive Plan, Transportation System Plan, and Sandy Development Code and by House Bill 2001. I would like to incorporate by reference all three of those documents and specifically the Sandy Ordinance 2011-12 that adopted our TSP in 2011 making it an element and amendment to our Comprehensive Plan. SDC 17.10.30, 17.84, 17.100.60,

The Condition for Approval as well as the finalized Development Agreement must require incorporation of Gunderson Road into the UGB, as well as construction of Gunderson Road in order for Bailey Meadows development to be consistent with SDC 17.100.60 E and F and other sections of SDC 17.100.

There is no Finding of Fact that states how Bailey Meadows falls under any provisions of House Bill 2001 with no duplexes, or affordable housing for low to very low incomes. Therefore all the provisions in our City Code, TSP and Comprehensive Plan related to streets and traffic are in affect and are clear and objective standards to guide responsible development, as they have done for many years here in Sandy.

I support the developer's proposal to donate park land in the UGB and pay the fee in lieu of parkland dedication policies in SDC 17.86.

I appreciate the effort all parties have made to find compromise and ensure safe roads, secondary access to the development, and potential park land in the area.

Sincerely, 

RECEIVED

JAN 30 2020

CITY OF SANDY

Email to:

emeharg@cityofsandy.com before Thursday, January 30th at 5pm.

Exhibit 00000

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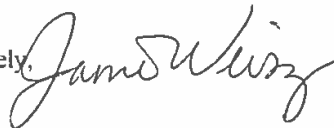
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RECEIVED

JAN 30 2020

CITY OF SANDY

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Exhibit P P P P P

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January 29th, 2020

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The Development Agreement referenced in the Conditions for Approval has not been drafted yet. There is no consensus on who is paying what, and when, to build Gunderson Road. It is not possible to clarify or confirm Conditions for Approval without this agreement completed at the time of Plan approval. It should be drafted and finalized prior to, or concurrently with, the Conditions for Approval for the proposed development in order to meet the terms under 2017 ORS 94.504 and be consistent with the development phasing required in SDC 17.100.60 D.20 and the requirements in ORS 94.518.

While the developer has indicated a willingness to construct Gunderson Road as part of their development, they continue to go on the record as saying they do not believe they are required to, by law, based on vaguely referenced shortcomings in our Comprehensive Plan, Transportation System Plan, and Sandy Development Code and by House Bill 2001. I would like to incorporate by reference all three of those documents and specifically the Sandy Ordinance 2011-12 that adopted our TSP in 2011 making it an element and amendment to our Comprehensive Plan. SDC 17.10.30, 17.84, 17.100.60,

The Condition for Approval as well as the finalized Development Agreement must require incorporation of Gunderson Road into the UGB, as well as construction of Gunderson Road in order for Bailey Meadows development to be consistent with SDC 17.100.60 E and F and other sections of SDC 17.100.

There is no Finding of Fact that states how Bailey Meadows falls under any provisions of House Bill 2001 with no duplexes, or affordable housing for low to very low incomes. Therefore all the provisions in our City Code, TSP and Comprehensive Plan related to streets and traffic are in affect and are clear and objective standards to guide responsible development, as they have done for many years here in Sandy.

I support the developer's proposal to donate park land in the UGB and pay the fee in lieu of parkland dedication policies in SDC 17.86.

I appreciate the effort all parties have made to find compromise and ensure safe roads, secondary access to the development, and potential park land in the area.

Sincerely,

 Erin Findlay

Email to:

emeharg@cityofsandy.com before Thursday, January 30th at 5pm.

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JAN 30 2020

CITY OF SANDY

**Exhibit QQQQ**

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows

1 message

Emily Meharg <emeharg@ci.sandy.or.us>

Thu, Jan 30, 2020 at 3:33 PM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

----- Forwarded message -----

From: **emilinamoon** <emilinamoon@gmail.com>

Date: Thu, Jan 30, 2020 at 3:20 PM

Subject: Bailey Meadows

To: <emeharg@cityofsandy.com>

Dear Ms. Meharg & Sandy Planning Commission members,

As a constituent & resident of the Nicholas Glen subdivision I am writing to express my continued concerns.

First, I am most concerned about the removal of the 3 trees on the Melissa St. Stub. The removal of those will expose the 4th tree, my next door neighbor's tree (the largest to the wind & any grading & utility work will damage its root system. It is unbelievable that the city of Sandy & the developers would fail to consider the risks of leaving such a hazard behind. If the tree were to fall on my house, or my neighbors I will make sure both parties are held accountable to the fullest extent possible.

Next, I continue to be concerned by the traffic study conducted by Mr. Mobley's engineering firm. The conflict of interest is undeniable and was especially disappointing to see one of our city's representatives recuse himself from the planning board and go sit in the seat that was saved to him by the developers. What! The lense is clearly fractured & the traffic study appears to be skewed in favor of the developer. I would like to request that the remaining members of the Planning Commission condition any approval of Bailey Meadows upon a new traffic study, done by a unbiased engineering firm.

The City of Sandy should be working to protect the CURRENT resident's safety & concerns. Not protecting themselves from threats of a developer with deep pockets.

Next, I will copy & paste more concerns that were eloquently stated by another resident of the City of Sandy & that I wholeheartedly agree with.

I would like to submit the following points onto the Bailey Meadows record. I would ask that the elaboration of the rationale cited in K. Walker's written testimony submitted January 30th, be incorporated to my letter by reference for the purposes of any future appeals.

The Development Agreement referenced in the Conditions for Approval has not been drafted yet. There is no consensus on who is paying what, and when, to build Gunderson Road. It is not possible to clarify or confirm Conditions for Approval without this agreement completed at the time of Plan approval. It should be drafted and finalized prior to, or concurrently with, the Conditions for Approval for the proposed development in order to meet the terms under 2017 ORS 94.504 and be consistent with the development phasing required in SDC17.100.60 D.20 and the requirements in ORS 94.518.

While the developer has indicated a willingness to construct Gunderson Road as part of their development, they continue to go on the record as saying they do not believe they are required to, by law, based on vaguely referenced shortcomings in our Comprehensive Plan, Transportation System Plan, and Sandy Development Code and by House Bill 2001. I would like to incorporate by reference all three of those documents and specifically the Sandy Ordinance 2011-12 that adopted our TSP in 2011 making it an element and amendment to our Comprehensive Plan. SDC 17.10.30, 17.84, 17.100.60,

1/30/2020

City of Sandy Mail - Fwd: Bailey Meadows

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I support the developer's proposal to donate park land in the UGB and pay the fee in lieu of parkland dedication policies in SDC 17.86.

I appreciate the effort all parties have made to find compromise and ensure safe roads, secondary access to the development, and potential park land in the area.

Thank you for your time,

Emily Sheldon

Sent from my T-Mobile 4G LTE Device

Exhibit RRRRR

January, 30, 2020

Dear Planning Commission members and City staff:

We appreciate the appearance of cooperation from the developer to construct the necessary arterial (Gunderson Road) at the January 23rd meeting and the inclusion of some parkland within the UGB.

We are concerned about the lack of any specifics on the Development Agreement that is referenced in #49 and Condition #D3, especially the timing and the details on who pays what. Mr. Robinson alluded to the City paying part of the costs in his oral testimony, but no specifics were mentioned. The City has just committed to building out Bell Street to 362nd, so we are concerned that their budgets are tapped out. In addition, Gunderson Road is not currently in the UGB and is not on the CIP list that allows the City to use SDC's to help fund this share. While we can agree that a small portion of traffic from the existing Nicholas Glen may use the Gunderson Road, and therefore a cost share agreement may be appropriate, what if the City cannot come up with the funds? What is an equitable split? What if the UGB gets denied? How does the availability of City funds affect the 30th house condition? What are the assurances that we do not end up with 30 homes and then stall with no road? All these should be addressed in the Development Agreement.

Approval of a Type III land use development by the planning commission prior to the approval of a development agreement to share costs for construction of Gunderson Road to 211, which is integral to the intent of the Conditions for Approval violates the 2017 ORS 94.504, that states:

2) A development agreement shall specify:

- (a) The duration of the agreement;*
- (b) The permitted uses of the property;*
- (c) The density or intensity of use;*
- (d) The maximum height and size of proposed structures;*
- (e) Provisions for reservation or dedication of land for public purposes;*
- (f) A schedule of fees and charges;*
- (g) A schedule and procedure for compliance review;*
- (h) Responsibility for providing infrastructure and services;*
- (i) The effect on the agreement when changes in regional policy or federal or state law or rules render compliance with the agreement impossible, unlawful or inconsistent with such laws, rules or policy;*
- (j) Remedies available to the parties upon a breach of the agreement;*
- (k) The extent to which the agreement is assignable; and*
- (L) The effect on the applicability or implementation of the agreement when a city annexes all or part of the property subject to a development agreement.*

(3) A development agreement shall set forth all future discretionary approvals required for the development specified in the agreement and shall specify the conditions, terms, restrictions and requirements for those discretionary approvals.

(4) A development agreement shall also provide that construction shall be commenced within a specified period of time and that the entire project or any phase of the project be completed by a specified time.

(5) A development agreement shall contain a provision that makes all city or county obligations to expend moneys under the development agreement contingent upon future appropriations as part of the

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JAN 30 2020
CITY OF SANDY

local budget process. The development agreement shall further provide that nothing in the agreement requires a city or county to appropriate any such moneys.

(6) A development agreement must state the assumptions underlying the agreement that relate to the ability of the city or county to serve the development. The development agreement must also specify the procedures to be followed when there is a change in circumstances that affects compliance with the agreement.

...(9) ORS [94.504 \(Development agreements\)](#) to [94.528 \(Recording\)](#) do not limit the authority of a city or county to take action pursuant to ORS [456.270 \(Definitions for ORS 456.270 to 456.295\)](#) to [456.295 \(Action affecting covenant\)](#). [1993 c.780 §1; 2005 c.315 §1; 2007 c.691 §7]

The Development Agreement should have been finalized prior to, or at least concurrent with, the land use decision. The land use decision cannot be made without final agreement of the items listed above to ensure that the proposed development (amended with the Development Agreement) meets development code and the Transportation System Plan as outlined in ORS 94.508: In addition the Development Agreement should be consistent with the development phasing required in SDC17.100.60 D.20.

(1) A development agreement shall not be approved by the governing body of a city or county unless the governing body finds that the agreement is consistent with local regulations then in place for the city or county.

(2) The governing body of a city or county shall approve a development agreement or amend a development agreement by adoption of an ordinance declaring approval or setting forth the amendments to the agreement. Notwithstanding ORS [197.015 \(Definitions for ORS chapters 195, 196, 197 and ORS 197A.300 to 197A.325\)](#) (10)(b), the approval or amendment of a development agreement is a land use decision under ORS chapter 197. [1993 c.780 §2; 2005 c.22 §74; 2007 c.354 §27]

17: Unless otherwise provided by the development agreement, the comprehensive plan, zoning ordinances and other rules and policies of the jurisdiction governing permitted uses of land, density and design applicable to the development of the property subject to a development agreement shall be the comprehensive plan and those ordinances, rules and policies of the jurisdiction in effect at the time of approval of the development agreement. [1993 c.780 §4]

We continue to be concerned about the developer's positions stated that street requirements are not adequately documented and therefore do not apply to this development. It is unclear, and no finding of fact is stated in the staff report that would indicate the Comprehensive Plan, Transportation System Plan and City Development Code are not adequate to apply as they have applied in many recent and past development proposals. One argument made was that the TSP was not adopted as an amendment to Sandy's Comprehensive Plan

The City of Sandy's 2011 Transportation System Plan (TSP) that involved some of you planning commission members and City Council members, is an element and amendment to the City's Comprehensive Plan. The City's TSP addresses development outside the UGB, including the proposed Gunderson Road. Following is the introduction to the City's TSP as well as pertinent parts of the Ordinance Adopting the TSP as an element and amendment to the City's Comprehensive Plan. I ask that the entire TSP, Adoption Ordinance and Exhibits be incorporated into the record by reference.

City of Sandy Transportation System Plan - Chapter 1 - 2011 Transportation Plan Introduction

The City of Sandy, in cooperation with the Oregon Department of Transportation (ODOT), has completed a thorough review of its transportation system with this update to the City Transportation System Plan (TSP). This TSP serves as the transportation element of the City of Sandy Comprehensive Land Use Plan, establishing a system of facilities and services to meet local transportation needs through the year 2029.

OAR 660 Division 12 (also referred to as the state Transportation Planning Rule, or TPR) requires jurisdictions throughout Oregon to prepare and adopt transportation plans as elements of their comprehensive plans. While cities with populations less than 10,000 may qualify for a whole or partial exemption from this requirement (Sandy's population was estimated at 9,570 as of the 2010 Census), the City of Sandy has chosen to undertake this planning effort because the plan will serve as a valuable resource for staff, policy makers, and the public. Having an adopted TSP establishes the function, capacity, and location of future transportation facilities, informs the community of the level of investment needed for facilities to support anticipated growth and development, and better positions the City to compete for scarce transportation funding. ...

ORDINANCE NO. 2011-12 - AN ORDINANCE ADOPTING A NEW TRANSPORTATION SYSTEM PLAN (TSP) TO ADDRESS THE REQUIREMENTS OF GOAL 12.

...WHEREAS, OAR 660 Division 12 (also referred to as the state Transportation Plan Rule, or TPR) requires jurisdictions throughout Oregon to prepare and adopt transportation plans as elements of comprehensive plans; and

WHEREAS, while this rule allows cities with populations less than 10,000 (Sandy's population is 9,655), a whole or partial exemption from these requirements, the City of Sandy has chosen to undertake this planning effort to establish a system of facilities and services to meet local transportation needs through the year 2029; ...

NOW, THEREFORE, THE CITY OF SANDY DOES ORDAIN AS FOLLOWS: Section 1. The Transportation System Plan for the City of Sandy dated December 2011 is hereby adopted, attached as Exhibit A and incorporated herein by reference. The information and data contained in Exhibit A supersedes any that exists to the contrary in the Transportation System Plan adopted by Ordinance No. 12-97 or its background documents. Section 2. The Transit Master Plan adopted by Ordinance No. 2009-02 is incorporated as an element of the new Transportation System Plan. Section 3. The adoption of the Transportation System Plan is supported by findings, attached hereto as Exhibit B and incorporated herein by reference.

There was also comments that the standards identified in the TSP were not spelled out in Development Code. See Section 17.10.30 Code Definitions where classifications are reiterated.

...B. Arterial Streets: These interconnect and support the arterial highway system and link major commercial, residential, industrial, and institutional areas.

C. Residential Minor Arterial: A hybrid between minor arterial and collector street which allows moderate to high traffic volumes on streets where over 90 percent of the fronting lots are residential. Intended to provide some relief to the strained arterial system while ensuring a safe residential

environment. Paved width of 38 feet to 50 feet, minimum three-lane cross section, and may include on-street parking.

D. Collector Streets: These provide both access and circulation within residential neighborhoods and commercial/industrial areas.

E. Local Streets: The primary function is to provide access to immediately adjacent land. Service to through-traffic movement on local streets is discouraged

SDC Section 17.84 “provides general information regarding improvements required with residential, commercial, and industrial development. It is intended to clarify timing, extent, and standards for improvements required in conjunction with development. In addition to the standards in this chapter, additional standards for specific situations are contained in other chapters. “

The TSP and its standards are incorporated by reference in **Section 17.84.50 STREET REQUIREMENTS** and reference **accepted traffic engineering practices (clear and objective)** including:

- A. Traffic evaluations may be required of all development proposals in accordance with the following:*
- 1. A proposal establishing the scope of the traffic evaluation shall be submitted for review to the City Engineer. The evaluation requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. Large projects should assess all nearby key intersections. Once the scope of the traffic evaluation has been approved, the applicant shall present the results with and an overall site development proposal. If required by the City Engineer, such evaluations shall be signed by a Licensed Professional Civil Engineer or Licensed Professional Traffic Engineer licensed in the State of Oregon.*
 - 2. If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.*

B. Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:

- 1. Arterial streets should generally be spaced in one-mile intervals. ...*

C. Local streets shall be designed to discourage through traffic. NOTE: for the purposes of this section, “through traffic” means the traffic traveling through an area that does not have a local origination or destination. To discourage through traffic and excessive vehicle speeds the following street design characteristics shall be considered, as well as other designs intended to discourage traffic:

The TSP’s “Functional Classification Management Objectives” (page 17 of TSP) sets the standard for Local Streets like Melissa Avenue

Local Street

Local streets have the sole function of providing immediate access to adjacent land. These streets have a typical capacity between 800 and 1,000 ADT. Service to through traffic movements on local streets is deliberately discouraged by design.

Contrary to comments made to the Planning Commission by the Developers representative, the City’s Traffic Engineering Report did express concerns about this development related to traffic capacity, road conditions and safety on Melissa Avenue. Therefore, under the codes already mentioned, we need to

ensure that approval of the subdivision is based on UGB incorporation and completion of a feasible Development Agreement. Their Traffic Report Exhibit Y said:

Gunderson Road is classified in the City of Sandy TSP Figure 5 as a minor arterial street. A minimum off 34 feet right of way dedication will ne required along the entire site frontage as per City of Sandy Development Code, chapter 17.84. This roadway will be extended in the future as the surrounding properties develop around this site.

A half improvement would be required on Gunderson Road to include 22 foot wide paved surface, curb cuts on one side, 5 foot planter strips and 6 foot wide sidewalks along the south plat boundary line as per the TSP. At the request of the City we have developed a layout to this site ...

Melissa Avenue is classified by the City of Sandy TSP figure 5 as a local street and is proposed to be the only access to this development. Currently, the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glen No 2 is 2,490 trips. The traffic volumes increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1,000 ADT. The projected capacity exceeds the preferred capacity limitations.

We are also concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case evacuation is needed...

The comments made by the developer's representative imply that the word "allude" in their report was a suggestion and not a requirement. As referenced in the appropriate code stated above, the Comprehensive Plan, TSP, and Sandy Development Code all incorporate the TSP by reference. SDC 17.84.50 refers to them as "minimum standards" and "accepted traffic engineering practices". If a development proposed an expected AADT of 1,100 it may be debatable, but the finding that the AADT with this development will be 2,490 - three times the 800 and 2.5 times the 1000 AADT threshold under accepted traffic engineering practices, as concluded by the City's Traffic Engineer, should leave no doubt that there is a definite need for the Gunderson connection and that the City Plans and Code language are sufficient to require it. Similarly, there are not specified pipe diameters for potential water and sewer needs in our Code, but the fact that we need adequate water and sewer systems are not questioned or allowed to be undersized and overloaded with proposed development.

The Condition for Approval as well as the finalized Development Agreement must require incorporation of Gunderson Road into the UGB as well as construction of Gunderson Road in order for Bailey Meadows development to be consistent with SDC 17.100.60 E and F:

E. Approval Criteria. The Director or Planning Commission shall review the tentative plat for the subdivision based on the classification procedure (Type II or III) set forth in Section 17.102 and the following approval criteria: ...

3. The proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy. (TSP).

4. Adequate public facilities are available or can be provided to serve the proposed subdivision.

5. All proposed improvements meet City standards.

6. The phasing plan, if requested, can be carried out in a manner that meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops.

F. Conditions. The Director or Planning Commission may require dedication of land and easements and may specify such conditions or modifications of the tentative plat as deemed necessary.

Gunderson Road must be constructed and Melissa Ave must be managed under SDC 17.100.100 to ensure that development provides safe options, and addresses

B 2. If the study identifies level-of-service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered as part of the land use decision for the proposal.

To further refute the comments that the SDC does not contain objective standards in the City's Code, SDC 17.100.110 references specific drawings and incorporates by reference and summary statements, the TSP itself .

Again, while we appreciate the intent to move forward with Gunderson and we understand the complication of the parcel being outside the UGB, we want to be on the record with all the reasons and rationale for why existing City Code, TSP, and Comprehensive Plan call for the development to construct secondary access by way of Gunderson Road. While it may be appropriate for the City to pitch in some of the costs (to the extent the existing Nicholas Glen neighbors may use the Gunderson Road), the City and its taxpayers should not be required to shoulder the majority of costs for a necessary arterial road that primarily benefits and allows development for the proposed Bailey Meadows subdivision.

We believe in "responsible growth", and that Bailey Meadows must meet SDC17.100.310: In order to do that, we must condition approval with the UGB expansion and complete the Development Plan concurrent with the Planning Commission decision to feasibly meet this code.

17.100.310 REQUIRED IMPROVEMENTS

The following improvements shall be installed at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.

... I. Streets

Needed Housing Exemptions:

The developer's blanket justification for Bailey Meadows not having to implement conditions they find onerous, and in their conclusion are "subjective", or could cause "unreasonable costs or delay" as stated in the 900 page report, appears to be House Bill 2001 including the premise that the statutes under "Needed Housing" apply to Bailey Meadows. The HB2001 revised housing rules 1) required that the City allow duplexes on single family zones - which is immaterial, as duplexes are not being proposed in Bailey Meadows. 2) It allows the City to consider (and does not prohibit) middle housing on these zones - again not proposed in this development. And then there are the developers frequent references that exceptions are warranted because the 100 almost half million dollar homes proposed in Bailey Meadows fall under the "Needed Housing" provision. A reading of the definition should clarify this.

2017 ORS 197.303¹ - "Needed housing" defined:

*As used in ORS [197.307](#) (Effect of need for certain housing in urban growth areas), "needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary **at price ranges and rent levels that are affordable to households within the county with a variety of incomes, INCLUDING but not limited to households with low incomes, very low incomes and extremely low incomes**, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a.*

The key term is **INCLUDING** ..households with low incomes, to extremely low incomes. There are **NO** lots or homes **INCLUDED** in Bailey Meadows that are affordable to low, very low, or extremely low

incomes. On the contrary, the developer has indicated that the homes will start at \$450,000 (almost half a million dollars!). The legislature defined needed housing with the intent to reduce barriers to provide housing for low to extremely low income people in need of housing. There is not a shortage of housing in the Sandy area for \$450k plus. These "Needed Housing" statutes are not a one size fits all loophole for developers wanting to build large, expensive single family lots and get a fast tracked development, where they either refuse to implement or put the costs of any onerous development conditions they find "subjective" or "unreasonable" on City taxpayers. The City's lawyer should come up with the same interpretation! Bailey Meadows does not come under any provisions of HB2001. At a minimum, if there is any part of the new state statutes that over ride, compromise, or eliminate our Comprehensive Plan, TSP, or Development Code, applicable under the Bailey Meadows proposal, those statutes should be outlined in the Findings of Fact section of the Staff Report and they were not. Similarly, other than general mentions of the ORS197.303 and 197.307 by the developer, there were no specifics of how the Bailey Meadows Subdivision meets the criteria under these statutes or how they override our code.

Park land dedication:

It is unclear what the proposal is currently. The initial application states they intend to pay a fee in lieu of park land dedication. A later filing mentions dedication of just over 2 acres of park land outside the proposed development and within the UGB. A preliminary assessment of this proposed land is that it is very wet. *SDC 17.86.20 (3) The parkland must be able to accommodate play structures, play fields, picnic areas, or other active park use facilities. The average slope of the active use parkland shall not exceed 15%.* It appears that drainage and possible grading would be necessary to meet this part of the code.

SDC 17.86.20 (1) Homes must front on the parkland as shown in the example below: If this dedication is instead of the fee, then the requirements that homes face the park would require a new Condition for Approval, or a Request for a Variance from the developer. If they do not want to request a variance, then there would need to either be a Condition for Approval to have the final plat show homes that face the park, or, the developer can pay the fee in lieu to meet the City's requirement and at the same time, donate land outside the UGB to the City outside the parkland dedication process. This last alternative was alluded as the intent by the developer's attorney at the hearing. Whatever the proposal is, it should be clearly documented and Conditions of Approval #12 should be edited to ensure the park land policies in 17.86 are met.

In conclusion, the Development Agreement should be finalized and approved by City Council prior to, or concurrently with, the Planning Commission approval to ensure that Gunderson is primarily paid for by Bailey Meadows developers. We need to condition approval on UGB incorporation. We need to ensure the City has the available funds and add Gunderson onto the SDC roads CIP. Finally, we need to ensure for the developers and the neighbors that Gunderson can in fact be built before the 31st home is built, given they plan to break ground this summer. We reiterate our belief and it is reflected in our record, that the new 2001 House Bill does not come into play with Bailey Meadows as it is neither duplexes or middle housing, nor does it meet "needed housing" intended for low incomes. We support the donation of park land within the UGB, while paying the fee in lieu to meet parkland dedication policies.

Again, we support the Developer and City finalizing the Development Agreement to construct Gunderson Road prior to build out of Bailey Meadows. Like Mr. Robinson, we raise all these points, rationale, and references to ensure they are on the record for the Planning Commission, and in the case of appeal.

Kindest Regards,

Kathleen Walker

Exhibit SSSSS

From: Tim Sellin
18256 Melissa Avenue
Sandy, OR 97055

To: City of Sandy – Planning Commission
c/o Senior Planner – Emily Meharg

Continued Concerns for Bailey Meadows Subdivision

1. The Nicolas Glen neighborhood, of which I reside on Melissa Avenue [proper], was established and built with no park and only one access road. According to the given traffic studies, it's nearly maxed out on what is a safe level of traffic. The addition of the new subdivision would only INCREASE the amount of traffic flow, to what I'm sure is considered an UNSAFE level.

Possibly, instead of punching Melissa Avenue through to the new development, it can be an emergency access ONLY, of which a park could be the nucleus between the aged and new development? From the last town hall meeting, I understood that any future park would be placed directly against Highway 211. I believe this would be a mistake and placement between the two neighborhoods would be more prudent, safe and logistically possible.

Fellow neighbors have also suggested that at the very least the intersection of Melissa Avenue and Rachel Drive be a 4-Way stop with the employment of speed hump down the hill.

2. The Urban Growth Boundary expansion and access from the Bailey Meadows subdivision out to Highway 211 MUST BE A CONDITION OF APPROVAL. As it's written currently, I believe there to be a loophole, of which Melissa Avenue would still be the only access into Bailey Meadows... and that would be a CATASTROPHIC MISTAKE. Not only would this create a safer access for residents of the new neighborhood, the desired park that would inevitably be required would too have better access. We feel that establishing the park NOW would properly focus the vision of the City of Sandy and the State of Oregon, versus kicking the can further down the road.

It's also in my humble opinion, that Gunderson Road [the proposed name for new access to Highway 211], be made a PREREQUISITE to Bailey Meadows' approval. As such, it should be developed at the cost of the Builder, NOT paid for by our tax dollars.

3. The Nicolas Glen neighborhood would also like to request that there be a plan [reviewed and approved by the City] for the excavation of Melissa Avenue for the utility access proposed by the new subdivision. Timeframes, deadlines and a myriad of other logistics should be established BEFORE DEVELOPMENT for two main reasons:
 - a. The existing residents safe egress and timely egress into and out of the neighborhood.
 - b. The busses that pick-up students during the school year... year-long snow-route pickup at the bottom of the Melissa Avenue hill, intersecting Dubarko Road IS NOT AN OPTION.

Many of the citizens living in Nicolas Glen are concerned about safety with the intrusion of another subdivision. We feel that the spirit and vision of our City are very much in line with the State of Oregon in desiring parks, green space and responsible growth. As the only line of defense against irresponsible growth and development of future housing, I'd implore the Planning Commission to 'pump the brakes' on allowing ANY DEVELOPMENT to occur without Bailey Meadows having its OWN ACCESS off of Highway 211.

Thank you very much for your consideration,

A handwritten signature in black ink that reads "Tim Sellin". The signature is fluid and cursive, with the first name "Tim" and last name "Sellin" clearly legible.

Tim Sellin
9 year resident at 18256 Melissa Avenue
503.799.7195
tim.sellin@gmail.com

Exhibit TTTTT

Dear Planning Commission and City Planning Staff:

January 30th, 2020

I would like to submit the following points onto the Bailey Meadows record. I would ask that the elaboration of the rationale cited in K. Walker's written testimony submitted January 30th, be incorporated to my letter by reference for the purposes of any future appeals.

The Development Agreement referenced in the Conditions for Approval has not been drafted yet. There is no consensus on who is paying what, and when, to build Gunderson Road. It is not possible to clarify or confirm Conditions for Approval without this agreement completed at the time of Plan approval. It should be drafted and finalized prior to, or concurrently with, the Conditions for Approval for the proposed development in order to meet the terms under 2017 ORS 94.504 and be consistent with the development phasing required in SDC17.100.60 D.20 and the requirements in ORS 94.518.

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Sincerely,

Richard Sheldon

1/31/2020

City of Sandy Mail - Fwd: Bailey Meadows



Exhibit UUUUU

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows

1 message

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Thu, Jan 30, 2020 at 4:27 PM

To: Marisol Martinez <mmartinez@ci.sandy.or.us>, Emily Meharg <emeharg@ci.sandy.or.us>

Marisol - Another comment.

----- Forwarded message -----

From: **Laura Kvamme** <notellk@yahoo.com>

Date: Thu, Jan 30, 2020 at 4:01 PM

Subject: Bailey Meadows

To: koneill@ci.sandy.or.us <koneill@ci.sandy.or.us>

Laura Kvamme
37438 Rachael dr
Sandy OR 97055

To whom it may concern, After the last planning commission meeting I still have some concerns That I would like to have entered into the Bailey meadows development submission.

Drainage:

Currently the run off water drains to the South of my property line into the proposed Bailey Meadows. I am concerned that the builder may have to change the elevation of the land by raising it to allow for the water and sewer systems to work for the new house leaving surface water to drain on to my property.

Construction safety:

I understand that Melissa will have to be under construction because new sewer and water lines will have to be installed to handle increased usage by the new development. My concern is for the safety of myself and my neighbors should there be an emergency event. The access to our neighborhood will be severely restricted during the road construction phase. I am concerned that emergency vehicles won't be able to reach a neighbor in need because they can't make the tight turn or have to wait for a flagger to let them through when seconds count. Is it possible for the gundersen road extension to be put in 1st to mitigate this safety issue?

More staff hours required:

I know our city staff has done a remarkable job of sifting through the 6" 900 page document the developers submitted. I am sure the Bailey Meadows submission is not the only project that Emily and Kelly have to work on at this time. Is this the appropriate time to ask for more staff hours delegated to this process and the updating of our city building codes?

Thank you for your time and attention.

Sincerely Laura Kvamme

[Sent from Yahoo Mail on Android](#)

--

Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
[39250 Pioneer Blvd](#)
[Sandy, OR 97055](#)
(503) 489-2163
koneill@ci.sandy.or.us

<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permthid=thread-f%3A1657201443088359970&simpl=msg-f%3A16572014430...> 1/1

**Exhibit VVVVV**

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows Concerns

1 message

Emily Meharg <emeharg@ci.sandy.or.us>

Thu, Jan 30, 2020 at 5:05 PM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

----- Forwarded message -----

From: **Nicole Green** <nic_mystic2005@yahoo.com>

Date: Thu, Jan 30, 2020 at 5:00 PM

Subject: Bailey Meadows Concerns

To: <emeharg@cityofsandy.com>

When we purchased our home in the Nicholas Glen neighborhood, many factors influenced our decision. First and foremost was the safety of our family, particularly that of our Autistic son. We are writing to plead with the Planning Commission to protect the safety of our neighborhood and to please consider the following:

1) The Nicholas Glen neighborhood was allowed to be built with no park and only 1 access road. It is currently at the highest end of what is considered a "safe" level of traffic. Adding any additional traffic from the proposed subdivision will most certainly raise traffic to unsafe levels
Please do not run any additional traffic through our neighborhood.

2) The UGB expansion and access from the proposed subdivision out to Hwy 211 must be a condition of approval. This will create a safe access for the citizens of the Bailey Meadows subdivision and a needed park. We feel that the park is imperative in keeping with the vision of the City of Sandy and the State of Oregon.

Many of the citizens living in Nicholas Glen are deeply concerned about our safety with the intrusion of another subdivision. Perhaps we could learn from the mistakes when creating our Nicholas Glen subdivision that we did not have a dedicated park and our street was not created to handle more traffic than our current subdivision has. We are hoping hoping that the Planning Commission, our only line of defense, will recognize the need to protect our community but demanding the new subdivision have it's own access and not further tax our one street. With the new subdivision having it's own access, it's own park, and adequate roads for future growth extending to it's parameters, the City will be setting up the next few developments for success.

Thank you again for your time and we hope you hear us.

Sincerely,
Martin and Nicole Van Wagner

Sent from my iPhone

1/31/2020

City of Sandy Mail - Fwd: Proposed Bailey Meadows Subdivision



Exhibit WWWW

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Proposed Bailey Meadows Subdivision

1 message

Emily Meharg <emeharg@ci.sandy.or.us>

Thu, Jan 30, 2020 at 5:03 PM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

----- Forwarded message -----

From: **Guimar D.D.** <gddevaere@gmail.com>

Date: Thu, Jan 30, 2020 at 5:00 PM

Subject: Proposed Bailey Meadows Subdivision

To: <emeharg@cityofsandy.com>

City of sandy planning Commission,

I am writing yet another letter about the proposed Bailey Meadows subdivision. My family and I own a home in the Nicholas Glen neighborhood. We are worried about several issues surrounding the Bailey Meadows subdivision. First and foremost, we are very concerned about safety. Safety for the many children that have the freedom to play without worry of the traffic in our now safe neighborhood. Our neighborhood is the type of neighborhood you dream of. Still a safe place for our kids to play and socialize. This would be completely destroyed by the proposed changes.

The proposed subdivision will increase traffic tremendously. The city has already admitted that Melissa is already over the allotted amount of vehicle traffic. How can the city of Sandy ignore the traffic rules set forth by the DOT. Will there be traffic lights, speed bumps, or other safety features added to our single road? If so, who will pay for this? The developer of the new neighborhood, or the city/residents of Sandy? This would be very expensive, and can we really afford all the the extra expense of this new neighborhood?

We also have great concern about the UGB. If it is approved by ODOT who will be paying for the road into the UGB? Again, the developer, or the city/residents of Sandy? We would like the proposed neighborhood to not be approved unless the UGB is approved. This should be a priority since having only one road Melissa to go through both neighborhoods would be extremely unsafe.

Thank you,

Guimar DeVaere
18176 Rachael Dr.
Sandy OR 97055

APPLICANT SUBMITTAL



Exhibit XXXXX



January 29, 2019

City of Sandy Planning Commission
c/o: Kelly O'Neil Jr. - Development Services Director
City of Sandy
Development Services Department
39250 Pioneer Boulevard
Sandy, OR 97055

RE: CITY OF SANDY BAILEY MEADOWS SUBDIVISION (FILE NO. 19-023 SUB/VAR/TREE) FIRST OPEN RECORD PERIOD

Kelly,

This letter responds to written and verbal public testimony in the record regarding the Bailey Meadows Subdivision application.

Drainage

1. During the January 23, 2020 Planning Commission Hearing for Bailey Meadows Subdivision, public testimony was provided related to stormwater management for the project.

Response: Considered together, the Existing Conditions Plan, the Preliminary Grading & Erosion & Sediment Control Plan, and the Preliminary Composite Utility Plan illustrate that due to existing topography and the project's grading design, surface stormwater runoff will not be directed towards existing residential development to the north. Stormwater runoff is planned to be captured and routed through a system of underground pipes and conveyed to a vegetated stormwater management facility (in the lowest portion of the site) where it will be treated for water quality and detained per City of Sandy standards. From there, stormwater will continue to the west consistent with the historic direction of flow from the property.

Timing for Occupancy for the first 30 homes

2. Public testimony included questions regarding the following Condition of Approval listed in the Staff Report:

"E. Gunderson Road shall be constructed and accepted by the City prior to issuance of the 30th certificate of occupancy for a housing unit in the subdivision. The applicant shall submit a revised phasing plan for Director review and approval."

Response: The Bailey Meadows Subdivision application involves the creation of 100 lots for the future construction of new single-family detached homes. Upon approval of the UGB Amendment application, the construction of Gunderson Road is anticipated to take several months longer than the subdivision. A mechanism needs to be in place in order to allow home occupancy prior to completion of this off-site improvement.

BEND, OR | KEIZER, OR | TUALATIN, OR | VANCOUVER, WA
www.aks-eng.com

Sincerely,

AKS ENGINEERING & FORESTRY, LLC



Montgomery B. Hurley, PE, PLS - Principal
503-563-6151 | monty@aks-eng.com
12965 SW Herman Road, Suite 100
Tualatin, OR 97062



Response to Open Record Period Ending January 30, 2020
Bailey Meadows Subdivision

January 29, 2020
Page 2 of 2

January 30, 2020

Michael C. Robinson
Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

Mr. Jerry Crosby, Chair
City of Sandy Planning Commission
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: City of Sandy File No. 19-203 SUB/VAR/TREE; Application by Allied Homes & Development (the "Applicant") for Approval of Bailey Meadows Tentative Subdivision Plan Application; Applicant's first open record period submittal

Dear Chair Crosby and Members of the Sandy Planning Commission:

This office represents the Applicant. This letter and its exhibits are the Applicant's first open record period submittal. This letter is timely submitted prior to the close of the first open record period on Thursday, January 30, 2020 at 5:00 p.m.

I have asked Mr. O'Neill to place a copy of this letter before you prior to your deliberation on February 11, 2020 and in the official Planning Department file for this Application.

1. Status.

The Sandy Planning Commission (the "Planning Commission") opened the public hearing on this tentative subdivision application on January 23, 2020 at 6:30 p.m. Chair Crosby read the announcements required by ORS 197.763(5) and explained the hearing process. Planning Director O'Neill provided the Staff Report. The Planning Commission took testimony from the Applicant and opponents of the Application. The Planning Director then provided a recap. The Sandy City Attorney also offered comments. Finally, the Applicant offered rebuttal to opposition testimony received by the Planning Commission.

At the request of the Applicant, the Planning Commission closed the public hearing but left the written record open pursuant to ORS 197.763(6)(a) for two seven-day periods. The first seven-day period allows for argument and evidence to be submitted by anyone and ends on January 30, 2020 at 5:00 p.m. The second seven-day period allows for argument and evidence rebutting first open record period submittals without new issues and ends on February 6, 2020 at 5:00 p.m. The Applicant waived final written argument under ORS 197.763(6)(e). The Applicant extended the 120-day period in ORS 227.178(1) by fourteen days.

2. Introduction.

This letter begins with three important concepts.

Mr. Jerry Crosby, Chair
January 30, 2020
Page 2

First, this Application is decided based on the approval criteria in effect on the date it was submitted. ORS 227.178(3). The approval criteria are subject to state law requirements, including statutes related to the Application status as a “limited land use decision,” as defined in ORS 197.015(12) (**Exhibit 1**) and ORS 197.195(1) (**Exhibit 2**), requiring that the City incorporate specific provisions of its Comprehensive Plan, including the Transportation System Plan (the “TSP”), in order to apply those standards to the tentative subdivision application. *Paterson v. City of Bend*, 49 Or LUBA 160, *aff’d in part, rev’d and rem’d on other grounds*, 201 Or App 344, 118 P3d 842 (2005); *Oster v. City of Silverton*, ___ Or LUBA ___ (LUBA No. 2018-103, May 8, 2019). The Application is also subject to the standards applying to residential development within Urban Growth Boundaries (the “UGB”) under ORS 197.303(1) (referred to in this letter as “Needed Housing,” ORS 197.307(4), ORS 197.522, and ORS 227.175(4)(e) (**Exhibits 3-6**)).

In applying the approval criteria to this Application, the Planning Commission is constrained by the fact that this Application is both a Limited Land Use Application and a Needed Housing Application and it may only apply provisions within the Sandy Development Code (the “SDC”) (the City’s acknowledged land use regulations) that are clear and objective. While the Applicant may choose to address all standards, the legal standard is that this application is subject to only clear and objective standards in the SDC.

Second, the Applicant has the legal burden of proof to show that the relevant approval criteria are satisfied by substantial evidence. Substantial evidence has been described by the Oregon Land Use Board of Appeals (“LUBA”) and the Oregon courts as evidence that a reasonable person would believe. As Planning Director O’Neill explained at the conclusion of the initial evidentiary hearing, the Applicant has satisfied all of the approval standards related to the tentative subdivision in the Single-Family Residential (“SFR”) zoning district applying to lot sizes, dimensional standards and other requirements for development of the tentative subdivision.

Finally, while the Applicant respects its neighbors and understands that they have an important role to play in the public hearing process, simply because there are a number of persons opposed to this Application does not mean that the Planning Commission must act on the Application because of opposition, any more than the fact that the Planning Commission must act on the Application because the Applicant wants it to approve the Application.

The Planning Commission’s decision is based on whether the Applicant has satisfied the relevant approval criteria as governed by state law with substantial evidence. If the Planning Commission applies this standard, it can find, based on the record before it, that the approval criteria have been satisfied by substantial evidence and can approve the Application.

3. Classification of Application.

This Application is both a “Limited Land Use” decision and a “Needed Housing” Application.

Mr. Jerry Crosby, Chair
January 30, 2020
Page 3

A. Limited Land Use Application.

A Limited Land Use application is defined in ORS 197.015(12) as including a land division within an Urban Growth Boundary (“UGB”). This Application concerns approval of a tentative subdivision inside the City’s UGB. Therefore, the Application qualifies as a Limited Land Use Application.

The importance of the Application’s qualification as a Limited Land Use Application is that, as explained above, only approval criteria in the SDC may be applied to the Application. ORS 197.195(1) requires, as explained in the *Paterson* and *Silverton* cases, that if cities want to apply provisions in their Comprehensive Plans, including their Transportation System Plans (the “TSP”), they must incorporate specific goals and policies from the Plans into their land use regulations. Otherwise, Plan goals and policies cannot apply to a Limited Land Use Application.

The SDC does not refer to the “Functional Classification Management Objectives” at TSP Chapter 3, Page 17 (**Exhibit 7**), which reference vehicle trip levels for Local Streets. Therefore, that section page of the TSP is not incorporated into the SDC. For example, SDC 17.100.70 refers to the “Street Design Standards” in the TSP but the Street Design Standards are found at TSP Page 18, not TSP Page 17. Additionally, SDC 17.100.110 refers to functional definitions of each street type as described in the TSP but does not incorporate that section nor does that TSP section include the average daily trip description found at TSP Page 17 but instead only describes the purpose of the local streets.

Because TSP Chapter 3, Page 17 is not expressly incorporated into the SDC, it may not be applied to this Application. Further, even if TSP Chapter 3, Page 17 were properly incorporated into the SDC, there is another reason that the City may not apply it. That is because the word “typical” is not mandatory (the TSP does not use the word “shall,” or otherwise mandate that local streets shall not carry more than 1,000 daily vehicle trips) and because the word “typical” is subjective and may not be applied to the Application because it is also a Needed Housing Application.

Because the Application is a Limited Land Use Application, the Planning Commission is limited to applying only the applicable provisions of the SDC. As explained below, those applicable provisions must also be clear and objective.

B. Needed Housing.

ORS 197.303(1), which uses the phrase “Needed Housing,” applies to all residential developments inside UGBs. This tentative subdivision application is inside the City’s UGB. ORS 197.303(1) (**Exhibit 3**) further describes Needed Housing as including all prices and rent levels for housing including, among other types of housing, detached single-family dwellings. This tentative subdivision application creates lots for single-family detached dwellings. The City of Sandy’s population exceeds the 2,500 population threshold for application of the Needed Housing Statutes. ORS 197.303(2). The City has not taken an exception to the Needed Housing Statutes under ORS 197.303(3).

Mr. Jerry Crosby, Chair
January 30, 2020
Page 4

Because this Application is subject to the Needed Housing Statutes, it is also subject to three other statutes. The first statute is ORS 197.307(4) (**Exhibit 4**). This statute provides that the City may apply only clear and objective conditions, standards and procedures to a Needed Housing application. This tentative subdivision application does not include a variance application nor is it a Planned Unit Development. Therefore, the Applicant has chosen the clear and objective path and the Planning Commission is limited to applying clear and objective standards, conditions and procedures to the Application. This Application is not disqualified from being treated as a Needed Housing application because it is not within a central city designation. ORS 197.307(5).

Taken together, these two statutes limit the discretion that the City may apply to this tentative subdivision application by requiring that only clear and objective approval standards, conditions and procedures contained in the SDC may be applied to the Application.

One other matter merits attention. Several of the neighbors were disappointed that the Applicant raised these statutes at the initial evidentiary hearing on January 23, 2020. As the Applicant explained that night, ORS 197.763(1) requires the Applicant to raise issues with enough specificity so that the public and the Planning Commission understands the issues. The Applicant had to raise these statutes, or otherwise would waive them and, more importantly, neither the public nor the Planning Commission would be properly aware of them. The Applicant has never threatened to sue the City but as the Planning Commission's announcements at the commencement of the initial evidentiary hearing stated, any person involved in the public hearing process must preserve issues in the event that someone appeals the City's final decision to the Oregon Land Use Board of Appeals ("LUBA"). Even if the Applicant is satisfied with the City's final decision on the Application, someone else could file an appeal to LUBA and the Applicant must have preserved the statutory provisions in order to raise them before LUBA.

As noted above, two other statutes are relevant because this Application is properly classified as a Needed Housing application. The first is ORS 197.522. This statute requires that in the event that the Planning Commission finds that the Application fails to satisfy an applicable SDC provision, it must give the Applicant an opportunity to either amend the Application or provide a condition of approval. In other words, in its final deliberation on the Application, if the Planning Commission were to come to a tentative decision that an approval criterion were not met, it should allow the Applicant the opportunity either at the hearing or in a subsequent open record period to amend the Application or propose a condition of approval. However, in this case, the substantial evidence before the Planning Commission demonstrates that the Applicant has satisfied all of the approval criteria, clear and objective or otherwise, that apply to this Application. Planning Director O'Neill made the same statement during the initial evidentiary hearing with respect to the SFR zoning district requirements for the tentative subdivision.

The second applicable statute is ORS 227.175(4). This statute also applies to Needed Housing applications.

4. Response to other issues raised at the initial evidentiary hearing.

A. Traffic.

The starting point for the traffic analysis is the Applicant's evidence in the form of a Traffic Impact Analysis ("TIA") from Lancaster Mobley. All of the evidence submitted by Lancaster Mobley demonstrates that the tentative subdivision application will satisfy relevant SDC standards, including SDC 17.84.50.A.2 and 17.100.100.B.

The City wisely asked not one but two consultants to review the TIAs. Both consultants, Curran-McLeod and John Replinger, concluded that the Applicant's TIA was properly prepared, was consistent with City standards and that its conclusions were appropriate and accurate. The result of this evidence is that the Planning Commission can find that additional vehicles trips from this Application, even if the UGB is not amended, are consistent with applicable SDC requirements.

The Curran-McLeod September 27, 2019 memorandum, the Staff Report to the Planning Commission and the John Replinger January 20, 2020 memorandum all refer to the TSP as "alluding" to a limitation on vehicle trips. The fact that none of these documents state that this TSP provision is a mandatory provision supports the conclusion that this TSP provision is, at best, a guideline and not a mandatory standard even if the issue of its application to a Limited Land Use Application and a Needed Housing Application could be resolved.

Exhibit 8 is a January 29, 2020 memorandum from Lancaster Mobley responding to issues raised at the public hearing. The memorandum also addresses street surface conditions in the adjacent subdivision and concludes that the street surface conditions are adequate. Even if the street conditions were not adequate, those conditions are a pre-existing condition and not the responsibility of the Applicant and may not be conditioned (nor is the City proposing to do so) to improve past deficiencies not caused by the Application.

Finally, the fact that the Application property is within the City and its UGB, demonstrates that it is appropriate for development. Had the City not wanted the property to develop, it could have excluded the property from the UGB or not have annexed the property to the City. However, having annexed the property, the City made a determination that the property was appropriate for development because it could be developed in the SFR zoning district with appropriate City services and facilities.

For these reasons, the Planning Commission can find that relevant SDC standards concerning traffic are satisfied.

B. Schools.

As Planning Director O'Neill stated, schools are not a relevant approval criterion in the SDC. **Exhibit 9** is ORS 195.110(13). This statute provides that school capacity may not be a basis for a decision on the Application unless three factors are present in the record. None of

Mr. Jerry Crosby, Chair
January 30, 2020
Page 6

these factors are present in this record, so ORS 195.110(13) prohibits schools from being an approval consideration.

C. Boundary disputes.

As Planning Director O'Neill stated, boundary disputes due to encroachments on the tentative subdivision property are not a criterion for tentative subdivision approval. However, the Applicant wants the public and the Planning Commission to know that it intends to resolve these issues prior to recording the final plat. There are several ways to resolve these issues and it is this Applicant's intent to do its best to resolve the encroachment disputes in as friendly a way as possible.

D. Parks.

The Staff Report to the Planning Commission correctly concludes that a fee-in-lieu payment is appropriate instead of a park land dedication for this Application pursuant to SDC 17.86.10. However, in addition to that recommendation, with which the Applicant agrees, the Planning Commission should consider two other factors.

First, the Applicant is seeking to expand the UGB to provide park land dedication to the City greater than that what would be required under SDC 17.86.10. The Applicant understands the public's desire for a park and while it cannot provide that park land within its tentative subdivision, it is seeking to do so through the UGB expansion.

Second, SDC 17.86.40 providing the choice between a park land dedication and a fee-in-lieu, is subjective because it involves discretion. The application of this discretionary choice is prohibited by ORS 197.307(4).

E. Public services and facilities.

Curran-McLeod's memorandum concludes that all public services are adequate to serve the proposed tentative subdivision. The Applicant agrees with those conditions of approval recommended by the Planning Department to the Planning Commission concerning public services and facilities.

F. Connection of Melissa Drive to the proposed tentative subdivision.

Several persons asked the Planning Commission to prohibit a vehicular connection to the proposed tentative subdivision and the adjacent subdivision. As Planning Director O'Neill pointed out, such a condition would not conform to SDC 17.84.50.E and 17.100.100.F which requires street connectivity. This clear and objective SDC provision requires that the streets be connected.

Mr. Jerry Crosby, Chair
January 30, 2020
Page 7

G. Conditions of approval.

The Applicant has discussed several minor modifications to the conditions of approval with the Planning Director. In general, these modifications clarify what might otherwise be ambiguous or subjective conditions. The Applicant reserves this issue for additional testimony in the second open record period.

5. Conclusion.

The Applicant appreciates all of the issues raised in this hearing but those issues must be related to approval criteria that the Planning Commission will consider in making its decision on the Application. As explained in this letter and the Applicant's testimony at the initial evidentiary hearing, those approval criteria are clear and objective approval criteria contained in the SDC.

For all of the reasons explained in the Applicant's oral and written testimony, the Applicant respectfully requests that the Planning Commission approve the Application with the recommended conditions of approval, as may be modified.

Very truly yours,



Michael C. Robinson

MCR:jmhi
Enclosures

cc: Mr. Cody Bjugan *(via email) (w/enclosures)*
Mr. Monty Hurley *(via email) (w/enclosures)*
Mr. Chris Goodell *(via email) (w/enclosures)*
Ms. Marie Holladay *(via email) (w/enclosures)*
Mr. Rand Waltz *(via email) (w/enclosures)*
Mr. Daniel Stumpf *(via email) (w/enclosures)*
Mr. Todd Mobley *(via email) (w/enclosures)*
Ms. Emily Meharg *(via email) (w/enclosures)*
Mr. David Doughman *(via email) (w/enclosures)*

PDX\133569\245146\MCR\27186509.1

“Limited land use decision”:

(a) Means a final decision or determination made by a local government pertaining to a site within an urban growth boundary that concerns:

(A) The approval or denial of a tentative subdivision or partition plan, as described in ORS 92.040 (Application for approval of subdivision or partition) (1).

(B) The approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review.

(b) Does not mean a final decision made by a local government pertaining to a site within an urban growth boundary that concerns approval or denial of a final subdivision or partition plat or that determines whether a final subdivision or partition plat substantially conforms to the tentative subdivision or partition plan.

2017 ORS 197.195¹

Limited land use decision

- (1) A limited land use decision shall be consistent with applicable provisions of city or county comprehensive plans and land use regulations. Such a decision may include conditions authorized by law. Within two years of September 29, 1991, cities and counties shall incorporate all comprehensive plan standards applicable to limited land use decisions into their land use regulations. A decision to incorporate all, some, or none of the applicable comprehensive plan standards into land use regulations shall be undertaken as a post-acknowledgment amendment under ORS 197.610 (Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development) to 197.625 (Acknowledgment of comprehensive plan or land use regulation changes). If a city or county does not incorporate its comprehensive plan provisions into its land use regulations, the comprehensive plan provisions may not be used as a basis for a decision by the city or county or on appeal from that decision.

2017 ORS 197.303¹ needed housing defined



This section is amended
effective August 8, 2019

Chapter 639 Oregon Laws 2019 (HB 2001)

Relating to housing; creating new provisions; amending ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018; and declaring an emergency.



This section is amended
effective August 8, 2019

Chapter 640 Oregon Laws 2019 (HB 2003)

Relating to buildings; creating new provisions; amending ORS 197.296, 197.299, 197.303, 197.319, 197.320, 215.416, 215.441, 227.175, 227.500 and 455.062 and section 1, chapter 47, Oregon Laws 2018, and section 3, chapter 97, Oregon Laws 2019 (rolled Senate Bill 39); and declaring an emergency.

(1) As used in ORS 197.307 (effect of need for certain housing in urban growth areas), needed housing means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. Needed housing includes the following housing types:

- (a)** Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;
- (b)** Government assisted housing;
- (c)** Mobile home or manufactured dwelling parks as provided in ORS 197.475 (Policy) to 197.490 (Restriction on establishment of park);

Exhibit 3
Page 1 of 2

- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; **and**
- (e) Housing for farmworkers.
- (2) Subsection (1)(a) and (d) of this section does not apply to:

 - (a) A city with a population of less than 2,500.
 - (b) A county with a population of less than 15,000.
- (3) A local government may take an exception under ORS 197.732 (Goal exceptions) to the definition of needed housing in subsection (1) of this section in the same manner that an exception may be taken under the goals. [1981 c.884 §6; 1983 c.795 §2; 1989 c.380 §1; 2011 c.354 §2; 2017 c.745 §4]

¹ Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, https://www.oregonlegislature.gov/bills_laws/ors/ors197.html (2017) (last accessed Mar. 30, 2018).

2017 ORS 197.307¹

Effect of need for certain housing in urban growth areas

- approval standards for residential development
- placement standards for approval of manufactured dwellings



This section is amended

effective October 1, 2019

Chapter 401 Oregon Laws 2019 (HB 2423)

Relating to small homes; creating new provisions; amending ORS 197.307, 446.003, 455.010, 455.135, 455.156 and 455.610; repealing ORS 455.615; and prescribing an effective date.

- (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.
- (2) Many persons of lower, middle and fixed income depend on government assisted housing as a source of affordable, decent, safe and sanitary housing.
- (3) When a need has been shown for housing within an urban growth boundary at particular price ranges and rent levels, needed housing shall be permitted in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need.
- (4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:
 - (a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

Exhibit 4
Page 1 of 4

- (b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.
- (5) The provisions of subsection (4) of this section do not apply to:
 - (a) An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or more.
 - (b) An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.
- () In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:
 - (a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;
 - (b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; **and**
 - (c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.
- (7) Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:
 - (a) Set approval standards under which a particular housing type is permitted outright;
 - (b) Impose special conditions upon approval of a specific development proposal; **or**
 - (c) Establish approval procedures.
- () In accordance with subsection (4) of this section and ORS 197.314 (Required siting of manufactured homes), a jurisdiction may adopt any or all of the following

placement standards, or any less restrictive standard, for the approval of manufactured homes located outside mobile home parks:

- (a) The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet.
- (b) The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade.
- (c) The manufactured home shall have a pitched roof, except that no standard shall require a slope of greater than a nominal three feet in height for each 12 feet in width.
- (d) The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.
- (e) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010 (Definitions for ORS chapter 455).
- () The manufactured home shall have a garage or carport constructed of like materials. A jurisdiction may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.
- () In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or county may subject a manufactured home and the lot upon which it is sited to any development standard, architectural requirement and minimum size requirement to which a conventional single-family residential dwelling on the same lot would be subject. [1981 c.884 §5; 1983 c.795 §3; 1989 c.380 §2; 1989 c.964 §6; 1993 c.184 §3; 1997 c.733 §2; 1999 c.357 §1; 2001 c.613 §2; 2011 c.354 §3; 2017 c.745 §5]

¹ Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, https://www.oregonlegislature.gov/bills_laws/ors/ors197.html (2017) (last accessed Mar.

30, 2018).

2017 ORS 197.522¹

Local government to approve subdivision partition or construction

• conditions

- (1)** As used in this section:
 - (a)** Needed housing has the meaning given that term in ORS 197.303 (Needed housing defined).
 - (b)** Partition has the meaning given that term in ORS 92.010 (Definitions for ORS 92.010 to 92.192).
 - (c)** Permit means a permit as defined in ORS 215.402 (Definitions for ORS 215.402 to 215.438 and 215.700 to 215.780) and a permit as defined in ORS 227.160 (Definitions for ORS 227.160 to 227.186).
 - (d)** Subdivision has the meaning given that term in ORS 92.010 (Definitions for ORS 92.010 to 92.192).
- (2)** A local government shall approve an application for a permit, authorization or other approval necessary for the subdivision or partitioning of, or construction on, any land for needed housing that is consistent with the comprehensive plan and applicable land use regulations.
- (3)** If an application is inconsistent with the comprehensive plan and applicable land use regulations, the local government, prior to making a final decision on the application, shall allow the applicant to offer an amendment or to propose conditions of approval that would make the application consistent with the plan and applicable regulations. If an applicant seeks to amend the application or propose conditions of approval:
 - (a)** A county may extend the time limitation under ORS 215.427 (Final action on permit or zone change application) for final action by the governing body of a county on an application for needed housing and may set forth a new time limitation for final action on the consideration of future amendments or proposals.

- (b)** A city may extend the time limitation under ORS 227.178 (Final action on certain applications required within 120 days) for final action by the governing body of a city on an application for needed housing and may set forth a new time limitation for final action on the consideration of future amendments or proposals.
- (4)** A local government shall deny an application that is inconsistent with the comprehensive plan and applicable land use regulations and that cannot be made consistent through amendments to the application or the imposition of reasonable conditions of approval. [1999 c.838 §4; 2015 c.374 §3]

Note: 197.522 (Local government to approve subdivision, partition or construction) was added to and made a part of ORS chapter 197 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

¹ Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, https://www.oregonlegislature.gov/bills_laws/ors/ors197.html (2017) (last accessed Mar. 30, 2018).

- (a) A city may not approve an application unless the proposed development of land would be in compliance with the comprehensive plan for the city and other applicable land use regulation or ordinance provisions. The approval may include such conditions as are authorized by ORS 227.215 (Regulation of development) or any city legislation.
- (b) (A) A city may not deny an application for a housing development located within the urban growth boundary if the development complies with clear and objective standards, including but not limited to clear and objective design standards contained in the city comprehensive plan or land use regulations.
- (B) This paragraph does not apply to:
- (i) Applications or permits for residential development in areas described in ORS 197.307 (Effect of need for certain housing in urban growth areas) (5); or
- (ii) Applications or permits reviewed under an alternative approval process adopted under ORS 197.307 (Effect of need for certain housing in urban growth areas) (6).
- (c) A city may not reduce the density of an application for a housing development if:
- (A) The density applied for is at or below the authorized density level under the local land use regulations; and
- (B) At least 75 percent of the floor area applied for is reserved for housing.
- (d) A city may not reduce the height of an application for a housing development if:
- (A) The height applied for is at or below the authorized height level under the local land use regulations;
- (B) At least 75 percent of the floor area applied for is reserved for housing; and
- (C) Reducing the height has the effect of reducing the authorized density level under local land use regulations.
- (e) Notwithstanding paragraphs (c) and (d) of this subsection, a city may reduce the density or height of an application for a housing development if the reduction is necessary to resolve a health, safety or habitability issue or to comply with a protective measure adopted pursuant to a statewide land use planning goal.
- (f) As used in this subsection:
- (A) "Authorized density level" means the maximum number of lots or dwelling units or the maximum floor area ratio that is permitted under local land use regulations.

- (B) "Authorized height level" means the maximum height of a structure that is permitted under local land use regulations.
- (C) "Habitability" means being in compliance with the applicable provisions of the state building code under ORS chapter 455 and the rules adopted thereunder.

Functional Classification Management Objectives

Major Arterial

Major arterials are typically three to five-lane highways that operate as two-way streets or as a one-way couplet. These roads are intended to handle high volumes of traffic, typically 16,000 ADT (Average Daily Traffic) or more. Major arterials provide greater regional mobility, are managed to favor through traffic capacity and safety over direct access, and should generally be spaced approximately one mile apart. Private driveway access, on-street parking, and traffic calming measures are typically discouraged along major arterial routes and the provision of bike lanes or shoulders is required.

Minor Arterial

Minor arterials are high-volume, intra-city streets providing connectivity and parallel features and should generally be spaced approximately one mile apart. These roads have a typical capacity between 8,000 and 16,000 ADT. Minor arterials are generally the most critical classification for circulation in the urban areas of Sandy and are intended to serve longer local trips. Private driveway access is discouraged where access to facilities of lower classification is available and traffic calming measures and on-street parking should be avoided. The provision of bike lanes is required.

Residential Minor Arterial

Residential minor arterials are a hybrid between minor arterial and collector type streets that allows for moderate to high traffic volumes on streets where over 90% of the fronting lots are residential. These roads have similar typical capacity to minor arterials, 6,000 to 10,000 ADT. They are intended to provide some relief to the strained arterial system while ensuring a safe residential environment. Residential minor arterials may include on-street parking and traffic calming measures may be applied. Direct access to properties is managed in a manner similar to collector streets. The provision of bike lanes is required.

Collector

Collector streets provide both access and circulation within and between residential and commercial areas. These roads have a typical capacity between 2,000 and 6,000 ADT. Collectors differ from arterials in that they provide more of a citywide circulation function, do not require as extensive control of access (compared to arterials), and penetrate residential neighborhoods, distributing trips from the local street system to minor and major arterials. Collectors may provide on-street parking, may incorporate traffic calming measures, and should be spaced approximately one-half mile apart. Bike lanes are required on collectors.

Local Street

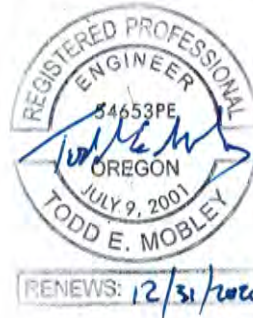
Local streets have the sole function of providing immediate access to adjacent land. These streets have a typical capacity between 800 and 1,000 ADT. Service to through traffic movements on local streets is deliberately discouraged by design. All other City streets in the City of Sandy that are not designated as arterial streets or collector streets are considered to be local streets. Local streets may allow on-street parking and may incorporate traffic calming measures. Bike lanes are not required.



321 SW 4th Ave., Suite 400
 Portland, OR 97204
 503.248.0313
 lancastermobley.com

Memorandum

To: City of Sandy Planning Commission
 Copy: Cody Bjugan, Allied Homes & Development
 From: Todd E. Mobley, PE
 Date: January 29, 2020
 Subject: 19-023 SUB/VAR/TREE Bailey Meadows Subdivision



Introduction

This memo is written to offer rebuttal to testimony received in writing and in person at the two Planning Commission hearings that have been held for the subject application.

Trip Generation

Multiple comments were received referring to the new trip impacts from the proposed subdivision, including some opinions that the homes in the Nicholas Glen subdivision generates more traffic than other neighborhoods. It is explained in detail on page five of the Transportation Impact Study (TIS)¹, but the traffic counts conducted on Melissa Avenue as part of the TIS show that trip rates from the existing neighborhood are on average 32 percent lower than the national average trip rates published in the Trip Generation Manual². Still, at the request of the City's contract traffic engineer and to provide a conservative, worst-case analysis, the trip rates from the manual, not the measured local trip rates, were used to estimate trips from Bailey Meadows. Accordingly, the traffic volumes and associated impacts from all of the transportation analyses in the record are likely overstated by approximately 32 percent.

Melissa Avenue Pavement Condition

There are many comments in the record regarding the condition of Melissa Avenue. This includes comments from the neighbors as well as Curran-McLeod³ (the contract City Engineer) as Exhibit Y of the Staff Report. It is noted in Exhibit Y that, "Currently, the street is in bad condition." and "The traffic volumes (sic) increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure." These statements were also addressed by AKS Engineering and Forestry⁴ prior to the January 23, 2020 hearing. There are two important notes regarding the pavement condition on Melissa Avenue:

1. Maintenance was performed on the entire length of Melissa Avenue in September 2019. Attached to this memo is a map provided by the City of Sandy Public Works Department indicating which streets in the City were to receive a slurry sealing treatment in early September of 2019. It is possible that Curran-

¹ Exhibits F, V, and X attached to the Staff Report from Lancaster Engineering (recently changed to Lancaster Mobley)

² Trip Generation Manual, 10th Edition, published in September 2017 by the Institute of Transportation Engineers.

³ Exhibit Y attached to the Staff Report. September 27, 2019 letter from Curran-McLeod, Inc.

⁴ Exhibit GGGG attached to the Staff Report. January 10, 2020 letter from Montgomery Hurley, PE, AKS Engineering & Forestry

McLeod's site visit was conducted prior to this application, but even then the street had received an application crack sealing and did not appear to be in bad condition.

2. It is our finding that the street has undergone appropriate maintenance by the City of Sandy since it was constructed in the late 1990's and like the local residential streets in other neighborhoods of similar vintage (Sandy Bluff, Cascadia Village, etc.), it is generally in good condition. The finding that additional traffic could cause "complete failure" is not substantiated or supported by evidence.

Traffic Control at Melissa Avenue and Rachael Drive

Many comments were also heard regarding concerns for safety and traffic speeds at this intersection after completion of Bailey Meadows and connection to the existing right-of-way stub. Currently there is a stop sign for southbound traffic approaching Rachael Drive, and since this is a "T" intersection, that signing is consistent with standard rules of the road. Multiple neighbors spoke in favor of installing a four-way stop at the intersection.

It is agreed that with the new south leg of the intersection, a stop sign should be installed on at least the new northbound leg of the intersection. Installation of additional signs to implement a four-way stop is at the discretion of the City and based on comments made by City Staff at the hearing, this treatment is already being considered.



DAY 3 - 09/06 - FRIDAY

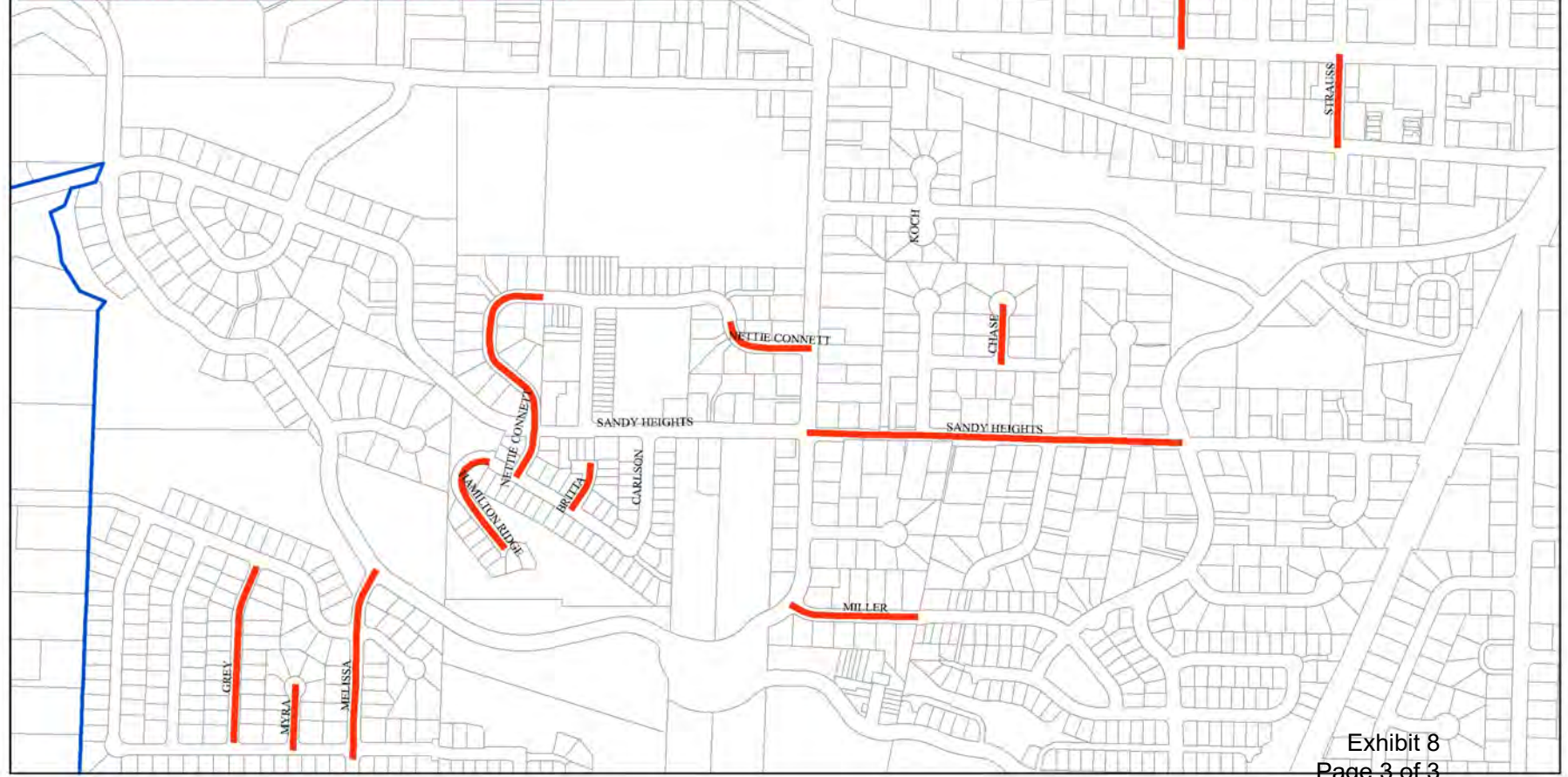
STREET NAME	FROM	TO
HOOD ST	BEERS AVE	SCALES AVE
SCALES AVE	PROCTOR BLVD	PARK ST
STRAUSS AVE	PIONEER ST	PROCTOR BLVD
HAMILTON RIDGE DR	99 FT W OF NETTIE CONNETT DR	330 FT E N.C.(END OF CURVE)
HAMILTON RIDGE DR	330 FT PAST NETTIE CONNETT	DEAD END
NETTIE CONNETT DR	SANDY HEIGHTS ST	100'WEST OF BALKEN AVE
NETTIE CONNETT DR	HAMILTON RIDGE	SANDY HEIGHTS ST
NETTIE CONNETT DR	38090 TRIMBLE LN	BLUFF RD
BRITTA CT	HAMILTON RIDGE	DEAD END
CHASE CT	BICKFORD ST	CUL-DE-SAC
MILLER RD	BLUFF RD	BARLOW RIDGE SUB
GREY AVE	RACHAEL DR	SOLSO DR
MYRA CT	RACHAEL DR	CUL-DE-SAC
HOOD ST ***	BLUFF RD	BEERS AVE
SANDY HEIGHTS ST ***	BLUFF RD	TUPPER RD
MELISSA AVE ***	DEAD END S OF RACHAEL DR	DUBARKO DR

NOTE: HIGHLIGHTED STREETS ABOVE HAVE A WORK HOUR LIMITATION FROM 9/3/2019 - NO WORK TO BE PERFORMED BEFORE 8:30AM AND STREETS TO BE OPEN TO TRAFFIC BY 2:30PM (AND 1:30PM ON WEDNESDAYS)

**2019 Slurry Sealing
(September 6th)**

— September 6th

□ City Limits



(13) A city or county may deny an application for residential development based on a lack of school capacity if:

- (a) The issue is raised by the school district;
- (b) The lack of school capacity is based on a school facility plan formally adopted under this section; and
- (c) The city or county has considered options to address school capacity. [1993 c.550 §2; 1995 c.508 §1; 2001 c.876 §1; 2007 c.579 §1]

Memorandum From City Attorney's Office



MEMORANDUM

TO: Sandy Planning Commission
FROM: David Doughman, City Attorney's Office
SUBJECT: Bailey Meadows Subdivision
DATE: January 30, 2020



This memorandum responds to some of the legal issues discussed at the January 23, 2020 hearing before the Sandy Planning Commission (the "PC"). The focus is on arguments the applicant has made regarding the applicability of certain criteria in Title 17 of the Sandy Municipal Code (the "SMC" or "Code").

The applicant asserted that three statutes limit or prohibit the applicability of certain Code criteria. Those statutes are ORS 197.195, ORS 197.307(4) and ORS 197.522.

ORS 197.195 applies to "limited land use decisions," which are defined as follows:

"Limited land use decision":

(a) Means a final decision or determination made by a local government pertaining to a site within an urban growth boundary that concerns:

(A) The approval or denial of a tentative subdivision or partition plan, as described in ORS 92.040 (1).

(B) The approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review.¹

Subdivisions are a type of limited land use decision. ORS 197.195(1) requires limited land use decisions to be "consistent with applicable provisions of city or county comprehensive plans and land use regulations." However, the statute also requires applicable comprehensive plan standards to be incorporated into a code or into ordinances that implement a comprehensive plan. Under this statute, plan standards that are not incorporated may not be used as a basis for a decision on a limited land use application.

¹ ORS 197.015(12)

ORS 197.307(4) is commonly referred to as the “needed housing” statute, although recent legislative changes broaden its applicability to *all types* of housing applications.² It states that “a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing.” As Kelly O’Neill correctly explained at the hearing, “needed housing” is broadly defined to include a wide variety of housing, not only “affordable” or “low-income” housing. It refers to housing that a city determines is needed to meet a 20-year demand for housing for a variety of incomes. Cities determine this need through a “housing need projection” in accordance with OAR Chapter 660, division 8. The term is specifically defined at ORS 197.303(1) as follows:

(1) As used in ORS 197.286 to 197.314, “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

- (a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;
- (b) Government assisted housing;
- (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;
- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and
- (e) Housing for farmworkers.

ORS 197.522 also relates to “needed housing” and subdivision applications. Subsections (2) through (4) of the statute read as follows:

(2) A local government shall approve an application for a permit, authorization or other approval necessary for the subdivision or partitioning of, or construction on, any land for needed housing that is consistent with the comprehensive plan and applicable land use regulations.

(3) If an application is inconsistent with the comprehensive plan and applicable land use regulations, the local government, prior to making a final decision on the application, shall allow the applicant to offer an amendment or to propose conditions of approval that would make the application consistent with the plan and applicable regulations. If an applicant seeks to amend the application or propose conditions of approval:

- (a) A county may extend the time limitation under ORS 215.427 for final action by the governing body of a county on an application for needed housing and may set forth a new time limitation for final action on the consideration of future amendments or proposals.

² See *Warren v. Washington County*, __ Or LUBA __ (LUBA No. 2018-089), *aff’d* 296 Or App 595, 439 P3d 581 (2019) (ORS 197.307(4) applies to all applications for housing, regardless of whether application concerns “needed housing” or whether development will occur on “buildable land”). The blank spaces that accompany the LUBA citation is intentional – LUBA has not assigned a report volume number to this case yet.

(b) A city may extend the time limitation under ORS 227.178 for final action by the governing body of a city on an application for needed housing and may set forth a new time limitation for final action on the consideration of future amendments or proposals.

(4) A local government shall deny an application that is inconsistent with the comprehensive plan and applicable land use regulations and that cannot be made consistent through amendments to the application or the imposition of reasonable conditions of approval.

Based on these statutes, the applicant asserts the city cannot apply certain Code criteria or certain standards in the city's transportation system plan ("TSP"), including:

- SMC 17.100.60(E)(3) ("proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy");
- SMC 17.100.60(E)(4) ([a]dequate public facilities are available or can be provided to serve the proposed subdivision"); and
- A standard in Chapter 3 of the TSP, which states that local streets "have a typical capacity between 800 and 1,000 ADT."³

The Land Use Board of Appeals ("LUBA") once quipped that "few tasks are *less* clear or *more* subjective than attempting to determine whether a particular land use approval criterion is clear and objective."⁴ Nevertheless, LUBA and the courts will generally find standards that require "subjective, value-laden analyses that are designed to balance or mitigate impacts of the development" to violate ORS 197.307(4).⁵ Examples have included:

- A criterion allowing a decision maker to impose conditions "if it is deemed necessary to mitigate any potential negative impact caused by the development".
- A criterion that requiring development to have a "minimal adverse impact on the livability, value and appropriate development" of other properties in a neighborhood.
- A standard requiring development to "minimize" possible conflicts between pedestrians and vehicles, "where necessary for traffic circulation."

I am not certain the above-referenced city standards are "clear and objective" for the purposes of ORS 197.307(4). Arguably, they do not trigger a "value-laden" analysis that requires the city to balance or mitigate impacts on the property or surrounding properties. On the other hand, like so many land use criteria, they contain words or phrases that are susceptible to different interpretations (e.g. "consistent with," "adequate," and "a typical capacity"). Based on recent legislation that seeks to increase the supply of housing,⁶ a conservative approach is to assume they would not be considered clear and objective.

³ "ADT" stands for average daily trips.

⁴ *Rogue Valley Association of Realtors v. City of Ashland*, 35 Or LUBA 139, 155 (1998) (emphasis in original).

⁵ *Id.* at 158.

⁶ Including HB 2001, which was discussed at the last hearing and was the subject of a recent PC work session, and the change to ORS 197.307(4), which subjects all housing applications to the "clear and objective" requirement, regardless of whether they qualify as "needed housing."

With respect to whether the city's ADT standard is incorporated into the Code, a recent LUBA case is informative. In a 2019 case, *Oster v. City of Silverton*,⁷ LUBA considered Silverton's denial of a subdivision application. The city denied the application after determining it did not comply with standards in Silverton's TSP related to traffic and "level-of-service" requirements for streets. Silverton found that its code incorporated the level-of-service standards through code provisions requiring compliance with all "applicable ordinances and regulations" and compliance with the city's design standards for streets.

LUBA disagreed and held that those code provisions did not state the "specific policies, action items, or performance standards" in the TSP that serve as approval criteria for limited land use decisions.⁸ LUBA ultimately reversed the city's denial, ordered approval of the application and awarded attorney fees to the applicant.⁹ SMC 18.84.50 specifically ties level-of-service standards in Sandy's TSP to applications for development, but the Code does not expressly refer to the TSP's ADT standards. Therefore, under *Oster*, the ADT standards in Sandy's TSP may not be adequately incorporated into the Code.

If the city were to find, for example, that public facilities are inadequate to serve the subdivision pursuant to SMC 17.100.60(E)(4), and deny the application, there is risk that the denial would be overturned and could result in LUBA ordering approval of the application. That would mean there would be no opportunity for a second access into the subdivision at this time, and presumably for the foreseeable future.

This possibility has resulted in the recommendation before the PC. It avoids the uncertainty, time and cost that accompany the litigation that is likely to follow if the city were to deny the application and it preserves the possibility that a second access would be provided while the subdivision is being built and that over two acres of parkland would be dedicated to the city.

⁷ Or LUBA __ (LUBA No. 2018-103). As above with the *Warren* case, LUBA has not assigned this case to a reporting volume yet.

⁸ A TSP is typically an element of a comprehensive plan, as was the case for Silverton and is the case for Sandy. ORS 197.195 seemingly prohibits local governments from directly applying comprehensive plan policies to applications that will result in limited land use decisions, requiring instead the adequate incorporation of applicable plan policies into a code. However, after giving an applicant the opportunity to propose conditions of approval, ORS 197.522 expressly requires a local government "to deny an application that is inconsistent with the comprehensive plan and applicable land use regulations and that cannot be made consistent through amendments to the application or the imposition of reasonable conditions of approval." In other words, a conflict appears to exist between ORS 197.522 and ORS 197.195 as to the applicability of comprehensive plan provisions to limited land use decisions. LUBA did not directly address ORS 197.522 in *Oster*, and I am not aware of another case that addresses it since the statute was substantially rewritten in 2015.

⁹ ORS 197.835(10)(b) requires LUBA to award attorney fees to an applicant if LUBA reverses a decision and orders the local government to approve an application.

OPEN RECORD PERIOD #2 FOR BAILEY MEADOWS

FILE NO. 19-023 SUB/VAR/TREE
JANUARY 31, 2020 - February 6, 2020 AT 5:00 P.M.



**PUBLIC TESTIMONY -
Open Record Period #2 (January 31, 2020 -
February 6, 2020 at 5:00 p.m.)**





Exhibit AAAAAA

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Baily Meadows testimony

2 messages

Emily Meharg <emeharg@ci.sandy.or.us>

Mon, Feb 3, 2020 at 1:23 PM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

----- Forwarded message -----

From: **Makoto Lane** <makotolane@yahoo.com>

Date: Mon, Feb 3, 2020 at 12:59 PM

Subject: Baily Meadows testimony

To: emeharg@cityofsandy.com <emeharg@cityofsandy.com>

Dear Planning Commissioners,

Baily Meadows has from the very beginning been a bad actor by threatening lawsuits against the city and its residents. They have continually proven themselves as predatory developers by consistently threatening litigation against Sandy. At community meetings and planning commission meetings they preface their presentations with this threat of litigation against our community.

I really hope that the loop holes they keep referring to and basing all their demands to develop without restriction and without conditions is being addressed and closed by the planning department, planning commission and city council. Cody might be the first developer to utilize these loopholes to exploit and extort the city of Sandy for his financial gain but he will not be the last.

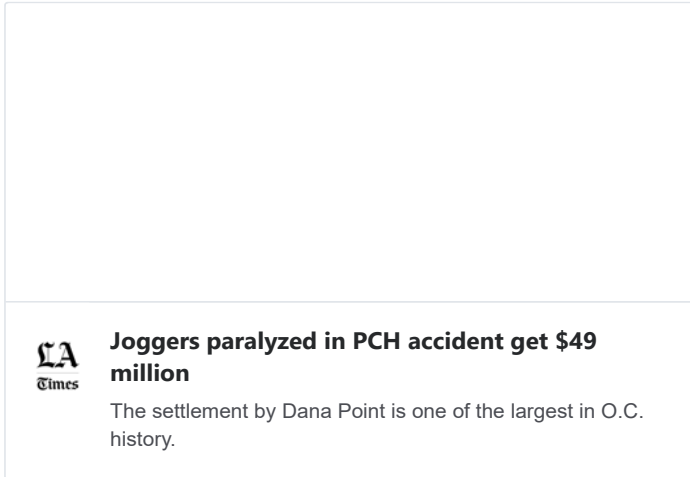
I urge you to call his bluff and hold off on any decisions until these loopholes are dealt with and closed. They can't sue the city for projected profit from undeveloped land they don't even own. At best they might sue for the amount spent on the Baily Meadows project which pails in comparison to their demanded infrastructure subsidies from Sandy, to pay for all of the 211 Hwy traffic intersection and road up to their subdivision. Make them pay for their own infrastructure and road. Do not make Sandy residence subsidize the developers bank accounts. This sets an expensive precedence.

There's also the issue of Sandy's liability per TSP road capacity compliance. Melissa Ave. is already over capacity by 200 car trips per day at approximately 1,200. If the city of Sandy approves more out of compliance traffic on a road which has been deemed over- capacity the city can be held liable as it has knowingly contributed to creating dangerous road conditions. There is no blanket of protection from liability the city can hide behind when it has knowingly created a dangerous road conditions. Attached is a very relevant example of the extreme liability a municipality takes on when they create dangerous road conditions for pedestrians. [Joggers paralyzed in PCH accident get \\$49 million](#)



Joggers paralyzed in PCH accident get \$49 million

The settlement by Dana Point is one of the largest in O.C. history.



There's also the issue of pedestrian access from Baily Meadows to the proposed park and Gunderson rd., 211 Hwy intersection to which this article is also relevant. Sandy City planner Kelly's proposal for Sandy to pay for a 24 ft. wide motor vehicle road from the intersection to the subdivision lacks pedestrian accommodation let alone ADA compliance.

According to Sandy City planner Kelly O'niell TSP stipulates "Through roads". I ask that you weigh the impacts and possibility of liability when determining which TSP regulation to break. I conservatively suggest keeping Melissa closed as the alternative has the possibility to be much worse with a much higher cost in safety, liability and possibly life.

If you have decided Melissa Ave. is turned into an arterial thoroughfare access point to the 211 Hwy please require conditional annual traffic studies to make sure there's adherence to the stated impact of approximately 233 additional car trips per day. If Melissa goes over the predicted amount require a condition that Melissa Ave will be returned to its former ending point of Rachael dr.

It is easy to predict how residents who reside around Sandy High School will access the 211 Hwy. Looking at the map of Sandy the Shortest fastest route to the 211 Hwy. for Bluff Rd. residents will be through Melissa Ave.

Makoto Lane
37828 Rachael Dr.
(808)631-1866

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Mon, Feb 3, 2020 at 2:43 PM

To: "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

Cc: David Doughman <David@gov-law.com>, Emily Meharg <emeharg@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

Testimony for open records period #2.

[Quoted text hidden]

--

Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2163
koneill@ci.sandy.or.us

BBBBBB

Dear Kelly and Planning Commission:

Feb. 6, 2020

We will not even bother trying to point out all the inaccurate and incomplete rationale that Mr. Robinson stated – where he continues to state the definition of needed housing is:

“needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary..

Thereby truncating the rest of the sentence in the ORS defined term!

*..at price ranges and rent levels that are affordable to households within the county with a variety of incomes, **including** but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a.*

To use his definition, then everything is needed including more half a million dollar homes! We legally question that the intent of needed and affordable housing is to meet that income level. We would also agree with Kelly, that “needed housing” can include housing for all types of income levels but first the development **MUST INCLUDE** (at least 1) housing for low, very low, and extremely low incomes before the other criteria apply.

We will first point out that there is a clear conflict of interest on the Planning Commission, that is not abated or mitigated by declaration of conflict and withdrawal. We would like to say that Planning Commissioner Mobley is assumed to be a fine, honest, hardworking, scrupulous businessman. However, when a planning commissioner routinely must withdraw from the City’s Planning Commission because of a conflict of interest, and in the case of Bailey Meadows, stepping down from the commissions dais and sitting next to the developer, it definitely has the appearance of a major conflict of interest. He is providing data and findings to the City and Planning Commission. His participation on the Planning Commission not only is tainted, as he surely has standing with his fellow members, but his part-time participation on the planning commission denies the ability of other Sandy residents to participate on the Planning Commission. He must withdraw from Bailey Meadows and many other City planning applications as he serves as their traffic engineer. Again, we do not wish to imply anything personally negative, but it does not pass the smell test. It has the appearances to City residents sitting in the audience weighing in on a proposed development and watching a planning commissioner step down and sit next to the developer to argue the developer’s position, as having the appearance of undue influence. We would hope that the City, Planning Commission and City Council take immediate action to correct this untoward appearance.

Responding to David Doughman’s last paragraph on page 1,

However, the statute also requires applicable comprehensive plan standards to be incorporated into a code or into ordinances that implement a comprehensive plan. Under this statute, plan standards that are not incorporated may not be used as a basis for a decision on a limited land use application.

To summarize and reiterate our testimony, the TSP, including the ADT standards, were incorporated into the code by ordinance (see TSP references, ordinance reference, etc. in earlier testimony.)

The stated reference that ORS 197.304 applies to all housing regardless of it being under needed housing as defined, implies that any “unreasonable cost” or interpretation that code language or City Plans for Transportation, Parks, etc. are not “clear and objective” in their opinion and therefore subject to avoidance, seriously puts every city in Oregon and every development without applicable rules and regulations for development. Many requirements for sanitation, safety, convenience, recreation, etc. are costly. However, these developers have obviously been able to implement Sandy’s regulations, code, TSP, Park and Trails Master Plan, etc. and still develop and still make money, hence Sandy being in the top five most fastest growing towns in Oregon. If the developer intends to take the City or its residents to LUBA because he feels our existing Code, Comp Plan, TSP, etc. are not “clear and objective” or stick him with “unreasonable cost or delay” then please let him. Our planning process has served all previous development proposals to meet the need for responsible growth. We would encourage them to bring it on and we are reaching out to LCDC, the Oregonian, our state legislatures, other City planning departments, and any other stakeholders to make this a statewide issue that puts every other City at risk.

The interpretation that our standards for traffic outlined in the TSP and the City Code that are based on standard engineering practice are not clear and objective is seriously flawed. We do not have “clear and objective code standards for when a 4” pipe is needed, rather than a 6” pipe. But there is clear and objective standards for providing the infrastructure to meet safe, standard engineering provisions. If our code must now say that a new street must be built when there are 805 cars on it rather than the capacity for local streets is 800 to 1000, then every plan every city has, must be tossed and rewritten with precise, exact, trigger points. I do not think that will serve developers well. I think they will then say that those trigger points (having a single number) are subjective and value laden. I think most plans intend to have a range of adequate conditions rather than one specific number. It is good for both City and developer to have a little flexibility. But if that is what it takes to be clear and objective, and I don’t think LUBA is of the same mind, then we must start this effort post haste!

The City code and Comp Plan adopted and incorporate the TSP. So for the City Code to require that development be “consistent with” standards and plans in the TSP is very clear and objective. The TSP outlines the standard capacity for the different streets and the location of arterials and collectors needed to be built to allow local streets to function as local streets (with standard engineering practice defined capacities of 800-1000 ADT). These standards are what have allowed us to develop neighborhoods like Sandy Bluff with the needed arterials of Jewelberry and Bell Street as opposed to dumping all of it on to the local Green Mountain street.

The examples in Mr. Doughman’s list are not even applicable here. He implies that the City is imposing conditions to mitigate any potential negative impact, when in fact, the City is applying clear and objective requirements that the development must have a water, sewer, and road/traffic system that meets the standard engineering practices as outlined and defined in the TSP and other City plans. The cost of these assets that directly serve the development should under City code, be paid for by the developer. To change infrastructure terms but use the same argument, if the developer insisted they did not need to build as large a sewer or water pipe as the City engineers determined was necessary, and the effect of that was to create backed up sewer pipes, or inadequate water flow, that is a clearly predictable negative impact. There are guidelines for pipe size based on population/units served and as long as the proposal is “consistent with” those engineering standards, the City approves it. The

transportation system is no different. Yes, 800 to 1000 ADT on a local street is a range, however, 2400 is clearly beyond standard acceptable range for a local street. That is not a subjective finding.

I would remind the City's lawyer that the State is seeking to develop more affordable housing, not 100 more homes costing almost a half million dollars. I would also state for the City Council's benefit, that the City's lawyer should (have been) be working with Sandy planners and other City's lawyers to quickly clarify, update, specify, pick nits, close loop holes, in our City code and City Plans to lock down the ability for us to require developers to pay for their development including the infrastructure needed to serve that development - no subjectivity, wiggle room, or interpretations allowed. I believe that most Oregonians accept growth as inevitable. It can obviously affect quality of life to have more people here, but to stick current residents with huge development needed road construction bills, while they build 100 half million dollar homes and skate, is unbelievable. We residents will be loud and widespread in our frustration with this developer's attempt to stick Sandy residents with a huge development needed road construction bill, while he collects all the home and lot sales profits.

Kathleen Walker and Nicholas Glen neighbors

2/7/2020

City of Sandy Mail - Fwd: Bailey meadows rebuttal



Exhibit CCCCCC

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey meadows rebuttal

Emily Meharg <emeharg@ci.sandy.or.us>
To: Marisol Martinez <mmartinez@ci.sandy.or.us>

Thu, Feb 6, 2020 at 4:59 PM

----- Forwarded message -----

From: **emilina moon** <emilina moon@gmail.com>
Date: Thu, Feb 6, 2020 at 4:58 PM
Subject: Bailey meadows rebuttal
To: <emeharg@cityofsandy.com>, <koneill@cityofsandy.com>

Good evening,

Once again, I apologize for my delayed response. At this time, I would like to refute the claims made by Mr. Mobley in his rebuttal letter. He mentions that Melissa Ave was maintained in September 2019. While this is true, I challenge all Planning Commission members including Mr. Mobley himself to travel Melissa Ave and see the terrible slurry seal that was applied. It was applied in sections in order to allow access to the neighborhood leaving it terribly bumpy and uneven...for that matter, in worse condition as before. While doing so, I challenge the planning commission to check out the grade of the road.

Secondly, I disagree with Mr. Robinson's letter regarding schools and would like to inform Mr. Robinson and remind my neighbors that the school district plans to put a bond on the ballot because our schools are incredibly over capacity and in disrepair. While the school district hasn't put anything on this record themselves it is a over growth problem to our infrastructure that should not be ignored.

Thank you,

Emily Sheldon

Sent from my T-Mobile 4G LTE Device

APPLICANT SUBMITTAL -

Open Record Period #2



February 6, 2020

Michael C. Robinson

Admitted in Oregon

T: 503-796-3756

C: 503-407-2578

mrobinson@schwabe.com

VIA E-MAIL

Mr. Jerry Crosby, Chair
City of Sandy Planning Commission
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: City of Sandy File No. 19-203 SUB/VAR/TREE; Application by Allied Homes & Development (the "Applicant") for Approval of Bailey Meadows Tentative Subdivision Plan Application; Applicant's second open record period submittal

Dear Chair Crosby and Members of the Sandy Planning Commission:

This office represents the Applicant. This letter is the Applicant's submittal for the second open record period submittal ending on Thursday, February 6, 2020 at 5:00 p.m.

1. Revised conditions of approval.

The Sandy Planning Department (the "Planning Department") submitted revised conditions of approval to the Planning Commission (the "Planning Commission") (**Planning Commission Exhibit AAAAA**). The Applicant has reviewed the revised conditions of approval and agrees with those conditions of approval with one exception. The Applicant asks that the Planning Commission, should it choose to approve this Application, add the following condition of approval:

"In the event a Development Agreement is not entered into between the City and the Applicant, the Applicant is not obligated to construct Gunderson Road even in the event the Urban Growth Boundary amendment is approved."

The Applicant respectfully requests that the Planning Commission consider and add this condition because it is necessary to assure the Applicant that the cost of Gunderson Road is fairly shared with the City.

2. The proposed Development Agreement is not a statutory Development Agreement.

One of the letters submitted to the Planning Commission argued that the proposed development agreement fails to comply with ORS 94.504-94.528. However, ORS 94.504-94.528 governs only statutory land use Development Agreements. The proposed Development Agreement between the Applicant and the City is a non-statutory Development Agreement, which the City has home-rule authority to enter into. Thus, the provisions of ORS 94.504-94.528

Mr. Jerry Crosby, Chair
February 6, 2020
Page 2

are not applicable to the proposed Development Agreement. In any event, the Development Agreement is not an approval criterion for the Planning Commission to consider.

3. Needed Housing is not limited to affordable housing.

Several persons argued that the Needed Housing statutes apply only to affordable housing. This interpretation of the Needed Housing statutes are incorrect. The City Attorney's January 30, 2020 legal memorandum correctly explains the Needed Housing statutes. The use of the word "including" in ORS 197.303(1) means that affording housing is just one of the housing types, not the only housing type.

If the Planning Commission is concerned about the Needed Housing statutes' applicability, the Applicant submits the following documents demonstrating that, as required by ORS 197.303(1) for Needed Housing, it is housing "that is determined to meet the needs shown for housing within the County with a variety of incomes. . ." **Exhibit 1** to this letter is Sandy Comprehensive Plan (the "Plan") Goal 10, "Housing." Housing Policy 1 provides:

"Assure an adequate supply of developable land for low, medium, and high density housing to meet the twenty-year population projections."

Housing Policy 2 provides:

"Encourage the private sector to provide adequate housing choices, including affordable housing types."

The Plan indicates a desire to provide for property zoned housing meeting the City's obligation for a twenty-year housing supply and those zones should provide for "adequate housing choices" including affordable housing types. **Exhibit 2** is the "City of Sandy Urban Growth Boundary Expansion Analysis, Final Report," dated February 2017. The finding for Goal 10, "Housing," includes the finding that the 2015 acknowledged Urbanization Report "concluded the existing UGB did not contain sufficient residential land to meet the City's housing needs to 2034." Further, the finding states: "...the City changed approximately twenty-two acres of low density residential land into another zoning designation to meet an identified need and added approximately 318 acres of low density residential land. To meet the identified medium density residential need, the City changed the zoning designation on approximately twenty-two acres of land zoned in other designation meeting medium density residential. These changes satisfy the City's housing needs through 2034."

Finally, **Exhibit 3** is Ordinance No. 2015-01, "An Ordinance adopting an updated Urbanization Study to address the requirements of Goals 9, 10, and 14 of the Sandy Comprehensive Plan." The Ordinance contains Exhibit B which is the finding supporting the Ordinance. Exhibit B includes several findings on Goal 10, "Housing," including: "Goal 10 generally requires the City to provide an adequate number of housing units containing a mix of housing types and densities at price ranges and rent levels commensurate with financial capabilities with present and future residents of Sandy."

Mr. Jerry Crosby, Chair
February 6, 2020
Page 3

The Planning Commission can note that Statewide Planning Goal 10, “Housing,” repeats the requirements of the Needed Housing statutes (**Exhibit 4**).

Finally, the Exhibit B findings state:

“The Study finds that the City will require 575.7 net acres for housing during that time period. As such, the Study finds a deficit of land available in the UGB to meet the City’s residential needs to 2034. In order to meet the demand the Study identifies, the City will need an additional 234.4 net acres of residentially designated land.”

The Planning Commission can find that the City expanded its UGB to include the property that is the subject of this Application and eventually annexed the property. The City took these actions in order to meet its twenty-year housing supply which includes an obligation under Goal 10 to satisfy Needed Housing.

For these reasons, the City can find that this Application is subject to the Needed Housing statutes.

4. Oregon case law supports the Applicant’s argument regarding Limited Land Use applications and Needed Housing.

The Applicant has submitted evidence demonstrating that the Application is both a Limited Land Use application and a Needed Housing application. As explained in the Applicant’s first open record period submittal and its oral testimony at the January 23, 2020 initial evidentiary hearing, those two statutes collectively prohibit the City from applying the Transportation System Plan (the “TSP”) policies that are not expressly incorporated into the Sandy Development Code (the “SDC”), the City’s acknowledged land use regulations, and prohibit application of subjective terms in the SDC. As explained in the Applicant’s first open record period submittal, the TSP that some witnesses relied upon to set a limit on vehicle trips on Melissa Avenue is not incorporated into the City’s land use regulations and, even if it were, it uses subjective language.

The City Attorney’s legal memorandum (**Planning Commission Exhibit ZZZZZ**) accurately states relevant Oregon law. Both the Oregon Court of Appeals and the Oregon Land Use Board of Appeals have reversed or remanded local government decisions that improperly apply unincorporated provisions of a Plan, including TSPs, and subjective language to applications like this Application.

As the Applicant stated in its oral testimony and its first open record period submittal, while the Applicant recognizes its rights, it is working with the City to expand the UGB to provide for Gunderson Road to be extended to Oregon Highway 211. To that end, the Applicant hopes that most, if not all, of its neighbors, will understand if this Application is approved, will not appeal the decision to the Sandy City Council and will support the UGB amendment. This is the best outcome for everyone because it provides the road that is anticipated in the City’s TSP

and provides a second way in and out of the subdivision so that Melissa Avenue is not the only vehicular access to the subdivision.

5. Other issues raised in the first open record period.

A. Traffic issues.

a. Traffic reports.

Without repeating the argument and evidence previously submitted by the Applicant, the Applicant reminds the Planning Commission that the Applicant submitted a qualified traffic study demonstrating that the relevant SDC standards are met, the City's two peer-review studies did not dispute the Applicant's traffic study, there is no contrary traffic report and the Staff Report found the relevant SCD standards to be satisfied.

b. Through traffic.

SDC 17.84.50.C provides that "local streets shall be designed to discourage through traffic." This standard applies to street design and the recommended condition of approval for a stop sign is a design which will discourage through traffic. Additionally, SDC 17.84.50.C defines "through traffic" as "... the traffic traveling through an area that does not have a local origin or destination." This provision is not mandatory because it defines the language calling for through traffic to be discouraged, not prohibited. Second, the vehicle trips are those originating and ending in the two subdivisions. Finally, the words "discourage" and "designed" are subjective.

c. Traffic safety.

This subjective term is not a relevant clear and objective SDC approval standard.

d. TSP Chapter 1.

TSP Chapter 1 is not incorporated into SDC 17.100.60.E.3, one of the six approval standards for a tentative subdivision plan.

B. Goal Post Rule as applied to HB 2001.

ORS 227.178(3) is known as the "Goal Post Rule." The statute provides that the approval criteria for a Limited Land Use application are those in effect on the date that an application is submitted. HB 2001, a statute cited in testimony to the Planning Commission, was not effective on the date that this Application was submitted, so it does not apply to this Application.

Mr. Jerry Crosby, Chair
February 6, 2020
Page 5

C. Parks.

The choice between park land dedication and a fee-in-lieu payment in SDC 17.86.40 is subjective (it uses the phrase “at the City’s discretion”) and may not be applied to this Application. To the extent that the diagram in SDC 17.86.20 is relevant, Planning Director O’Neill told the Planning Commission on January 23, 2020 that the diagram “needed work” and inferred that it was subject.

6. Conclusion.

The Applicant fully appreciates the neighbors’ questions about how this new subdivision will affect them. The Applicant pledges do everything it can to minimize the disruption that change brings. But the property that will be the site for the new homes and their families in this new subdivision has long been planned for this residential use and is in the City because the land was needed to meet the City’s housing needs. The Application meets the relevant approval criteria and the recommended conditions of approval are feasible to be achieved. The approval criteria are limited by the state laws that govern this kind of application.

The Applicant asks that the Planning Commission follow the Planning Department’s recommendation and approve the Application with the recommended conditions of approval.

Very truly yours,



Michael C. Robinson

MCR:jmhi
Enclosures

- cc: Mr. Cody Bjugan *(via email) (w/enclosures)*
Mr. Monty Hurley *(via email) (w/enclosures)*
Mr. Chris Goodell *(via email) (w/enclosures)*
Ms. Marie Holladay *(via email) (w/enclosures)*
Mr. Rand Waltz *(via email) (w/enclosures)*
Mr. Daniel Stumpf *(via email) (w/enclosures)*
Mr. Todd Mobley *(via email) (w/enclosures)*
Ms. Emily Meharg *(via email) (w/enclosures)*
Mr. David Doughman *(via email) (w/enclosures)*

PDX\133569\245146\MCR\27237671.1

Goal 10 Housing

This goal is to establish policies to provide for housing needs of the state.

- ① Assure an adequate supply of developable land for low, medium, and high density housing to meet the 20-year population projections.
- ② Encourage the private sector to provide adequate housing choices, including affordable housing types.
3. Encourage innovations in construction, funding, regulation, and siting of housing in order to provide well designed and energy efficient housing.
4. Cooperate and coordinate with the Clackamas County Housing Authority and with the FHA in their efforts to construct low income housing.
5. Make information available on current programs and techniques of construction and housing rehabilitation which will enhance the quality of housing in Sandy.
6. Provide for a balance between the growth in job opportunities and the growth in housing opportunities.

Residential Districts

7. Provide for distinct mixed use villages separate from the central core of the city. Villages are to be developed around a commercial center or other focal point.
8. Residential densities shall generally decrease with distance from village centers.
9. Assure that residential densities are appropriately related to site conditions, including slopes, potential hazards, and natural features.
10. Link housing density and location to reduce automobile travel by locating higher density housing near village centers, schools, and potential transit routes.



City of Sandy
URBAN GROWTH BOUNDARY
EXPANSION ANALYSIS

Prepared by the City of Sandy
Planning Department

Final Report

February 2017

Adopted: February 6, 2017
Ordinances: 2017-01 and 2017-02

Exhibit 2
Page 1 of 2

acknowledged EOA, the City has added approximately 38 acres of commercial land to its UGB and changed the zoning on approximately 18 acres to commercial zoning to satisfy its employment land needs through 2034. In addition, the Council relies on the study and findings contained in the Analysis to conclude that Goal 9 is satisfied.

10. Goal 10 – Housing. The 2015 acknowledged Urbanization Report included an analysis and update of the City’s comprehensive plan with respect to Goal 10 and concluded the existing UGB did not contain sufficient residential lands to meet the City’s housing needs to 2034. Specifically, the Urbanization Report contains a buildable lands inventory (“BLI”) and a housing needs projection (“HNP”), both of which follow the methodologies required by ORS 197.296, Goal 10 and OAR Chapter 660, division 8. Based on the acknowledged BLI and HNP, the City changed approximately 22 acres of low density residential land to another zoning designation to meet an identified need and added approximately 318 acres of low density residential land. To meet the identified medium density residential need, the City changed the zoning on approximately 22 acres of land zoned another designation to medium density residential. These changes satisfy the City’s housing needs through 2034. In addition, the Council relies on the study and findings contained in the Analysis to conclude that Goal 10 is satisfied.
11. Goal 11 – Public Facilities. The City’s Comprehensive Plan with respect to Goal 11, its public facility plan and its standards governing public facilities in its development code are not affected by the decision. The City’s comprehensive plan contains an acknowledged Goal 11 element that contains policies to ensure sufficient and adequate public services are available (or will be available as appropriate) to serve lands within the UGB. The Analysis prioritizes the serviceability of lands and discusses on a parcel-by-parcel basis which lands will be the easiest, least costly and least environmentally harmful to serve with public facilities. For these reasons and based upon the study and findings contained in the Analysis, the Council finds Goal 11 is satisfied.
12. Goal 12 – Transportation. For the lands that the City will bring into the UGB, the City’s Comprehensive Plan with respect to Goal 12, its transportation system plan and its standards governing transportation and transportation-related facilities are not affected by this decision. The City’s comprehensive plan has an acknowledged Goal 12 element that contains policies to ensure sufficient and adequate transportation facilities and services are available (or will be available as appropriate) to serve lands within the UGB. The City adopted a new transportation system plan in accordance with OAR Chapter 660, division 12 in December of 2011. That plan is now deemed acknowledged in accordance with state law. In addition, OAR 660-024-0020(1)(d) expressly does not require the City to conduct an analysis pursuant to the transportation planning rule (“TPR”) prior to adding lands to expand the UGB. This is because the lands that are being added to the UGB will retain their existing county zoning until the owners of the lands choose to annex into the City. At that time, the City will conduct a TPR analysis relative to those lands.

ORDINANCE NO. 2015-01

AN ORDINANCE ADOPTING AN UPDATED URBANIZATION STUDY TO ADDRESS THE REQUIREMENTS OF GOALS 9, 10, AND 14 OF THE SANDY COMPREHENSIVE PLAN.

WHEREAS, on February 18, 2009 the Sandy City Council adopted Ordinance No. 2008-11, an updated Urbanization Study for the city; and

WHEREAS, on April 25, 2013, the Clackamas County Board of Commissioners passed ZDO-242 adopting a coordinated population forecast for rural cities in Clackamas County containing an annual population growth rate higher for the city of Sandy than assumed in the previously adopted, 2009 Urbanization Study; and

WHEREAS, the Sandy City Council desires to update its Urbanization Study (“Study”) for residential and employment lands to determine if there is sufficient land in the existing Urban Growth Boundary to accommodate projected growth for the next 20 years; and

WHEREAS, City of Sandy planning and public works staff in consultation with the Department of Land Conservation and Development (DLCD) developed an updated Study per applicable state rules for the planning period 2014-2034; and

WHEREAS, the City of Sandy sent the draft Study to the Department of Land Conservation and Development (DLCD) on October 15, 2014 in anticipation of public hearings before the Planning Commission and City Council; and

WHEREAS, the Planning Commission held a public hearing to review the Study on November 24, 2014 and forwarded a recommendation to the City Council to adopt the Study; and

WHEREAS, the City Council held a public hearing to review the Urbanization Study on February 2, 2015 and adopted the first reading of this Ordinance; and

WHEREAS, the City Council also adopted the second reading of this Ordinance on February 2, 2015.

NOW, THEREFORE, THE CITY OF SANDY DOES ORDAIN AS FOLLOWS:

Section 1. The Sandy Comprehensive Plan is hereby amended by adopting as a background document an updated Urbanization Study dated January 2015, attached as Exhibit A and incorporated herein by reference. The information and data contained in the Urbanization Study supersedes any that exists to the contrary in the Comprehensive Plan or its background documents including the most recent study adopted by Ordinance 2008-11 in 2009.


Section 2. These amendments to the Sandy Comprehensive Plan are supported by findings, attached hereto as Exhibit B and incorporated herein by reference.

**THIS ORDINANCE ADOPTED BY THE COMMON COUNCIL AND
APPROVED BY THE MAYOR THIS 2nd DAY OF FEBRUARY, 2015.**



William King
MAYOR

ATTEST:



Lisa Young
City Recorder

EXHIBIT B
ORDINANCE NO. 2015-01

1. Goal 1 – Citizen Involvement. The City held a public workshop and two public hearings prior to adopting the Urbanization Study. One public hearing was held on November 24, 2014 before the Planning Commission and another public hearing was held before the City Council on February 2, 2015. All workshops and public hearings were duly noticed in accordance with state law and the City’s development code. Goal 1 is satisfied.

2. Goal 2 – Land Use Planning. With respect to the Study and its related amendments, Goal 2 requires that the City’s decision be coordinated with other governmental entities and be supported by an adequate factual base. The Study and the updated population forecast it contains were adopted in coordination with Clackamas County pursuant to ORS 195.034 and OAR 660-024-0030(4). The Clackamas County Board of Commissioners adopted a coordinated population forecast on April 25, 2013 by passing Ordinance ZDO-242. The county’s projection is included as Appendix A to the Study.

The decision is supported by an adequate factual base as demonstrated in the record, the Study and these findings. An “adequate factual base” requires that substantial evidence exist in the entire record to support the decision – that is, evidence that reasonable persons would rely on in making day-to-day decisions. *1000 Friends of Oregon v. City of North Plains*, 27 Or LUBA 372 (1994). The evidence relied upon by the Council in making the decision was collected by city of Sandy staff, in accordance with procedures and practices formulated and endorsed by the Department of Land Conservation and Development (“DLCDC”). Goal 2 is satisfied.

3. Goal 3 – Agricultural Lands. Goal 3 is not applicable to the decision.

4. Goal 4 – Forest Lands. Goal 4 is not applicable to the decision.

5. Goal 5 – Natural Resources. Goal 5 is not applicable to the decision. The decision does not affect a Goal 5 resource under OAR 660-023-0250(3).

6. Goal 6 – Air Water and Land Quality. The City’s Comprehensive Plan with respect to Goal 6 and its development regulations governing land, air and water quality are not affected by the decision. Goal 6 is satisfied to the extent is it applicable to the decision.

7. Goal 7 – Natural Hazards. The City’s Comprehensive Plan with respect to Goal 7 and its development regulations governing natural hazard areas are not affected by the decision. Goal 7 is satisfied to the extent is it applicable to the decision.

8. Goal 8 – Recreational Needs. No resorts are contemplated or authorized by the decision. The City’s Comprehensive Plan with respect to Goal 8, its parks master plan

and its development regulations governing recreational needs (e.g. park dedication/fee in-lieu-of requirements, open space provisions, etc.) are not affected by the decision. Goal 8 is satisfied to the extent it is applicable to the decision.

9. Goal 9 – Economy. The Study includes an analysis and update of the City’s comprehensive plan with respect to Goal 9 and concludes the existing urban growth boundary does not contain sufficient employment lands to meet its employment needs to 2034. Specifically, the Study contains an economic opportunities analysis (“EOA”) that follows the methodology required by OAR 660-009-0015 and will replace the current EOA. The Council relies on the analysis and findings contained in the Study to conclude that Goal 9 is satisfied.

10. Goal 10 – Housing. In accordance with OAR Chapters 660, divisions 008 and 024, the Study includes an analysis and update of the City’s comprehensive plan with respect to Goal 10 and concludes the existing urban growth boundary does not contain sufficient residential lands to meet its housing needs and provide a variety of housing types to 2034.

The Study is extensive and speaks for itself with respect to compliance with Goal 10 and the Goal 10 rule. In the interest of brevity, the Council notes the following points with respect to the Study’s conformance with Goal 10 and the related administrative rule.

Goal 10 generally requires the City to provide an adequate number of housing units containing a mix of housing types and densities at price ranges and rent levels commensurate with financial capabilities of present and future residents of Sandy. In meeting this requirement, the Goal encourages the City to consider the current distribution of housing types within the City, to determine a reasonable vacancy rate, to identify expected housing demand at various price points and to permit a variety of densities and dwelling types.

The Study contains an updated buildable lands inventory classifying lots within the UGB as vacant, undevelopable, developed, and potentially redevelopable, etc. This process seeks to identify the existing buildable land supply within the UGB. The Study finds that Sandy has approximately 582.4 net acres¹ of unconstrained, vacant and redevelopable land within its existing UGB of which 341.3 net acres are in residential plan designations.

The Study also contains an updated housing needs projection. The projection follows DLCD’s methodology for projecting housing needs, as contained in the workbook entitled *Planning for Residential Development*. The projection forecasts housing demands between 2014 and 2034 and determines the housing types and densities needed to meet that demand. The Study finds that the City will require 575.7 net acres for housing during that time period. As such, the Study finds a deficit of land available in the UGB to meet the City’s residential needs to 2034. In order to meet the

¹ 341.3 net residential + 241.1 net employment.

demand the Study identifies, the City will need an additional 234.4 net acres of residentially designated land.

Based on the above discussion and the extensive analysis contained in the Study and the record, Goal 10 is satisfied.

11. Goal 11 – Public Facilities. The City’s Comprehensive Plan with respect to Goal 11, its public facility plan and its standards governing public facilities are not affected by the decision. The City’s comprehensive plan contains an acknowledged Goal 11 element that contains policies to ensure sufficient and adequate public services are available (or will be available as appropriate) to serve lands within the UGB. Assuming the City initiates a UGB expansion based upon the Study’s conclusion that additional lands must be added to the UGB in order to meet land needs to 2034, the City will ensure that public facilities will exist to serve those lands. As such, Goal 11 is satisfied.
12. Goal 12 – Transportation. The City’s Comprehensive Plan with respect to Goal 12, its transportation system plan and its standards governing transportation and transportation-related facilities are not affected by this decision. The City’s comprehensive plan contains an acknowledged Goal 12 element that contains policies to ensure sufficient and adequate transportation facilities and services are available (or will be available as appropriate) to serve lands within the UGB. Assuming the City initiates a UGB expansion based upon the Study’s conclusion that additional lands must be added to the UGB in order to meet land needs to 2034, the City will ensure that transportation facilities will exist to serve those lands. It should be noted that the TPR is triggered when a post acknowledgment amendment “significantly affects” a transportation facility. The City finds the Study does not meet the definition of a “significant effect” pursuant to OAR 660-012-0060(1)(a)-(c) because it will not: (1) change the functional classification of an existing or future facility; (2) change the standards implementing the functional classification system; or (3) result in any of the effects listed in 0060(1)(c)(A)-(C). In essence, the City will need to evaluate these criteria if it adds lands to the UGB to meet the needs the Study identifies. Therefore, Goal 12 is satisfied for the purposes of this decision.
13. Goal 13 – Energy Conservation. The City’s Comprehensive Plan with respect to Goal 13 and its standards governing energy conservation are not affected by the decision. Goal 13 is satisfied.
14. Goal 14 – Urbanization. The Study was prepared in strict conformance with the Goal 14 rule – OAR Chapter 660, division 24. The City undertook the Study in order to evaluate its UGB. The last time the City evaluated its UGB was in 2009. Although such an evaluation is not compelled by law, the City believes that as a matter of sound policy it is the appropriate time to review whether its existing UGB contains enough land to meet its residential and employment land needs for the next twenty years.

Oregon's Statewide Planning Goals & Guidelines

GOAL 10: HOUSING

OAR 660-015-0000(10)

To provide for the housing needs of citizens of the state.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Buildable Lands -- refers to lands in urban and urbanizable areas that are suitable, available and necessary for residential use.

Government-Assisted Housing -- means housing that is financed in whole or part by either a federal or state housing agency or a local housing authority as defined in ORS 456.005 to 456.720, or housing that is occupied by a tenant or tenants who benefit from rent supplements or housing vouchers provided by either a federal or state housing agency or a local housing authority.

Household -- refers to one or more persons occupying a single housing unit.

Manufactured Homes -- means structures with a Department of Housing and Urban Development (HUD) label certifying that the structure is constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 USC 5401 et seq.), as amended on August 22, 1981.

Needed Housing Units -- means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. On and after the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing units" also includes government-assisted housing. For cities having populations larger than 2,500 people and counties having populations larger than 15,000 people, "needed housing units" also includes (but is not limited to) attached and detached single-family housing, multiple-family housing, and manufactured homes, whether occupied by owners or renters.

GUIDELINES

A. PLANNING

1. In addition to inventories of buildable lands, housing elements of a comprehensive plan should, at a minimum, include: (1) a comparison of the distribution of the existing population by income with the distribution of available housing units by cost; (2) a determination of vacancy rates, both overall and at varying rent ranges and cost levels; (3) a determination of expected housing demand at varying rent ranges and cost levels; (4) allowance for a variety of densities and types of residences in each community; and (5) an inventory of sound housing in urban areas including units capable of being rehabilitated.

2. Plans should be developed in a manner that insures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels.

3. Plans should provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.

4. Plans providing for housing needs should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. IMPLEMENTATION

1. Plans should provide for a continuing review of housing need projections and should establish a process for accommodating needed revisions.

2. Plans should take into account the effects of utilizing financial incentives and resources to (a) stimulate the rehabilitation of substandard housing without regard to the financial capacity of the owner so long as benefits accrue to the occupants; and (b) bring into compliance with codes adopted to assure safe and sanitary housing the dwellings of individuals who cannot on their own afford to meet such codes.

3. Decisions on housing development proposals should be expedited when such proposals are in

accordance with zoning ordinances and with provisions of comprehensive plans.

4. Ordinances and incentives should be used to increase population densities in urban areas taking into consideration (1) key facilities, (2) the economic, environmental, social and energy consequences of the proposed densities and (3) the optimal use of existing urban land particularly in sections containing significant amounts of unsound substandard structures.

5. Additional methods and devices for achieving this goal should, after consideration of the impact on lower income households, include, but not be limited to: (1) tax incentives and disincentives; (2) building and construction code revision; (3) zoning and land use controls; (4) subsidies and loans; (5) fee and less-than-fee acquisition techniques; (6) enforcement of local health and safety codes; and (7) coordination of the development of urban facilities and services to disperse low income housing throughout the planning area.

6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

Memorandum from City Attorney's Office -

Open Record Period #2





MEMORANDUM

TO: Sandy Planning Commission
FROM: David Doughman, City Attorney's Office
SUBJECT: Bailey Meadows – Open Record Period No. 2
DATE: February 6, 2020

[Handwritten signature]

This memo responds to some of the issues raised during the first open record period.

Development Agreement

The planning commission received testimony that the proposed development agreement must be approved before, or at the same time, the commission reviews the Bailey Meadows subdivision application in order to comply with ORS 94.504.

While a jurisdiction may approve a development agreement prior to considering a land use application, or during the review process, it is not required. ORS 94.504 is silent as to when a jurisdiction may approve one. These agreements often address the timing and financial responsibility for infrastructure improvements. The level of improvements that will be required generally depends upon a review of the proposal. In addition, if the proposal is not approved, then no improvements will be required. In the interest of clarity and efficiency, it is therefore common for jurisdictions to require one as a condition of approval.

With respect to compliance with ORS 94.504, the Oregon Court of Appeals has ruled that the statute is not the exclusive way for cities to enter into development agreements. In Povey v. City of Mosier, the court held that ORS 94.504 is one way for local governments to enter into development agreements, and that the statute is "intended to expand local governments' and developers' options, not limit them."

The agreement being considered in this instance is a "non-statutory" development agreement, which is the type of agreement the court in Povey authorized. It is not subject to ORS 94.504 and will not apply any provisions in the city's development code or other land use regulations. It will address when Gunderson Road needs to be built and how it will be financed. The city and

1 220 Or App 552, 188 P3d 321 (2008).

2 It will also address the specifics of when and how the developer will dedicate land for park purposes, if the city approves the applicant's proposed dedication.

the applicant continue to discuss these details. If the subdivision application is approved, the city council will ultimately consider a final draft of the agreement for approval.

Applicability of Transportation System Plan (“TSP”) and its Average Daily Trip (“ADT”) Standards

Testimony was submitted during the first open record period regarding Sandy’s TSP, the ADT standards within it and their applicability to the application. This is very confusing issue, one that some may describe as a “technicality.” It is no doubt highly technical from a legal point of view, but it is an important issue relative to this application and the arguments the applicant makes.

The issue is not whether the ADT standards are a part of the TSP (they are), or whether the TSP is part of the city’s comprehensive plan (it is), or whether the city properly adopted the TSP in 2011 (it did). Rather, the issue more nuanced and is reduced to the following two questions: (1) does the city’s development code (Title 17 of the Sandy Municipal Code) adequately incorporate the ADT standards from the TSP, which the applicant asserts is required under ORS 197.195; and (2) if they are adequately incorporated, is the ADT standard for local streets “clear and objective” for the purposes of ORS 197.307(4)?

Until recently, I would have felt fairly confident that the city’s development code adequately incorporated the ADT standards as applied to subdivision applications.³ However, the recent LUBA decision I discussed in the January 30 memo involving the City of Silverton makes me less confident. As I mentioned in that memo, in asserting that its code adequately incorporated relevant “level of service” standards from its TSP, Silverton relied on code provisions requiring compliance with all “applicable ordinances and regulations” and with design standards regarding streets.

LUBA found these code provisions to inadequately incorporate the level of service standards in Silverton’s TSP. LUBA held that the code must clearly incorporate “specific policies, action items, or performance standards” in the TSP in order to be approval criteria under ORS 197.195. While Sandy’s code incorporates the TSP’s “level of service” standards⁴ for streets, it does not appear to specifically incorporate the ADT standards. Ultimately, the Silverton case presents a risk that the city cannot apply its ADT standards unless its code expressly incorporates those standards.⁵

Needed Housing Statutes

The commission received testimony regarding ORS 197.307(4) to the effect that the homes likely to be built in Bailey Meadows will not be affordable to those with low incomes, and therefore they do not constitute “needed housing” for the purposes of ORS 197.307(4). I believe

³ See SMC 17.100.60(E)(3) and (5).

⁴ See SMC 17.100.100(B)(2). A “level of service” standard (or “LOS” standard) is another way to measure the performance of a road and is distinct from an ADT standard.

⁵ The January 30 memo also addresses whether the ADT standard for local streets is clear and objective based on it identifying a “typical” capacity between 800 and 1,000 ADT.

the memo I submitted in the first open record period adequately addresses this issue. To summarize, the plain terms of the definition includes more than just housing that those with low incomes can afford. It applies to housing for people “with a variety of incomes” which includes, but is not limited to, those with low incomes. Moreover, ORS 197.307(4) now applies to housing generally, with recent legislative amendments making no distinction between very expensive homes and units in a multifamily apartment building funded through the low income housing tax credit program, for example. Through changes to ORS 197.307(4), HB 2001, HB 2003 and other legislation, including legislation proposed for the current session, the intent of Oregon Legislature is to increase the supply of all types of housing in the state.

Parkland Issue

Another issue raised at the hearing and during the first open record period was whether homes that would be across from the land proposed to be dedicated for park purposes need to face the park. I do believe that if the city accepts the dedication, homes in the southeastern portion of the subdivision that would be ultimately across from the park property would need to have front doors facing the park. This can be addressed through a condition of approval.

BEH

Memorandum from Public Works Director -

Open Record Period #2



Exhibit FFFFFF

MEMORANDUM

TO: KELLY O'NEILL, PLANNING DIRECTOR
FROM: MIKE WALKER PUBLIC WORKS DIRECTOR 
RE: BAILEY MEADOWS – FILE 19-023 SUB
DATE: FEBRUARY 6, 2020

Kelly,

I have reviewed some of the proposed conditions of approval for the above-referenced application and have the following comments:

1. 4-way stop at Melissa Avenue and Rachael Drive – The current intersection is a “T” configuration where southbound traffic on Melissa stops at Rachael. If and when Melissa Ave. is extended south the stop control for traffic on Melissa would mirror the opposite leg of the intersection – northbound traffic on Melissa would stop at Rachael. Motorists are conditioned to stop at Rachael at the existing intersection so it would follow that mirroring the stop control at the proposed intersection would not introduce an unanticipated change for drivers.

The Manual on Uniform Traffic Control Devices (MUTCD) warrants for four-way stop control are listed below:

A. Traffic signals are warranted and urgently needed, and the multiway stop signs are an interim measure that can be installed quickly to control traffic while arrangements are being made for the signal installation.

B. A crash problem, as indicated by five or more reported accidents of a type susceptible to correction by a multiway stop installation in a 12-month period. Such accidents include right- and left-turn collisions as well as right-angle collisions.

C. Minimum traffic volumes. (a) The total vehicular volume entering the intersection from all approaches must average at least 500 vehicles per hour for any eight hours of an average day; and (b) the combined vehicular and pedestrian volume from the minor street or highway must average at least 200 units per hour for the same eight hours, with an average delay to minor street vehicular traffic of at least 30 seconds per vehicle during the maximum hour; but (c) when the 85- percentile approach speed of the major street traffic exceeds 40 miles per hour, the minimum vehicular volume warrant is 70 percent of the above requirements.

There is no plan for a signal at this intersection and it would not meet warrants for signalization even at full buildout of the proposed development.

There are no crashes in the ODOT database at this intersection for the 5 years prior to 2017 and none were listed in the TIA crash data analysis.

This intersection was not analyzed as part of the Traffic Impact Analysis (TIA) for the proposed development but it is safe to assume that traffic volumes do not and will not exceed 500 vehicles per hour and will not be roughly equal given that the east leg of the intersection serves only 24 dwellings while the other three legs of the intersection serve (or will serve) many more dwelling units.

Placing stop signs in locations where the warrants are not met, where they are intended to be used for traffic calming or speed control or where motorists would not expect there to be a stop sign tends to lead to drivers failing to stop at or ignoring stop signs.

A more appropriate condition of approval might be to require the applicant to perform a warrant analysis for four way stop control at this intersection. The City would open itself up to an unacceptable risk by placing a traffic control device without an engineering analysis. We would not convert this intersection to four-way stop control if it did not meet or exceed the necessary warrants unless the City Council with their ability to render decisions protected by discretionary immunity directed staff to do so.

2. Speed humps on Melissa – The existing slope on Melissa between Dubarko and Rachael ranges from 10% to 13.38%. The City's Neighborhood Traffic Management Program states that "speed humps may be installed on street sections with a grade equal to or less than 5%". For obvious reasons speed humps present a danger to motorists on steep streets, especially in snowy or icy weather.

Speed humps are only one of several traffic calming devices that may be used on neighborhood streets but are probably the device that most people are familiar with. Curb extensions and center medians can be used on streets with a grade greater than 5% and are effective at keeping 85th percentile speeds at or below 30 mph (the threshold for traffic calming devices on local streets). However, these devices can also impact on-street parking and driveway access for residents. For these reasons consultation with adjacent property owners, emergency service providers, school transportation, garbage service, etc. is necessary to develop and implement a successful traffic calming project

The City's Neighborhood Traffic Management Program is based on objective, fact-based criteria for evaluating speeds and vetting traffic calming solutions. If an evaluation was performed prior to development of the proposed subdivision it is unlikely the criteria would be met for a traffic calming project.

A condition of approval requiring the applicant to perform a traffic calming analysis on Melissa after a certain number of homes were occupied might be a better approach. Again, any proposed traffic calming project would still need to conform to the project vetting and development process and meet the criteria outlined in the Neighborhood Traffic Management Program.

3. The City, under section 12.02.070 of the Municipal Code issues permits for work in the public right-of-way. These permits typically include provisions for traffic control, pedestrian and vehicular access, staging of equipment and materials, hours of work, dust and erosion control, access to driveways, bonding and insurance, trench compaction and surface restoration and a warranty period. The City would require that one lane of traffic (controlled by flaggers) be kept open at all times on Melissa during the work.

The proposed sanitary sewer extension on Melissa would extend from the south end of Melissa about 310 feet to approximately the common property line between 18298 and 18256 Melissa Ave. Without the submission of detailed plans for the construction of this line it is hard to determine the exact nature of the impacts. Typically a trench for a sanitary sewer line this deep would be about four feet wide. The existing sewer is located in the center of Melissa and the new sewer line would be parallel to it between the center of the street and the east curb line.

All streets in the Nicholas Glen neighborhood are open to the public. The City does not have the ability to limit access to public streets by vehicles legally licensed to operate on public streets.

The City does own a 1 ft. deep by 50 ft. wide tract of land (known as an access control strip) at the south end of Melissa Ave. and has the ability to control access over this strip of land. This tract will automatically become public right-of-way upon the approval of a final plat in which another dedicated public street adjoins the tract. The City Attorney would be better able to determine what the City can and cannot do to limit or control access across this tract until it is extinguished by the extension of another public street adjoining it.

4. You had a question about funding sources for transportation. I have prepared a brief overview that follows:

Systems Development Charges are collected from new development upon issuance of a building permit. The Transportation SDC for a single-family dwelling is about \$3,230. The revenue from these charges can only be used for capacity-improving projects identified in the City's Transportation Capital Improvement Plan.

The City collects a \$.02/gallon tax on all motor vehicle fuel sold in the city limits. This tax raises between \$200K and \$300K annually. The first \$.01/gallon of this tax was approved by the voters and may only be used for street maintenance (overlays, surface treatments, etc.) the second \$.01/gallon was approved by ordinance and may be used for any street-related expense as determined by the City Council. To date the \$.02/gallon local fuel tax has always been used for street paving and surface treatments.

The City also receives a per capita allocation of State motor vehicle fuel tax based on population. Currently, this amount is about \$74.54 per person per year, or about \$700-\$800K per year. These funds may only be used for transportation-related expenses as outlined in ORS 366.790. These taxes provide the bulk of the revenue for materials, personnel and equipment related to street maintenance.

Once the City exceeded 5,000 persons, we began to receive a share of Federal gas taxes based on population. This currently amounts to a little more than \$130K annually. These funds may only be used on collector or arterial streets. We have 'banked' about \$720K in these funds in our account in Salem over the past few years. The Council has earmarked these funds for the City's share of the Hwy 26 Ten Eyck – Vista Loop Pedestrian Improvements Project.

Finally, the City expects to receive about \$214,000 annually from the new vehicle registration fee in Clackamas County. This revenue combined with additional state gas tax monies will be used for debt service on funds borrowed to construct the 362nd - Bell Street Extension Project.

No property taxes are used for transportation maintenance or improvements.

Please let me know if you have any questions or need more information.

Additional Information from City Staff



Exhibit GGGGGG

February 6, 2020

Modified Conditions of Approval for 19-023 SUB/VAR/TREE

FROM: Kelly O'Neill Jr., Development Services Director

A.3.: If the UGB application is approved, the applicant shall submit an analysis of the proposed Gunderson Road alignment at Highway 211 to properly connect with Cascadia Village Drive as identified in the TSP. The proposed alignment shall meet code standards such as tangency, or the applicant shall apply for a design exception.

C.2.: Work with the Fire Marshall to determine if the proposed plan meets Fire Code requirements, other than second access requirements which the Fire Marshall determined to be met. Per ODOT (Exhibit AA), the applicant shall provide turning templates for the Highway 211/Ponder Lane intersection. Improvements to the intersection will be required if determined necessary by ODOT or the City, depending on which entity has jurisdiction over the intersection.

D.10. *second bullet point*: If the UGB application is approved, dedicate the right-of-way for Gunderson Road. If the UGB application is not approved, grant the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan.

D.13.: If the applicant chooses to postpone street tree and/or landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the street trees/landscaping, assuring installation within 6 months. The cost of the street trees shall be based on the average of three estimates from three landscaping contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a two-year maintenance and warranty period.

E: If the UGB application is approved, Gunderson Road shall be constructed and accepted by the city prior to issuance of the 30th certificate of occupancy for a housing unit in the subdivision. The applicant shall submit a revised phasing plan for Director review and approval.

G.8.: The applicant shall comply with the parking standards in Chapter 17.98. Garages shall be at least 18 feet in depth to accommodate vehicle parking and the on-street parking spaces shall be at least 22 feet in length. All parking, driveway and maneuvering areas shall be constructed of asphalt, concrete, or other approved material.

G.22: As required by the Planning Commission, retention trees shall be detailed on a recorded tree protection covenant; thus, the retention trees shall be guaranteed or replaced in perpetuity. None of the trees required to be retained may be located on or outside of the property line of the subject property.

G.23.: Exposed soils shall be covered by mulch, sheeting, temporary seeding or other suitable material following grading or construction to maintain erosion control for a period of two years following the date of recording of the final plat associated with those improvements.

Exhibit HHHHHH



Staff Report

Meeting Date: January 23, 2020
From Kelly O'Neill, Development Services Director
SUBJECT: Bailey Meadows Subdivision

Background:

On December 17, 2019 the Sandy Planning Commission held a public hearing for the Bailey Meadows Subdivision. At that hearing the applicant asked for a continuance. The Planning Commission granted the continuance to January 23, 2020.

At tonight's meeting the Development Services Director will present a code analysis presentation for Bailey Meadows. The applicant will then make their presentation. Once the presentations are complete the public will have an opportunity to testify regarding the proposal.

The decision by the Planning Commission will become the final decision on this land use matter unless the applicant or someone from the public appeals the decision to City Council. If someone wishes to appeal the decision to City Council that party will have 12 days from the issuance of the decision.

The staff report for this meeting was originally published on January 15, 2020. On January 17, 2020 staff revised the staff report to include two additional exhibits and an additional condition in Section G. (page 32). All changes are in red.

Revised January 17, 2020 (revised items in red)
STAFF REPORT
PLANNING COMMISSION
TYPE III LAND DIVISION DECISION

DATE: January 17, 2020

FILE NO.: 19-023 SUB/TREE

PROJECT NAME: Bailey Meadows Subdivision

OWNER/APPLICANT: Allied Homes & Development

LEGAL DESCRIPTION: T2S R4E Section 23 Tax Lots 800, 801, 802, 803, 804

The above-referenced proposal was reviewed as a Type III Subdivision and Type II Tree Removal Permit. The following Findings of Fact are adopted supporting denial of the Tentative Plat in accordance with Chapter 17 of the Sandy Municipal Code.

EXHIBITS:

Applicant's Submittals

- A. Land Use Application Form
- B. Narrative
- C. Project Plan Set
 - Sheet P1-01: Cover Sheet with Site & Vicinity Maps & Legend
 - Sheet P1-02: Preliminary Existing Conditions Plan
 - Sheet P1-03: Preliminary Existing Conditions Plan
 - Sheet P1-04: Preliminary Subdivision Plat with Future Building Setbacks
 - Sheet P1-05: Preliminary Grading & Erosion & Sediment Control Plan
 - Sheet P1-06: Preliminary Grading & Erosion & Sediment Control Plan
 - Sheet P1-07: Preliminary Composite Utility Plan
 - Sheet P1-08: Preliminary Composite Utility Plan
 - Sheet P1-09: Preliminary Street Plan
 - Sheet P1-10: Preliminary Street Plan
 - Sheet P1-11: Preliminary Street Cross Sections & Profiles
 - Sheet P1-12: Preliminary Street Profiles
 - Sheet P1-13: Preliminary Street Profiles
 - Sheet P1-14: Preliminary Street Profiles
 - Sheet P1-15: Conceptual Future Street Plan
 - Sheet P1-16: Preliminary Tree Preservation & Removal Plan & Arborist Report
 - Sheet P1-17: Preliminary Tree Preservation & Removal Plan & Arborist Report
 - Sheet P1-18: Preliminary Tree Preservation & Removal Table & Arborist Report
 - Sheet P1-19: Preliminary Tree Preservation & Removal Table & Arborist Report
 - Sheet P1-20: Preliminary Demolition Plan
 - Sheet P1-21: Preliminary Demolition Plan

- Sheet P1-22: Preliminary Street Tree and Stormwater Screening Planting Plan
 - Sheet P1-23: Preliminary Landscape Notes and Details
 - Sheet P1-24: Preliminary Parking Plan
 - Sheet P1-25: Preliminary Emergency Vehicle Access Plan
 - Sheet P1-26: Preliminary Emergency Vehicle Access Plan
- D. Conceptual Connectivity Plan
- E. Preliminary Numbered Parking Plan
- F. Traffic Impact Analysis
- G. Preliminary Stormwater Report
- H. Flood & Slope Hazard (FSH) Analysis
- I. Geotechnical Engineering Report
- J. Letter from Michael Robinson (July 2, 2019)
- K. Mailing Labels
- L. Applicant Submittal Checklist
- M. Warranty Deed
- N. Clackamas County Assessor's Map
- O. Documentation of Plat Name Reservation
- P. Letter from Michael Robinson with Exhibits (August 20, 2019)
- Q. 120 Day Extension Letter (October 15, 2019)
- R. Letter from Michael Robinson (November 21, 2019)
- S. Updated Sheet P1-04 (Plan Dated November 15, 2019)
- T. Updated Sheet P1-15 (Plan Dated November 21, 2019)
- U. Updated Narrative (November 21, 2019)
- V. Gunderson Extension Exhibit from Todd Mobley (November 22, 2019)
- W. Letter from Michael Robinson with Exhibits (November 25, 2019)
- X. Trip Distribution with Gunderson Road Email from Todd Mobley (December 5, 2019)

Agency Comments Received Prior to November 2019 Updated Submittal

- Y. City Engineer (September 27, 2019)
- Z. PGE (September 18, 2019)
- AA. ODOT (October 4, 2019)
- BB. Parks and Trails Advisory Board (October 9, 2019)
- CC. ODOT Design Speed Email (November 19, 2019)

Public Comments Received Prior to November 2019 Updated Submittal

- DD. Paul and Jolette Owen, 37189 Rachael Drive (September 14, 2019)
- EE. Paul Savage, 37506 Rachael Drive (September 26, 2019)
- FF. Sarah Bettey, 18195 Melissa Avenue (September 26, 2019)
- GG. Tiffany Harris, Rachael Drive (September 27, 2019)
- HH. Todd Cooper, 18190 Melissa Avenue (September 27, 2019)
- II. Tom Newell, 18007 Rachael Drive (September 27, 2019)
- JJ. Cary Mallon, corner of Melissa Avenue and Rachael Drive (September 28, 2019)
- KK. Lonnie McVey, No address provided (September 28, 2019)
- LL. John and Carol Dick, 18255 Grey Avenue (September 29, 2019)
- MM. Marilyn and Treena Siewell, No address provided (October 1, 2019)
- NN. Marguerite Wadkins, 18291 Myra Court (October 1, 2019)

OO. Doris E. Rooney, 37214 Rachael Drive (October 1, 2019)
 PP. Susan Hebb, Reich Court and Dubarko Road (October 1, 2019)
 QQ. Dawn and Jordan Allen, Melissa Avenue (October 1, 2019)
 RR. Dave Meeker, 18198 Grey Avenue (October 1, 2019)
 SS. Carol Hassebroek, 39400 SE Trubel Road (October 1, 2019)
 TT. Karen Higgins, 37487 Rachael Drive (October 2, 2019)
 UU. The Molcany Family, Wewer Avenue (October 2, 2019)
 VV. Esther Naomi Quick, 18214 Grey Avenue (October 2, 2019)
 WW. Edith Newton, 18246 Grey Avenue (October 2, 2019)
 XX. Lori Graham, 37322 Rachael Drive (October 3, 2019)
 YY. Jeff Conder, 36345 Dubarko Road (October 3, 2019)
 ZZ. Belus and Juanita Schonek, 18102 Wewer Avenue (October 3, 2019)
 AAA. Danielle and Oliver Mullon, Myra Court (October 3, 2019)
 BBB. Corri Baldwin, 37524 Rachael Drive (October 3, 2019)
 CCC. Mike Schell, 37524 Rachael Drive (October 3, 2019)
 DDD. Ashley Parrish, 37356 Rachael Drive (October 3, 2019)
 EEE. Guimar and James DeVaere, 18176 Rachael Drive (October 3, 2019)
 FFF. Erin Findlay, 37616 Rachael Drive (October 3, 2019)
 GGG. Krista and Gabriel Stone, 18111 Rachael Drive (October 4, 2019)
 HHH. Faith Egli, 37708 Rachael Drive (October 4, 2019)
 III. Tim Sellin, 18256 Melissa Avenue (October 4, 2019)
 JJJ. Nicole Sellin, 18256 Melissa Avenue (October 4, 2019)
 KKK. Barbara Coutts, 37265 Solso Drive (October 4, 2019)
 LLL. Roberta (Shelly) Evett, 18192 Rachael Drive (October 4, 2019)
 MMM. Laura Kvamme, 37438 Rachael Drive (October 11, 2019)
 NNN. Kelli Acord, 36366 Industrial Way Ste B (October 18, 2019)
 OOO. Elizabeth A. (Libby) Burke, 37412 Rachael Drive (October 20, 2019)
 PPP. Brad Robison, 37412 Rachael Drive (October 20, 2019)
 QQQ. Laurie Gilbert, 18392 SE 370th Avenue (November 4, 2019)

Agency Comments Received After November 2019 Updated Submittal

RRR. ODOT (December 17, 2019)
 SSS. ODOT (January 15, 2020)
 TTT. Public Works Director (placeholder for comments)
 UUU. City Transportation Engineer (placeholder for comments)

Public Comments Received After November 2019 Updated Submittal

VVV. Sarah Bettey, 18195 Melissa Avenue (December 11, 2019)
 WWW. Les and Kathy Geren, 37721 SE Ponder Lane (December 12, 2019)
 XXX. Gigi Duncan, 18275 Rachael Drive (December 14, 2019)
 YYY. Tom Newell, 18007 Rachael Drive (December 17, 2019)
 ZZZ. Barnes Family, Rachael Drive (December 17, 2019)
 AAAA. Kathleen Walker, 15920 Bluff Road (December 17, 2019)

Documents Submitted at the December 17, 2019 Planning Commission Hearing

BBBB. Letter on behalf of the Parks and Trails Advisory Board

Additional Documents Submitted from the Applicant

- CCCC. Continuance Request and second 120 Day Extension Letter (December 17, 2019)
- DDDD. Addendum to Traffic Impact Analysis for UGB Expansion
- EEEE. Land Use Application – File No. 20-002 UGB (January 7, 2020)
- FFFF. Land Use Application – File No. 20-001 ANN/CPA/ZC (January 7, 2020)
- GGGG. Bailey Meadow letter response to Curran-Mcleod (January 13, 2019)

Staff Report from December 17, 2019 Planning Commission Hearing

- HHHH. Staff Report from December 17, 2019

Additional Public Comments

- III. Les and Kathy Geren, 37721 Ponder Lane (January 16, 2020)

FINDINGS OF FACT

General

1. Allied Homes & Development submitted an application to subdivide 23.42 acres into a 100-lot residential subdivision. The 100 proposed lots vary in size from 7,500 to 8,659 square feet. The proposal also includes a 22,521 square foot stormwater detention tract. The proposed development includes removal of trees to accommodate the extension and/or construction of rights-of-way. There are no existing structures on the subject property. The application as originally submitted proposed to rely solely on using Melissa Avenue in the Nicolas Glen subdivision to access the 100 lots in this subdivision.
2. The city received the application on July 5, 2019 and notified the applicant that it was incomplete. The applicant responded with a letter and additional submittal items that the city received on August 22, 2019. Under state law, the application was deemed complete on August 22, 2019 because the applicant provided some information in response to the incompleteness notice and stated that it would provide no additional information.
3. The subject site consists of five lots with a total area of approximately 23.42 acres. The site is located north of Highway 211, south of Rachael Drive, and west of Ponder Lane.
4. The parcel has a Plan Map designation of Low Density Residential and Zoning Map designation of SFR, Single Family Residential.
5. According to the applicant, the 100 proposed lots will add approximately 944 vehicle trips each weekday to Melissa Avenue. In discussions with the applicant, both during the pre-application stage and after the application was submitted, staff expressed concerns about having only one access into Bailey Meadows via Melissa Avenue.
6. One challenge in providing a second access into the proposed subdivision is the location of the subject property relative to the city's urban growth boundary ("UGB"). The city has a road identified in its transportation system plan ("TSP") that would serve as a second way to access Bailey Meadows. That road ("Gunderson Road") could connect the southern portion of the

subdivision with Highway 211, as the TSP generally envisions. However, the connection from the subject property to Highway 211 would occur outside of the city's UGB. State law would only allow Gunderson Road to be built if it were either: (a) in the city's UGB; or (b) Clackamas County approved an "exception" in accordance with state law that would allow the road to be built on rural land outside the UGB.

7. Initially, during the pre-application period, the applicant considered filing an exception application with Clackamas County to extend Gunderson Road. However, senior planning staff at the county were not supportive of an exception. The applicant elaborated on the exception in more detail on page 3 of its August 20, 2019 letter to city staff (Exhibit P). After concluding that an exception would likely not be approved, the applicant submitted the Bailey Meadows land use application to City staff and proposed relying solely on Melissa Avenue for access to the subdivision. As discussed further in Exhibit P, the applicant asserts that state law prohibits the city from denying the application for only proposing one access point from Melissa Avenue.
8. After the application was deemed complete, the applicant chose to hold a neighborhood meeting regarding the proposed subdivision, which occurred on September 18, 2019 at the Sandy library. Subsequent to that meeting, on September 26, the applicant, its representatives and its attorney met with city staff and the city attorney to discuss issues related to the application. The parties discussed the impacts to Melissa Avenue and the residents of Nicolas Glen if a second access was not provided. At the conclusion of that meeting, the applicant agreed to explore a UGB expansion that would, if approved, permit the construction of Gunderson Road and provide a second access into and out of the proposed subdivision.
9. Ideally, a UGB expansion and the specifics of how Gunderson Road could be built and financed would occur prior to considering the subdivision application. However, this approach does not work for the applicant. Instead, the applicant is proposing that the city impose a condition of approval on its subdivision application that would require the applicant to seek, in a subsequent application process, an expansion of the UGB to allow the applicant to construct Gunderson Road, subject to certain contingencies. The applicant summarizes this proposal in a November 25, 2019 letter to the city (Exhibit W).
10. The specific details of the second access intersecting with Highway 211 are still being defined by the City of Sandy, the Oregon Department of Transportation ("ODOT"), and the applicant. The city, the county, the Oregon Department of Land Conservation and Development ("DLCD") and ODOT have discussed the concept of a possible UGB expansion to accommodate a Gunderson Road connection. While the county had some procedural questions, these agencies have not expressed opposition to the concept and DLCD understood the justification for it. The land to be added to the UGB, and upon which Gunderson Road would be built, is under the control of the applicant. The amount of land added to the UGB would essentially be limited to the right-of-way necessary to accommodate constructing Gunderson Road from the subdivision to Highway 211 in accordance with the city's right-of-way standards for a minor arterial road. The basis for adding the land to the UGB would be to satisfy an unmet need for a transportation facility and it would not justify any other type of development (e.g. additional housing or commercial development). On January 7, the applicant submitted a UGB expansion application to the city to accommodate Gunderson Road. The city would need to hold at least two hearings on the

proposed UGB expansion – one before the planning commission and one before the city council. If approved, the county would also need to hold hearings to amend its comprehensive plan map to account for the change to Sandy’s UGB. The applicant has also submitted a concurrent application to Clackamas County, which would hold its hearings in March if the application to the city is approved.

11. The Planning Commission hearing was originally scheduled to be held on October 28, 2019. The applicant agreed to postpone the original hearing to a later date to consider a second access into the proposed subdivision. The original 120-day deadline was December 20, 2019. On October 15, 2019 the City of Sandy received a notice from the applicant’s attorney granting an extension of the 120-day clock to February 8, 2020 (Exhibit Q). On December 17, 2019 the City of Sandy received a notice from the applicant’s attorney requesting to continue the initial evidentiary hearing and granting an extension of the 120-day clock to March 31, 2020 (Exhibit CCCC).
12. Notification of the proposal was originally mailed to property owners within 500 feet of the subject property and to affected agencies on September 12, 2019 regarding the October 28, 2019 public hearing. On October 16, 2019 a notice was mailed to property owners within 500 feet of the subject property stating that the October 28, 2019 meeting was cancelled. On November 27, 2019 notification of the revised proposal was mailed to property owners within 500 feet of the subject property and a legal notice was published in the Sandy Post on December 4, 2019 regarding the rescheduled public hearing on December 17, 2019.
13. Agency comments were initially received from the City Engineer, PGE, the Parks and Trails Advisory Board, and ODOT. On November 21, 2019, the applicant submitted updated materials to city staff (Exhibits R-U). On November 25, 2019, the applicant through its legal counsel clarified its intention to seek a UGB expansion to allow a Gunderson Road connection, subject to certain conditions (Exhibit W). On December 5, 2019, the applicant’s traffic consultant submitted a memo (Exhibit X) that outlines anticipated changes in trip distributions from the subdivision if Gunderson Road were built and connected to Highway 211. ODOT submitted a revised comment on January 15, 2020.
14. Forty written comments were received prior to the November 2019 as listed in Exhibits DD. through QQQ. Six additional written comments were received, Exhibits VVV. through AAAA., between publication of the December 17, 2019 staff report on December 10, 2019 and the start of the public hearing on December 17, 2019 at 7:00 PM.
15. One additional public comment was received between the December 17, 2019 public hearing and the publication of this staff report. The public comment is Exhibit IIII. This public comment speaks to Ponder Lane access and a seasonal spring along Ponder Lane.
16. The Planning Commission heard an abbreviated version of the request from staff and the applicant at a public hearing on December 17, 2019. At the hearing, the Planning Commission heard public testimony and granted the applicant their requested continuance. The Planning Commission granted the continuance to January 23, 2020.
17. The following individuals spoke at the December 17, 2019 public hearing:

Applicant and Applicant Representatives:

- Michael Robinson

Public:

- Tony Profit
- Makoto Lane
- Richard Sheldon
- Cary Mallon
- Kathleen Walker
- Gigi Duncan
- Erin Findlay
- Don Robertson
- Tim Sellin
- Marie DeBatty
- Mike Schell
- Laura Kvamme
- Kelli Acord
- Carol Cohen
- Mark Miller
- Robert Fisher
- Brad Robison
- Les Geren
- Calvin McKiness

17.30 – Zoning Districts

18. The area proposed for Gunderson Road (tax lot 701) is not analyzed for density as the land is outside the UGB and is not permitted to include buildable lots.
19. Section 17.30.20 contains requirements for residential density calculations. The total gross acreage for the entire property inside the existing UGB is 23.42 acres. The proposal contains 5.21 acres of area dedicated for public right-of-way and 0.55 acres dedicated for public tracts (Tracts A and B) for the property inside the existing UGB. After removal of the right-of-way and public tracts the net site area for the subject property is reduced to 17.66 acres of net site area (NSA). The subject property does not contain any restricted development areas. Based on required density, the SFR land requires a minimum of 53 dwelling units (17.66 NSA x 3). The maximum allowed dwelling units is 102 (17.66 NSA x 5.8). The proposed 100 dwelling units are within the allowable density range and therefore meet the density requirement.

17.34 – SFR Single Family Residential Zoning District

20. The applicant proposes 100 single family detached dwellings in conformance with minimum and maximum density requirements, as detailed above in the analysis for Chapter 17.30.
21. Section 17.34.10 lists single family detached dwellings as a permitted use. The proposed subdivision includes 100 lots for single family detached dwellings. **All homes shall provide building design features in compliance with the standards in Section 17.90.150.**

22. The proposed lots range in size from 7,500 square feet to 9,706 square feet. **All homes shall meet the development standards of Section 17.34.30.**
23. Section 17.34.40 contains minimum requirements for development. All lots will be required to connect to City services. The applicant is also required to extend utilities to the furthest extent of the subject property.

17.80 – Additional Setbacks on Collector and Arterial Streets

29. Section 17.80.10 specifies additional setbacks for structures constructed adjacent to collector and arterial streets. The applicant is proposing to construct Gunderson Road from the southern boundary of the site to an intersection with Highway 211, but not construct the portion of Gunderson Road along Lots 55-59. Gunderson Road is classified as a minor arterial and therefore requires all lots along its right-of-way to meet the requirements of Chapter 17.80. Based on the applicant's updated proposal (Exhibit W), five of the proposed lots (Lots 55-59) will contain frontage on Gunderson Road. **All structures shall maintain a minimum 20-foot setback from the Gunderson Road public right-of-way.** The Preliminary Plat (Exhibit C, Sheet P1-04) depicts building envelopes at 20 feet from the Gunderson Road right-of-way.

17.82 – Special Setbacks on Transit Streets

30. Section 17.82.20 contains standards for building orientation on transit streets. Gunderson Road is a designated transit street. While the portion of Gunderson Road along Lots 55-59 may not have public improvements completed in conjunction with Bailey Meadows, Gunderson Road will eventually be extended along the southern edge of Lots 55-59. This is consistent with the TSP, which details Gunderson Road along the southern edge of the subject property. This is also consistent with the applicant's updated proposal (Exhibit W), which shows Lots 55-59 will ultimately have frontage on Gunderson Road. Staff asked the applicant whether they wanted to apply for a Special Variance to the requirements of Section 17.82.20 to allow the front door for the houses on lots along Gunderson Road to face the internal street network instead of Gunderson Road, which is a designated transit street. The applicant stated they did not want to apply for the variance. **The applicant shall update the Plan Set to detail the front door of the houses on Lots 55-59 to face Gunderson Road. The primary entrance shall connect directly to Gunderson Road via a pedestrian route per Section 17.82.20.**

17.84 – Improvements Required with Development

31. Section 17.84.20 contains requirements for the timing of improvements. Submission of preliminary street and utility plans during the land use review process is solely for compliance with the data requirements of Section 17.100.60 (D). **Public improvement plans are subject to a separate review and approval process. Preliminary plat approval does not connote approval of public improvement construction plans.** The applicant is proposing a phasing plan with this application. The applicant is proposing three phases and the submitted narrative (Exhibit B) states that improvements are planned to be phased with the approved plans.
32. Section 17.84.30 requires sidewalks along all public streets. Section 17.84.30(B) requires pedestrian and bicyclist facilities to minimize travel distance between residential areas, planned developments and parks. Sidewalks abutting the proposed lots shall be constructed in association with development of the lots. **The applicant shall construct sidewalks along Tract A both on**

Ponder Lane and Street B, prior to final plat approval. The sidewalks on local streets shall be five feet in width and separated by a five foot wide planter strip (or 6 foot wide swale) in areas not transverse by driveways. The applicant is not proposing to construct any portion of Gunderson Road on the subject property. Based on the November 2019 updated submittal, the applicant is proposing that the portion of Gunderson Road along the southern property line would be entirely located on the property to the south rather than split across the property line. The City Engineer (Exhibit Y) submitted the following comment based on the original submittal: “Melissa Avenue is classified in the City of Sandy Transportation System Plan (TSP), figure 5, as a local street and is proposed to be the only access to this development. Currently, the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glen No. 2 is 2,490 trips. The traffic volumes increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1,000 ADT. The projected capacity exceeds the preferred capacity limitations. We are also concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case an evacuation is needed. A review by the Fire Department is needed to confirm whether an additional emergency access is needed or not. However, we recommend as a minimum a temporary/ emergency access to Hwy 211.” Additional access for emergency vehicles would exist if the applicant extends Gunderson Road as proposed in the updated November 2019 submittal.

33. With the applicant’s updated submittal in November 2019, the applicant is proposing a pedestrian tract (Tract B) to connect the proposed subdivision to future development to the west. **The applicant shall construct the pedestrian tract (Tract B) improvements prior to final plat approval. Pedestrian scale lighting connected to the street light circuit shall be provided in the pedestrian easement. The Tract B walkway shall be conveyed to the City on the Final Plat. The walkway within the tract shall be constructed of concrete at 8 feet in width with a 7 foot wide area for trees and landscaping. The applicant shall install bollards at the east end of the tract to restrict vehicles from accessing the tract.**
34. Section 17.84.30(C) states that where a development site is traversed by or adjacent to a future trail linkage identified within the Transportation System Plan, improvement of the trail linkage shall occur concurrent with development. Dedication of the trail to the City shall be provided in accordance with 17.84.80. The City’s current TSP maps were created with the former UGB boundaries (pre-June 2017) and did not include the subject property that was brought into the revised UGB boundaries. Therefore, there are no trail linkages identified in the TSP for this property.
35. Section 17.84.40 contains standards for public transit and school bus transit. The Transit Director did not comment on the application. Transit amenities are not required.
36. Section 17.84.50 contains standards for street improvements and traffic evaluations. The initial Traffic Impact Analysis (Exhibit F) was completed by Lancaster Engineering and is dated June 20, 2019. The traffic assumptions are based on the 10th Edition Trip Generation handbook. The analysis is based on the construction of 100 single-family homes. The trip rates indicate that upon full occupancy the subdivision will generate about 74 trips during the morning peak hour and 99

trips during the evening peak hour, with a weekday total of 944 trips. The study looked at four intersections: SE 362nd Drive at Dubarko Road, Ruben Lane at Dubarko Road, Dubarko Road at Melissa Avenue, and Dubarko Road at Bluff Road. The study found that all study intersections are operating acceptably per City of Sandy performance standards and are projected to continue operating acceptably through year 2022, with or without the addition of site trips from the proposed development. The Traffic Impact analysis concludes that no significant safety issues or trends are evident at the study intersections, traffic signal warrants were not met at the study intersections under all analysis scenarios and left-turn warrants are not estimated to be met under any analysis scenario. The study also did not look at the intersection of Melissa Avenue and Rachael Drive. Based on the applicant's updated November 2019 submittal and the proposal to extend Gunderson, the applicant submitted a revised traffic analysis with its UGB expansion application. The revised analysis finds that with the addition of Gunderson Road, it would capture 40 percent of new trips from Bailey Meadows and 30 percent of existing trips from Melissa Avenue. According to the revised traffic analysis, the addition of Gunderson Road would result in a total daily volume of 1378 trips for Melissa Avenue. As of the date of this report, the updated traffic analysis is being reviewed by the city's consulting traffic engineer.

The City Engineer (Exhibit Y) reviewed the original Traffic Impact Analysis and noted the following: "The study doesn't identify any concerns as a result of this development." Although the TIA itself didn't identify concerns, the City Engineer cited concerns regarding further deterioration of Melissa Avenue, as well as the detrimental effect that increased traffic volumes through one access would have on overall life and safety.

37. Section 17.84.50(B) contains the spacing standards for new arterial streets. The proposed subdivision boundaries do not include any new arterial or collector streets on the subject property; however, the applicant is proposing to construct a portion of Gunderson Road on the property to the south. Gunderson Road is defined as a minor arterial in the transportation system plan.
38. Section 17.84.50(C) requires local streets to be designed to discourage through traffic and requires cul-de-sacs to not exceed 400 feet in length nor serve more than 20 dwelling units. The proposal includes a knuckle but does not include any cul-de-sacs.
39. Section 17.84.50(D) requires development sites to provide access from a public street improved to City standards. The proposed street network and improvements generally comply with City standards. There are eight local streets inside the proposed subdivision requiring the improvements listed below.
40. **Ponder Lane north/south**: Ponder Lane north/south requires half-street improvements including 14 feet of asphalt, concrete curbs, 5-foot wide sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. **The applicant shall install bollards along the east terminus of Street B, Ponder Lane east/west, Street C, and Street D. The applicant shall also install 'no parking' signs along the full length of Ponder Lane north/south at a spacing as determined during construction plan review.**

41. Ponder Lane east/west: Ponder Lane east/west requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Ponder Lane east/west ending before the development site boundary. **The applicant shall extend the street improvements on Ponder Lane east/west to the east and west line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.**

42. Street A: Street A requires full-street construction to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. Staff requested the applicant remove the proposed knuckle and extend Street A to the west to allow for future street connection. Rather than extend the entirety of Street A to the property to the west, the applicant is proposing to install a pedestrian tract (Tract B) between Lots 10 and 11 (Exhibit S). Staff is satisfied with this proposed improvement, which will improve the future bicycle and pedestrian connectivity of the area. **The applicant shall construct the pedestrian tract (Tract B) improvements prior to final plat approval.** The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street A ending before the development site boundary. Section 17.84.50(E) requires extension of street improvements “to the edge of adjacent properties.” **The applicant shall extend the street improvements on Street A to the east property line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.**

43. Melissa Avenue: Melissa Avenue requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strip, street trees, ADA ramps, and public utilities. **The applicant shall install the required local street improvements north of the property boundary to connect to the existing Melissa Avenue stub.** Based on feedback from the residents in the Nichols Glen neighborhood there is concern with accidents at the intersection of Melissa Avenue and Rachael Drive. A stop sign already exists at the intersection of Melissa Avenue and Rachael Drive for southbound traffic on Melissa Avenue. Upon further analysis, staff finds that an additional stop sign could help reduce potential conflicts. A stop sign should also be installed for northbound travel on Melissa Avenue. **The applicant shall install a stop sign at the intersection of Melissa Avenue and Rachael Drive for northbound traffic.**

44. Street B: Street B requires full-street improvements to local standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street B ending before the development site boundary. **The applicant shall extend the street improvements on Street B to the east and west lines of the development site and obtain slope easements or construct retaining walls as necessary to comply with this section of the development code.**

45. Avenue 1: Avenue 1 requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities.
46. Avenue 2: Avenue 2 requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Avenue 2 ending before the development site boundary. **The applicant shall extend the street improvements on Avenue 2 to connect with Gunderson Road on the property to the south.**
47. Street C: Street C requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street C ending before the development site boundary. **The applicant shall extend the street improvements on Street C to the east and west line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.**
48. Street D: Street D requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street D ending before the development site boundary. **The applicant shall extend the street improvements on Street D to the east and west line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.**
49. Gunderson Road: Subject to a UGB approval, the applicant will dedicate right-of-way to accommodate the eventual construction of Gunderson Road to a minor arterial standard, consistent with page 4, Exhibit W. Dedication of right-of-way to the City of Sandy for Gunderson Road shall include the intersection connection to Highway 211. **The applicant shall construct Gunderson Road to contain two travel lanes with at least 24 feet of paved width.** Additional Gunderson improvements (for example, a wider paved width, bicycle lanes, street trees, etc.) could occur in accordance with a development agreement the city and the applicant will execute. No public utilities are required to be installed in the Gunderson Road right-of-way at this time. **The applicant shall submit an analysis of their proposed Gunderson Road alignment that confirms that if Gunderson Road intersects with Highway 211 at the location proposed by the applicant, it can still connect to Cascadia Village Drive as identified in the TSP while meeting code standards such as tangency.**
50. Highway 211: Highway 211 will need improvements at the intersection with Gunderson Road. **The improvements to Highway 211 shall meet the requirements of ODOT -or- alternatively AASHTO standards if the highway is transferred to the City of Sandy.** The city and ODOT are currently discussing a transfer of jurisdiction of Highway 211 from ODOT to the City of Sandy. The portion that ODOT would transfer would include the Gunderson Road intersection.

51. Section 17.84.50(E) states that to provide for orderly development of adjacent properties, public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property(ies). The applicant is not proposing any permanent dead-end streets but proposes that Street A, Street B, Ponder Lane, Street C, and Street D be temporary dead-end streets with construction of this subdivision until such a time as these streets are extended onto the adjoining properties to the west, east, and south. **The applicant shall plat a vehicle non-access reserve (VNAR) strip at the east and west ends of Streets B, C, and D, the west ends of Gunderson Road and the east/west portion of Ponder Lane, and the east end of Street A.** The applicant is proposing fire turn-arounds and an emergency access that connects to Highway 211 via Ponder Lane. **The applicant shall work with the Fire Marshal to determine if the proposed plan meets Fire Code.** Per ODOT (Exhibit AA), **the applicant shall provide emergency vehicle turning templates for the Highway 211/Ponder Lane intersection. Improvements to the intersection will be required if determined necessary by ODOT.**
52. Section 17.84.50(F) requires that public street improvements may be required through a development site to provide for the logical extension of an existing street network. The proposal includes the extension of Melissa Avenue from the Nicholas Glen subdivision. The submitted Conceptual Connectivity Plan (Exhibit D) details how the proposed street network could tie into the Bornstedt Village Plan.
53. Section 17.84.50(G) states that with the exception of extensions of existing streets, no street names shall be used that will duplicate or be confused with names of existing streets. The applicant has not proposed any new street names. **The City of Sandy reserves the right to name streets.**
54. Section 17.84.50(H) contains standards for public street locations, grades, alignment, and widths. Per the City Engineer (Exhibit Y), **the developer's engineer shall provide a profile design for a minimum of 200 feet for all future extensions of stubbed streets past the project boundary to ensure future grades can be met.**
55. Section 17.84.60 contains standards for public facility extensions. The applicant's Preliminary Street and Utility Plan (Exhibit C, Sheet 5) depicts the location and type of proposed public utilities including water, sanitary sewer, and stormwater. **All public utility installations shall conform to the City's facilities master plans. Staff recommends the applicant revise the utility plan to include broadband fiber locations as detailed by the SandyNet Manager and as required by 17.84.60(A).** Per the City Engineer (Exhibit Y), **all public sanitary sewer and waterline mains shall be a minimum of 8 inches in diameter and all stormwater drains shall be a minimum of 12 inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties. No building permits will be issued until all public utilities including sanitary sewer are available to serve the development. The applicant shall pay plan review, inspection, and permit fees as determined by the Public Works Director.** The utility improvements proposal and requirements for the Bailey Meadows subdivision are further detailed in Sections 17.100.230, 17.100.240, and 17.100.250 below. Except for the stormwater treatment and detention facility identified in Exhibit W, no city utilities will be required in the right-of-way of Gunderson Road.

56. Section 17.84.80 contains specifications for franchise utility installations. Private utility services will be submitted for review and approval by service providers and City staff in association with construction plans, and all utility lines will be extended to the perimeter of the site. **All franchise utilities shall be installed underground and in conformance with City standards.** PGE submitted a comment (Exhibit Z) stating they did not find any conflicts related to the project but that there's a PGE project located on SE Ponder Lane. Per PGE's request, **the applicant shall call the PGE Service Coordinators at (503) 323-6700 when the developer is ready to start the project.**
57. Section 17.84.90 contains requirements regarding land for public purposes. The applicant proposes a 22,521 square foot public stormwater detention pond (Tract A) and 1,460 square feet for a pedestrian access tract to the west (Tract B). The applicant is also proposing a second stormwater detention pond (Tract C) on Tax Lot 701 to the south of the Bailey Meadows. This second stormwater detention pond on Tax Lot 701 is for the collection and treatment of stormwater from Gunderson Road and Highway 211. **The applicant shall grant the stormwater pond (currently noted as Tract C) by easement.**
58. **The plat shall detail the following easements:**
- **An eight-foot wide public utility easement (PUE) along the frontage of all proposed lots;**
 - **A 15-foot private sanitary sewer easement along the common lot lines of Lots 26-29;**
 - **A 15-foot private sanitary sewer easement along the common lot lines of Lots 37-38 and 41-42;**
 - **A 15-foot private sanitary sewer easement along the common lot lines of Lots 38-39 and 40-41;**
 - **A 15-foot private sanitary sewer easement along the common lot lines of Lots 48-51;**
 - **A 15-foot private storm drainage easement along the common lot lines of Lots 47-48 and 51-52;**
 - **A vehicle non-access reserve (VNAR) strip in the following locations:**
 - **East end of Street A**
 - **West end of Street B**
 - **West end of Ponder Lane (east/west portion of right-of-way)**
 - **West end of Street C**
 - **West end of Street D**
59. Section 17.84.100 contains requirements for mail delivery facilities. The applicant will need to coordinate with the United States Postal Service (USPS) to locate mail facilities and these will be approved by the City and USPS. **Mail delivery facilities shall be provided by the applicant in conformance with 17.84.100 and the standards of the USPS. The applicant shall submit a mail delivery plan, featuring grouped lockable mail facilities, to the City and USPS for review and approval prior to installation of mailboxes.**

60. All public utility installations shall conform to the city's facilities master plans. **No building permits will be issued until all public utilities including sanitary sewer are available to serve the subdivision and the Final Plat has been recorded.** Public utilities must be installed to meet City standards. **Development of this subdivision will require payment of system development charges in accordance with applicable city ordinances.**

17.86 – Parkland and Open Space

61. Section 17.86.10 contains the minimum parkland dedication requirements. The applicant proposes 100 single-family detached dwellings with this subdivision request. Based upon the calculations adopted by the City and specified within Section 17.86.10, the required dedication area is 1.29 acres of public parkland (100 proposed units x 3 persons per unit x .0043=1.29 acres to be dedicated).
62. Section 17.86.40 contains factors for the City to evaluate whether to require parkland dedication based on this formula or collect a fee in lieu of dedication. This section specifies that it is entirely at the city's discretion to accept payment of a fee in lieu of the land dedication or require the dedication. Based on the calculations specified in Section 17.86.10, the applicant is responsible for dedicating 1.29 acres of public parkland based on 100 dwelling units. No parkland is specifically identified on the subject property in the Parks Master Plan; however, a community park is identified just north of the subject property. The conceptual location of the community park is in an already-built subdivision, Nicolas Glen, that was constructed without an active park, but did include dedication of some open space along the Tickle Creek Trail. The Parks Master Plan identifies conceptual locations for parks; thus, a community park should still be located somewhere in the general vicinity of where it is conceptually located in the Parks Master Plan. The Parks and Trails Advisory Board recommended dedication of parkland rather than collecting a fee-in-lieu. In early 2019 the City Council had an opportunity to review the option of requiring parkland or accepting a fee in-lieu for the Bailey Meadows property. City Council decided that accepting a fee in-lieu was satisfactory.
63. **The applicant shall pay a fee in lieu for the required parkland dedication per the adopted Fee Resolution.** Per Resolution 2013-14, the required fee in lieu amount is \$241,000 per acre if the entire amount is paid prior to final plat approval. Therefore, **based on the current Fee Resolution, the applicant is required to pay a fee in lieu of dedication for a total of \$310,890 (1.29 acres of land to be dedicated x \$241,000).** Alternatively, Ordinance 2013-03 allows the applicant to pay a minimum of 50 percent of the fee to receive final plat approval with the remaining balance to be paid as a proportionate amount with each building permit. If a portion of the fee is deferred, Resolution 2013-14 specifies a per acre fee of \$265,000. **Currently, the Fee Resolution requires payment of \$341,850 if a portion of the fee is deferred, a minimum of 50 percent (\$170,925) paid prior to final plat approval and the remaining 50 percent (\$170,925) divided between the 100 lots (\$1,709.25/lot).**
64. An alternative to dedication of parkland in the Bailey Meadows subdivision could be a dedication of parkland on the property to the south of Bailey Meadows that is being proposed for the extension of Gunderson Road. In fact, in its January 7 UGB expansion application, the applicant included approximately 2.4 acres of TL 701 to be dedicated to the city as parkland. The applicant

was subsequently asked to evaluate the proposed dedication relative to the standards in Section 17.86.20. As of the date of this report, the city has not received an evaluation from the applicant. **If the applicant dedicates parkland to the south of Bailey Meadows instead of paying the fee in-lieu the applicant and City Manager, on behalf of City Council, shall negotiate the terms of the parkland dedication.**

65. Section 17.86.50 contains standards for open space dedication. The applicant is not proposing any dedication of open space.

17.92 – Landscaping and Screening

66. Section 17.92.10 contains general provisions for landscaping. Per Section 17.92.10 (C), trees over 25-inches circumference measured at a height of 4-½ feet above grade are considered significant and should be preserved to the greatest extent practicable and integrated into the design of a development. A 25-inch circumference tree measured at 4-½ feet above grade has roughly an eight-inch diameter at breast height (DBH). Based on the Planning Commission interpretation from May 15, 2019, Subsection 17.92.10(C) does not apply to residential subdivisions. Tree protection fencing and tree retention will be discussed in more detail under Chapter 17.102 in this document. **Per Section 17.92.10(L), all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing.**
67. Section 17.92.30 specifies that street trees shall be chosen from the City-approved list. As required by Section 17.92.30, the development of the subdivision requires medium trees spaced 30 feet on center along street frontages. The submitted Street Tree Plan (Exhibit C, Sheet P1-22) identifies street trees along all of the proposed streets. The proposed plan details 115 street trees placed 50 feet on center. **The applicant shall update the Street Tree Plan to detail street trees placed 30 feet on center.**

The applicant is proposing to mass grade the buildable portion of the site. This will remove top soil and heavily compact the soil. In order to maximize the success of the required street trees, **the applicant shall aerate the planter strips to a depth of 3 feet prior to planting street trees. The applicant shall either aerate the planter strip soil at the subdivision stage and install fencing around the planter strips to protect the soil from compaction or shall aerate the soil at the individual home construction phase. The applicant shall call for an inspection with the City after aerating the soil and before planting the street trees.**

If the plans change in a way that affects the number of street trees (e.g., driveway locations), the applicant shall submit an updated street tree plan for staff review and approval. Street trees are required to be a minimum caliper of 1.5-inches measured 6 inches from grade and shall be planted per the City of Sandy standard planting detail. Trees shall be planted, staked, and the planter strip shall be graded and backfilled as necessary, and bark mulch, vegetation, or other approved material installed prior to occupancy. Tree ties shall be loosely tied twine or other soft, elastic material and shall be removed after one growing season (or a maximum of 1 year).

68. Section 17.92.40 requires that all landscaping shall be irrigated, either with a manual or automatic system. **As required by Section 17.92.140, the developer and lot owners shall be**

required to maintain all vegetation planted in the development for two (2) years from the date of completion, and shall replace any dead or dying plants during that period.

69. Section 17.92.50 specifies the types and sizes of plant materials that are required when planting new landscaping. Street trees are typically required to be a minimum caliper of 1.5-inches measured 6 inches from grade. **All street trees shall be a minimum of 1.5-inches in caliper measured 6 inches above the ground and shall be planted per the City of Sandy standard planting detail.** The applicant proposes eight (8) distinct street tree species with one (1) tree species per street/block face. Staff would like to see more diversity in street tree species in general and within each block. **The applicant shall update the plan set to detail a minimum of two (2) different tree species per block face for staff review and approval.**
70. Section 17.92.60 requires revegetation in all areas that are not landscaped or remain as natural areas. The applicant did not submit any plans for re-vegetation of areas damaged through grading/construction, although most of the areas affected by grading will be improved. **The applicant shall maintain all unlandscaped and/or revegetated areas for a period of two (2) years following the date of recording of the final plat associated with those improvements.**
71. Section 17.92.130 contains standards for a performance bond. The applicant has the option to defer the installation of street trees and/or landscaping for weather-related reasons. Staff recommends the applicant utilize this option rather than install trees and landscaping during the dry summer months. Staff recommends a three-year maintenance and warranty period for street trees based on the standard establishment period of a tree. **If the applicant chooses to postpone street tree and/or landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the street trees/landscaping, assuring installation within 6 months. The cost of the street trees shall be based on the average of three estimates from three landscaping contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a three-year maintenance and warranty period.**

17.98 – Parking, Loading, and Access Requirements

72. Section 17.98.20 requires two off-street parking spaces per single family detached dwelling unit. The 100 dwelling units proposed in this subdivision requires 200 off-street parking spaces. Each lot will have a driveway and based on lot width the ability to construct a double car garage.
73. Section 17.98.50 has specifications for parking area setbacks. Garages are required to be at least 22 feet setback from the front property line to meet setback requirements in the SFR zoning district. The Preliminary Plat (Exhibit C, Sheet P1-04) details a typical 22 foot garage setback.
74. Section 17.98.60 has specifications for parking lot design and size of parking spaces. **The applicant shall comply with the parking standards in Section 17.98.60.** The parking areas in front of the proposed garages for all lots need to be at least 10 feet in width by 20 feet in length. Driveways for single family homes are required to be at least 10 feet wide as detailed in Section 17.98.100 below. **The garages shall be adequate depth to park a vehicle and the on-street parking spaces shall be at least 22 feet in length.**

75. Section 17.98.80 specifies access requirements to arterial and collector streets. The applicant proposes Gunderson Road to the south of the Bailey Meadows property. Gunderson Road is defined as a minor arterial in the Transportation System Plan and will not include any proposed driveways to any of the proposed lots in Bailey Meadows.
76. Section 17.98.100 has specifications for driveways. The minimum driveway width for a single-family dwelling is 10 feet. The Public Works driveway approach standard detail specifies a maximum of 24 feet wide for a residential driveway approach. The Preliminary Numbered Parking Plan (Exhibit E) details driveway curb cuts for all lots. The Parking Plan also details temporary emergency vehicle and franchise waste hauler turnaround locations, which also include driveway curb cuts. This results in numerous extra curb cuts. With the exception of Lot 8, it appears that all driveways are detailed at approximately 24 feet in width, but the proposed driveway spacing lacks linear space for street trees. Staff previously recommended that the applicant extend Street A to the west property boundary, which would eliminate the knuckle and the need to combine driveways on Lots 9 and 10, and the driveway on Lot 8 would no longer be on a curve. Rather than extend Street A to the west property boundary, the applicant is proposing to install a pedestrian tract (Tract B) between Lots 10 and 11. **The applicant shall update the plan set to detail all driveways at a maximum of 24 feet wide. The applicant shall combine driveways for Lots 9 and 10 into a shared driveway or reduce the width of the driveways for Lots 9 and 10 to accommodate street trees and other right-of-way amenities.** The applicant is not proposing any shared driveways; however, many of the proposed driveways on adjacent lots are located directly adjacent to each other. In order to increase on-street parking, maximize street tree planting, and reduce pedestrian conflict, **the applicant shall submit one of the following two options for staff review and approval:**
- a. **Submit a revised plan detailing shared driveways that that do not exceed 24 feet wide with crossover easements; or,**
 - b. **Submit a detailed driveway spacing plan that conserves frontage and maximizes area for street trees and on-street parking.**
77. Section 17.98.130 requires that all parking and vehicular maneuvering areas shall be paved with asphalt or concrete. As required by Section 17.98.130, **all parking, driveway and maneuvering areas shall be constructed of asphalt, concrete, or other approved material.**
78. Section 17.98.140 contains requirements for drainage. Other sections of this order detail the stormwater requirements.
79. Section 17.98.200 contains requirements for providing on-street parking spaces for new residential development. The Preliminary Numbered Parking Plan (Exhibit E) identifies a total of 122 on-street parking spaces with at least one (1) on-street parking space within 200 feet of each of the 100 lots. No parking courts are proposed. The location of fire hydrants will be reviewed by the Sandy Fire Department in more detail with Construction Plans. **The applicant shall revise the Parking Analysis if required fire hydrants affect on-street parking spaces.**

17.100 – Land Division

80. Submittal of preliminary utility plans is solely to satisfy the requirements of Section 17.100.60. **Preliminary plat approval does not connote utility or public improvement plan approval**

which will be reviewed and approved separately upon submittal of public improvement construction plans.

81. Section 17.100.60(E) contains submittal requirements and criteria for approving residential subdivisions. Section 17.100.60(E)(1) requires subdivisions to be consistent with the density, setback, and dimensional standards of the base zoning district, unless modified by a Planned Development approval. The applicant requests subdivision approval for a subdivision that is in compliance with most of the applicable development standards. The application for the subdivision is being processed through a Type III procedure. The proposal is consistent with density and other dimensional standards of the base zoning district.
82. Section 17.100.60(E)(2) requires subdivisions to be consistent with the design standards set forth in this chapter. Consistency with design standards in this chapter are discussed under each subsection below. Conditions of approval can be adopted where necessary to bring the proposal into compliance with applicable standards.
83. Section 17.100.60(E)(3) requires the proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy. The proposed street pattern is generally consistent with the Comprehensive Plan and the city's standards. The exception is the fact that the subdivision as originally proposed would rely solely on Melissa Avenue for access. The applicant asserts that it is legally entitled to rely solely on Melissa Avenue based on provisions of state law that apply to applications for housing. Staff consulted with the city attorney, who advised that the Land Use Board of Appeals and appellate courts have increasingly scrutinized standards applied to housing to determine whether they are "clear and objective." Staff will defer to the applicant's legal counsel and the city attorney to provide more information on these issues at the hearing. However, instead of arguing over and potentially litigating these issues, the applicant and the city have focused on trying to provide a second access to the subdivision. This resulted in the applicant's revised November 2019 submittal which proposed Gunderson Road and the applicant applying for a UGB expansion earlier this month. With the inclusion of Gunderson Road and subject to a condition of approval, the street pattern will be consistent with the TSP. Therefore, the proposed subdivision meets Approval Criteria 3 of Section 17.100.60(E).
84. Section 17.100.60(E)(4) requires that adequate public facilities are available or can be provided to serve the proposed subdivision. All public utilities including water, sewer and stormwater are available or will be constructed by the applicant to serve the Bailey Meadows Subdivision. The original submission did not include Gunderson Road. As discussed above, the applicant is now proposing a solution that would provide Gunderson Road and, as conditioned, will be consistent with the TSP. Therefore, the proposed subdivision meets Approval Criteria 4 of Section 17.100.60(E).
85. Section 17.100.60(E)(5) requires all proposed improvements to meet City standards through the completion of conditions as listed within this final order and as detailed within these findings. The detailed review of proposed improvements is contained in this report. Staff has identified a few aspects of the proposed subdivision improvements requiring additional information or

modification by the applicant, but conditions of approval can be adopted to bring the proposal into compliance with City standards.

86. Section 17.100.60(E)(6) strives to ensure that a phasing plan, if requested, can be carried out in a manner that meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops. The applicant is proposing to construct the 100 lot subdivision in three (3) phases. The application includes phase one with 71 lots, phase two with 8 lots, and phase three with 21 lots. The phasing plan is somewhat confusing, and staff has not determined the reasoning for the proposed placement of the phase lines. The applicant's narrative simply states, "As shown on the Preliminary Subdivision Plat in the Preliminary plans, the subdivision is planned to be completed in three phases and provide necessary public improvements concurrently with each phase. Additionally, the planned offsite extension of Gunderson Road is intended to occur in Phase 1 of the project, though the future minor arterial road is not within the Phase 1 boundary (as the improvements are offsite). The above requirements are satisfied and support the City's approval of this Subdivision". The importance of Gunderson Road is well established in this staff report and through public testimony. **If the UGB application is approved, Gunderson Road shall be constructed and accepted by the City prior to issuance of the 30th certificate of occupancy for a housing unit in the subdivision. The applicant shall submit a revised phasing plan for Director review and approval.**
87. Conditions of approval regarding phasing can be adopted to bring the proposal into compliance with City standards.
88. **The Final Plat shall be recorded as detailed in Section 17.100.60 (I).**
89. Section 17.100.70 specifies that all land divisions shall be in conformance with the requirements of the applicable base zoning district. The applicant did not request any variances; however, the submitted plans indicate the applicant would like a variance to Section 17.82.20 to have the front door for the houses along Gunderson Road face the interior local street network instead of Gunderson Road, which is designated as a transit street. During the completeness check, staff requested that the applicant clarify whether or not they wanted to apply for a variance. The applicant said they did not, thus **houses constructed along Gunderson Road will be required to face Gunderson Road.** Based on the updated proposal (Exhibit W), this would include Lots 55-59. The tentative plat shall otherwise be designed to comply with all standards of the City of Sandy Development Code, Transportation System Plan, Facilities Master Plans and Sandy Municipal Code.
90. Section 17.100.100(A) requires the pattern of streets established through land divisions should be connected to provide safe multimodal options, create a logical pattern of circulation, and spread traffic over many streets. The proposed development is moderately conducive to walking and biking while accommodating motor vehicles. The applicant is proposing a knuckle rather than extending Street A to the west property boundary. Staff recommended the applicant extend Street A to the west property boundary. The applicant is proposing to construct a pedestrian walkway instead. The walkway (Tract B) will be located between Lots 10 and 11 and will provide bicycle

- and pedestrian connectivity to the west in the future. The addition of Gunderson Road will provide additional bicycle options, albeit Highway 211 is not conducive to bicycling at this time.
91. Section 17.100.100(B) contains requirements for preparing transportation impact studies. The submitted Traffic Impact Analysis (Exhibit F) was completed by Lancaster Engineering and is dated June 20, 2019. The traffic analysis is discussed in Section 17.84.50 of this document.
 92. Section 17.100.100(C) requires that all streets follow topographic and arrangement specifications. Considering the site's topography, the proposed street layout is acceptable given the topography and residential use of this site, and the topography and use of adjacent properties.
 93. Section 17.100.100(D) specifies that street layout shall generally use a rectangular grid pattern. The applicant proposes a rectangular pattern of streets with one knuckle at the intersection of Street A and Avenue I. Future development to the south, east, and west will be required to align with the proposed intersections in order to maintain a rectangular grid pattern and maximize pedestrian, bicycle, and vehicular connectivity. Staff recommended the applicant extend Street A to the west property boundary. The applicant is proposing a pedestrian tract (Tract B) instead, which will improve future bicycle and pedestrian connectivity to the west. Staff is satisfied with this proposed improvement, which will improve the future bicycle and pedestrian connectivity of the area.
 94. Section 17.100.100(E) requires that future street plans assure access for future development and promote a logical, connected pattern of streets. The proposed local street plan has been designed to facilitate the traffic needs of this development while ensuring there are no intersection conflicts with future development. Per the City Engineer (Exhibit Y), **the applicant shall provide a profile design for a minimum of 200 feet for all future street extensions beyond the project boundary to ensure future street grades can be met.**
 95. Sections 17.100.100(F) contain specifications for street connections and exemptions for when typical connections are not possible. The proposed design extends Melissa Avenue south into the site. All proposed streets will allow connection with future development to the south and east, with the exception of Street A, which ends in a knuckle. Staff recommended the applicant extend Street A extending to the west property boundary. The applicant is proposing to install a pedestrian tract (Tract B) instead. The applicant submitted a Conceptual Connectivity Plan (Exhibit D) that shows how the proposed streets can connect to the streets to the east in compliance with the Bornstedt Village Plan.
 96. Section 17.100.110 specifies street standards and roadway functional classifications. Section 17.100.110(E) contains standards for local street spacing at 8-10 local streets per mile. All proposed streets in the subdivision are local streets, including the extension of the existing Melissa Avenue into the site. The TSP details Gunderson Road, a minor arterial, along the south property boundary. The applicant is proposing to install Gunderson Road as an off-site improvement to intersect with Highway 211.
 97. Section 17.100.120(B) requires that residential blocks for local streets not exceed 400 feet in length, unless physical conditions justify larger blocks. The applicant is not proposing any blocks

greater than 400 feet. The applicant is proposing a knuckle where Street A and Avenue 1 intersect. Staff recommended the applicant extend Street A to the west property boundary. The applicant is proposing to install a pedestrian tract instead.

98. Section 17.100.120(D) requires blocks over 600 feet in length to provide a pedestrian and bicycle accessway. None of the proposed blocks exceed 600 feet in length.
99. Section 17.100.130 contains specifications for proposed easements. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) details an 8 foot wide public utility easement along all street frontages. The plat shall detail all proposed easements as detailed in Section 17.84.90 above.
100. Section 17.100.180 contains requirements for the creation of new intersections. The proposed intersections are all right angles and meet the required minimum spacing standard of 150 feet as required in Section 17.84.50(C)(2).
101. Section 17.100.210 specifies that the applicant is financially responsible for the installation of a lighting system. Chapter 15.30 contains the City of Sandy's Dark Sky Ordinance. The applicant will need to install street lights along all street frontages wherever street lighting is determined insufficient. **The locations of the street light fixtures shall be reviewed in detail with construction plans.**
102. Section 17.100.220 contains requirements for lot arrangement, lot dimensions, and other lot specifications. The Single Family Residential (SFR) zoning district requires lots at least 7,500 square feet in area. The proposed lots range in size from 7,500 square feet to 8,659 square feet. All homes are required to comply with setback standards and maximum building height limitations as required in Chapter 17.34. No lots are proposed to be accessed from a major or minor arterial. All lots are required to comply with clear vision requirements at all intersections.
103. Section 17.100.230 contains specifications for water lines and fire hydrants. The specific details of water facilities will be reviewed with construction plans. The utility plan submitted by the applicant shows a connection to the existing 8-inch water main at the intersection of Melissa Avenue and Rachael Drive and a possible connection to the existing 8-inch water line at the intersection of Arletha Court and Hwy 211. **The applicant shall demonstrate that adequate fire and domestic flow will be available by completing these connections.** Per the City Engineer (Exhibit Y), **all new waterlines shall be a minimum of 8-inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.** The applicant's proposed Utility Plan (Exhibit C, Sheet P1-07) depicts new hydrants. **The location of fire hydrants shall be reviewed by the Sandy Fire Department in more detail with construction plans.**
104. Section 17.100.240 specifies requirements for sanitary sewer lines. The specific details of sanitary sewer facilities will be reviewed with construction plans. Per the City Engineer (Exhibit Y), **all new public sanitary sewer lines shall be a minimum of 8-inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.** In order to achieve the necessary depth to drain the development site the proposed utility plan shows an 8-inch sanitary sewer line extended north to the existing sewer

line in Melissa Avenue approximately 200 feet from the intersection of Rachel Drive and Melissa Avenue.

105. Section 17.100.250 contains specifications for surface drainage and stormwater systems. The applicant proposes a 22,521 square foot public stormwater detention pond (Tract A) to be dedicated to the City of Sandy. Detained and treated discharge from the detention pond is proposed to be discharged to the adjacent property to the west, which is outside of the UGB. Per the Public Works Director (Exhibit O), **the applicant shall demonstrate that the proposed subdivision does not exceed pre-development site runoff discharges to this same point and provide information on the dimensions and slope of the existing drainage way. The detention pond shall meet the requirements of the 2016 City of Portland Stormwater Management Manual (SWMM) for landscaping, Section 2.4.1, and escape route, Section 2.30. All new public storm drains shall be a minimum of 12-inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.** The City Engineer (Exhibit Y) states the submitted preliminary stormwater calculations meet the water quality and water quantity criteria as stated in the City of Sandy Municipal Code Chapter 13.18 Standards and the City of Portland current Stormwater Management Manual (SWMM) Standards that were adopted by reference into the Sandy Development Code. Per the City Engineer, **the applicant shall submit a detailed final stormwater report stamped by a licensed professional to the City for review and approval with the final construction plans.**
106. Section 17.100.260 states that all subdivisions shall be required to install underground utilities. **The applicant shall install utilities underground with individual service to each lot.**
107. Section 17.100.270 specifies that sidewalks shall be installed on both sides of a public street. The applicant proposes constructing sidewalks along all public street frontages, with the exception of the Ponder Lane north/south. **As defined in the analysis of Chapter 17.84 of this staff report the applicant shall install sidewalks and planter strips on the west side of Ponder Lane.**
108. Section 17.100.280 requires that when appropriate, bicycle routes shall be extended within the proposed subdivision. The applicant does not propose any specific bicycle routes. Gunderson Road is classified as a minor arterial, which is prescribed to include bicycle lanes in both directions. However, Gunderson Road will not be built to its full profile at this time and bicycle lanes will most likely not be constructed in Gunderson Road in conjunction with development of the Bailey Meadows subdivision.
109. Section 17.100.290 specifies that where planting strips are provided in the public right-of-way, a master street tree plan shall be submitted and approved. As required by Section 17.92.30, the development of the subdivision requires installation of trees along all street frontages. Street trees are discussed in Section 17.92.30 of this document.
110. Section 17.100.300 contains requirements for erosion control for new land divisions. **The applicant shall submit a grading and erosion control permit and request an inspection of installed devices prior to any additional grading onsite. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the**

subdivision. All erosion control and grading shall comply with Section 15.44 of the Municipal Code and as detailed below. The proposed subdivision is greater than one acre which typically requires approval of a DEQ 1200-C Permit. The applicant shall submit confirmation from DEQ if a 1200-C Permit will not be required.

111. Install all improvements detailed in Section 17.100.310 as required. **The applicant shall be responsible for the installation of all improvements detailed in Section 17.100.310, including fiber facilities. SandyNet requires the developer to work with the City to ensure that broadband infrastructure meets the design standards and adopted procedures as described in Section 17.84.70.**
112. Entry monument signs shall be located entirely outside the public right-of-way and clear vision areas as required by Section 17.74.30. **If entry signs are desired the applicant shall submit a detailed plan with a sign permit.**

17.102 – Urban Forestry

113. Section 17.102.20 contains information on the applicability of Urban Forestry regulations. The subject property contains 23.42 acres and therefore compliance with this chapter is required. The subject property is currently a field, with very few trees. The applicant is not proposing any tree removal, with the exception of four (4) trees in the Melissa Avenue right-of-way and one (1) tree in the Ponder Lane right-of-way. With construction of Gunderson Road as recommended by staff, additional trees will need to be removed from the Gunderson Road right-of-way. Tree removal as required by the city or public utility for the installation or maintenance or repair of roads, utilities, or other structures is exempt from the requirements of Chapter 17.102 per Section 17.102.20(B.1). **The applicant shall not remove any trees 11-inches DBH or greater from the subject property or the property to the south where the off-site Gunderson Road extension will be constructed (if the UGB application is approved) that are located outside of the rights-of-way without applying for a tree removal permit and obtaining approval for tree removal.**
114. Section 17.102.50 contains tree retention and protection requirements. The subject property is 23.42 acres, which requires a minimum of 70 retention trees that are 11-inches or greater DBH and in good health. The applicant inventoried 192 total trees. Per the submitted Tree Preservation & Removal Plan (Exhibit C, Sheets P1-16-19), 19 of the inventoried trees are on the subject property. All of the 19 trees on the subject property are 11-inches or greater DBH; 17 are in good health, and 2 are in fair health. In order to meet the tree retention standard, the applicant cannot remove any of the 19 trees from the subject property. The applicant is proposing to preserve all 19 trees on the subject property. The properties directly north, south, east, and west of the subject site contain many existing trees, some of which are located close to the shared property line and have canopies that extend onto the subject property. The submitted Tree Preservation & Removal Plan (Exhibit C, Sheets P1-16-19) inventoried 173 trees offsite. Of the 173, five (5) trees are proposed to be removed in conjunction with future street construction of Melissa Avenue and Ponder Lane; the remaining 168 are proposed to be preserved. With dedication of Gunderson Road along the south edge of the property along Lots 55-59, additional trees will need to be eventually removed when the street is constructed. This could result in removal of three (3) trees on the subject property (Trees # 15164, 15236, and 15274). This would result in 16 trees being

retained on the subject property. The Tree Preservation & Removal Plan details the optimal tree root zone at 1 foot per 1 inch DBH for all trees inventoried, including those on adjacent properties. **The applicant shall install tree protection fencing to protect all 16 trees on the subject property as well as the 154 trees proposed for retention on adjacent properties. The applicant shall retain an arborist on site to monitor any construction activity within the root protection zones of the trees on adjacent properties that have root protection zones that would be impacted by construction of Gunderson Road.** The applicant did not submit a tree inventory and removal plan for the off-site portion of Gunderson Road.

Section 17.102.50(B.1) requires tree protection fencing be placed no less than 10 horizontal feet from the outside edge of the trunk. Per the Pacific Northwest International Society of Arboriculture (ISA), the ISA defines the critical root zone (CRZ) as “an area equal to a 1-foot radius from the base of the tree’s trunk for each 1 inch of the tree’s diameter at 4.5 feet above grade (referred to as diameter at breast height).” Often the drip-line is used to estimate a tree’s CRZ; however, it should be noted that a tree’s roots typically extend well beyond its drip-line. In addition, trees continue to grow, and roots continue to extend. Thus, a proactive approach to tree protection would take into consideration the fact that the tree and its root zone will continue to grow. The submitted Tree Preservation & Removal Plan (Exhibit C, Sheets P1-16-19) details the optimal tree root zone at 1 foot per 1 inch DBH. **The applicant shall install tree protection fencing a minimum distance of 1 foot per 1 inch DBH, as indicated by the project arborist and recommended by the ISA. Tree protection fencing shall be a minimum of six feet tall supported with metal posts placed no farther than ten feet apart installed flush with the initial undisturbed grade. The tree protection fencing shall be 6 foot tall chain link or no-jump horse fencing and the applicant shall affix a laminated sign (minimum 8.5 inches by 11 inches) to the tree protection fencing indicating that the area behind the fence is a tree retention area and that the fence shall not be removed or relocated. No construction activity shall occur within the tree protection zone, including, but not limited to, dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles. The applicant shall request an inspection of tree protection measures prior to any tree removal, grading, or other construction activity on the site.**

OTHER CONSIDERATIONS FOR TREES:

To ensure protection of the required retention trees, the applicant shall record a tree protection covenant specifying protection of the 16 trees on the subject property and limiting removal without submittal of an Arborist’s Report and City approval. This document shall include a sketch identifying the required retention trees and a 1 foot per 1 inch DBH radius critical root zone around each tree. All trees marked for retention shall be retained and protected during construction regardless of desired or proposed building plans; plans for future houses on the proposed lots within the subdivision shall be modified to not encroach on retention trees and associated tree protection fencing.

15.30 – Dark Sky

115. Chapter 15.30 contains the City of Sandy’s Dark Sky Ordinance. The applicant will need to install street lights along all street frontages wherever street lighting is determined necessary.

The locations of these fixtures shall be reviewed in detail with construction plans. Full cut-

off lighting shall be required. Lights shall not exceed 4,125 Kelvins or 591 nanometers in order to minimize negative impacts on wildlife and human health.

15.44 – Erosion Control

116. The applicant submitted a Geotechnical Engineering Report (Exhibit I) prepared by GeoPacific Engineering, Inc., dated June 18, 2019. The City Engineer (Exhibit Y) reviewed the Geotechnical Engineering Report and recommends that **the applicant shall retain appropriate professional geotechnical services for observation of construction of earthwork and grading activities. The grading setbacks, drainage, and terracing shall comply with the Oregon Structural Specialty Code (OSSC) requirements and the geotechnical report recommendations and conclusions as indicated in the report. When the grading is completed, the applicant shall submit a final report by the Geotechnical Engineer to the City stating that adequate inspections and testing have been performed on the lots and all of the work is in compliance with the above noted report and the OSSC. Site grading should not in any way impede, impound or inundate the adjoining properties.**
117. **All the work within the public right-of-way and within the paved area should comply with American Public Works Association (APWA) and City requirements as amended. The applicant shall submit a grading and erosion control permit and request an inspection of installed devices prior to any additional grading onsite.** The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the subdivision. **All erosion control and grading shall comply with Section 15.44 of the Municipal Code. The proposed subdivision is greater than one acre which typically requires approval of a DEQ 1200-C Permit. The applicant shall submit confirmation from DEQ if a 1200-C Permit will not be required.**
118. Section 15.44.50 contains requirements for maintenance of a site including re-vegetation of all graded areas. **The applicant’s Erosion Control Plan shall be designed in accordance with the standards of Section 15.44.50.**
119. Recent development at both Zion Meadows subdivision and the remodel of the Pioneer Building (former Sandy High School) have sparked unintended rodent issues in the surrounding neighborhoods. Prior to development of the site, **the applicant shall have a licensed pest control agent evaluate the site to determine if pest eradication is needed.**

DECISION

Staff recommends the Planning Commission approve the Bailey Meadows subdivision with the conditions as outlined below.

CONDITIONS OF APPROVAL

- A. Prior to submitting construction plans, including grading and erosion control permits, the applicant shall update the plan set and associated documents based on the conditions of**

approval determined by the Planning Commission and shall submit a full set of the updated plans to Planning Division staff for review and approval.

1. Submit a revised Preliminary Plat featuring the following:
 - An eight-foot wide public utility easement (PUE) along the frontage of all proposed lots;
 - A 15-foot private sanitary sewer easement along the common lot lines of Lots 26-29;
 - A 15-foot private sanitary sewer easement along the common lot lines of Lots 37-38 and 41-42;
 - A 15-foot private sanitary sewer easement along the common lot lines of Lots 38-39 and 40-41;
 - A 15-foot private sanitary sewer easement along the common lot lines of Lots 48-51;
 - A 15-foot private storm drainage easement along the common lot lines of Lots 47-48 and 51-52;
 - A vehicle non-access reserve (VNAR) strip in the following locations:
 - East end of Street A
 - West end of Street B
 - West end of Ponder Lane (east/west portion of right-of-way)
 - West end of Street C
 - West end of Street D
2. Submit a revised Tree Plan featuring the following modifications:
 - If the plans change in a way that affects the number of street trees (e.g., driveway locations), the applicant shall submit an updated street tree plan for staff review and approval.
 - Detail a minimum of two (2) different tree species per block face for staff review and approval.
3. If the UGB application is approved, submit an analysis of the proposed Gunderson Road alignment that confirms that if Gunderson Road intersects with Highway 211 at the location proposed by the applicant, it can still connect to Cascadia Village Drive as identified in the TSP while meeting code standards such as tangency.
4. Submit a revised Plan Set featuring the following:
 - Revise the Plan Set to detail the front door of the houses on Lots 55-59 facing Gunderson Road.
 - Extend the street improvements on Ponder Lane east/west to the east and west line of the development site and obtain slope easements or construct retaining walls as necessary.
 - Extend the street improvements on Street A to the east property line of the development site and obtain slope easements or construct retaining walls as necessary.
 - Extend the street improvements on Street B to the east and west lines of the development site and obtain slope easements or construct retaining walls as necessary.

- If the UGB application is approved, extend the street improvements on Avenue 2 to connect with Gunderson Road on the property to the south.
 - Extend the street improvements on Street C to the east and west line of the development site and obtain slope easements or construct retaining walls as necessary.
 - Extend the street improvements on Street D to the east and west line of the development site and obtain slope easements or construct retaining walls as necessary.
5. Revise the plan set to detail all driveways at a maximum of 24 feet wide. Combine driveways for Lots 9 and 10 into a shared driveway or reduce the width of the driveways for Lots 9 and 10 to accommodate street trees and other right-of-way amenities. Submit one of the following two options for staff review and approval:
 - Submit a revised plan detailing shared driveways that do not exceed 24 feet wide with crossover easements; or,
 - Submit a detailed driveway spacing plan that conserves frontage and maximizes area for street trees and on-street parking.
 6. Call the PGE Service Coordinators at 503-323-6700 when the developer is ready to start the project.
 7. If the plans change in a way that affects the number of street trees (e.g., driveway locations), the applicant shall submit an updated street tree plan for staff review and approval.

B. Prior to earthwork, grading, or excavation, the applicant shall complete the following and receive necessary approvals as described:

1. The applicant shall obtain a grading and erosion control permit in conformance with Chapter 15.44. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the subdivision. *(Submit 2 copies to Planning/Building Department.)*
2. Submit proof of receipt of a Department of Environmental Quality 1200-C permit or submit confirmation from DEQ if a 1200-C Permit will not be required. *(Submit to Planning/Building Department.)*
3. Any existing domestic or irrigation wells on site shall be located, identified, capped, disconnected or abandoned in conformance with OAR 690-220-0030. A copy of the Oregon Water Resources Department (OWRD) abandonment certificate shall be submitted to the City Planning Division. Any on-site sewage disposal system shall be abandoned in conformance with Clackamas County Water Environmental Services (WES) regulations and a copy of the septic tank removal certificate shall be submitted to the City Planning Division.
4. Install tree protection fencing to protect all 16 trees on the subject property as well as the 154 trees proposed for retention on adjacent properties. Retain an arborist on site to monitor any construction activity within the root protection zones of the trees on adjacent properties that have root protection zones that would be impacted by construction of Gunderson Road. Install tree protection fencing a minimum distance of 1 foot per 1 inch DBH, as indicated by the

project arborist and recommended by the ISA. Tree protection fencing shall be a minimum of six feet tall supported with metal posts placed no farther than ten feet apart installed flush with the initial undisturbed grade. The tree protection fencing shall be 6 foot tall chain link or no-jump horse fencing and the applicant shall affix a laminated sign (minimum 8.5 inches by 11 inches) to the tree protection fencing indicating that the area behind the fence is a tree retention area and that the fence shall not be removed or relocated. No construction activity shall occur within the tree protection zone, including, but not limited to, dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles. The applicant shall request an inspection of tree protection measures prior to any tree removal, grading, or other construction activity on the site.

5. Request an inspection of erosion control measures and tree protection measures as specified in Section 17.102.50(C). Receive an approval of erosion control measures and tree protection measures prior to construction activities or issuance of the grading and erosion control permit.
6. Submit confirmation from a licensed pest control agent that the site was reviewed to determine if pest eradication is needed.

C. Prior to all construction activities, except grading and/or excavation, the applicant shall submit the following additional information as part of construction plans and complete items during construction as identified below: (*Submit to Public Works unless otherwise noted*)

1. The location of fire hydrants will be reviewed by the Sandy Fire Department in more detail with construction plans. Revise the Parking Analysis if required fire hydrants affect on-street parking spaces.
2. Work with the Fire Marshal to determine if the proposed plan meets Fire Code. Per ODOT (Exhibit AA), the applicant shall provide emergency vehicle turning templates for the Highway 211/Ponder Lane intersection. Improvements to the intersection will be required if determined necessary by ODOT.
3. Submit a profile design for a minimum of 200 feet for all future street extensions beyond the project boundary to ensure future street grades can be met.
4. Specify the locations of street lights on all streets being improved within and adjacent to the subdivision. Full cut-off lighting shall be required that does not exceed 4,125 Kelvins.
5. Submit a detailed final stormwater report stamped by a licensed professional to the City for review and approval with the final construction plans.
6. Demonstrate that the proposed subdivision does not exceed pre-development site runoff discharges to this same point and provide information on the dimensions and slope of the existing drainage way. The detention pond shall meet the requirements of the 2016 City of Portland Stormwater Management Manual (SWMM) for landscaping, Section 2.4.1, and escape route, Section 2.30.

7. Submit a mail delivery plan, featuring grouped lockable mail facilities, to the City and the USPS for review and approval prior to installation of mailboxes. Mail delivery facilities shall be provided by the applicant in conformance with Section 17.84.100 and the standards of the USPS.
8. Revise the utility plan to include broadband fiber locations as detailed by the SandyNet Manager.

D. Prior to Final Plat approval, the applicant shall complete the following tasks or provide assurance for their future completion:

1. Submit two paper copies of the tentative final plat for review with the associated plat review fee.
2. When the grading is completed, the applicant shall submit a final report by the Geotechnical Engineer to the City stating that adequate inspections and testing have been performed on all lots (Lots 1-32) and all of the work is in compliance with the above noted report and OSSC.
3. Construct all public improvements including streets and utilities, install street lights, and street signage. Complete street improvements for all streets within the subdivision as defined in this staff report, and for Gunderson Road and Highway 211 per the Development Agreement. The improvements shall include installation of sidewalks and planter strips on the west side of Ponder Lane.
4. Construct sidewalks along Tract A both on Ponder Lane and Street B, prior to final plat approval.
5. Construct the pedestrian tract (Tract B) improvements with pedestrian scale lighting connected to the street light circuit. The Tract B walkway shall be conveyed to the City on the Final Plat. The walkway within the tract shall be constructed of concrete at 8 feet in width with a 7 foot wide area for trees and landscaping. Install bollards at the east end of the tract to restrict vehicles from accessing the tract.
6. Install bollards along the east terminus of Street B, Ponder Lane east/west, Street C, and Street D. Also, install 'no parking' signs along the full length of Ponder Lane north/south at a spacing as determined during construction plan review.
7. Install the required local street improvements north of the property boundary to connect to the existing Melissa Avenue stub.
8. Install a stop sign at the intersection of Melissa Avenue and Rachael Drive for northbound traffic.
9. Install street lights as identified on the construction plans. The locations of street light fixtures shall be reviewed in detail with construction plans.
10. Dedicate the following to the City (by deed using the City's standard form):

- Tract A and Tract B.
 - Gunderson Road.
 - If the UGB application is approved, the stormwater pond for Gunderson Road and Highway 211 (currently noted as Tract C).
11. Record a tree protection covenant specifying protection of the 16 trees on the subject property and limiting removal without submittal of an Arborist's Report and City approval. This document shall include a sketch identifying the required retention trees and a 1 foot per 1 inch DBH radius critical root zone around each tree. All trees marked for retention shall be retained and protected during construction regardless of desired or proposed building plans; plans for future houses on the proposed lots within the subdivision shall be modified to not encroach on retention trees and associated tree protection fencing.
 12. Pay \$310,890 for the parks fee in lieu of dedication, -or- pay a total of \$341,850 if a portion of the fee is deferred (a minimum of 50 percent (\$170,925) paid prior to final plat approval with the remaining 50 percent (\$170,925) divided between the 100 lots, paid with each building permit). If the applicant dedicates parkland to the south of Bailey Meadows instead of paying the fee in-lieu the applicant and City Manager, on behalf of City Council, shall negotiate the terms of the parkland dedication.
 13. If the applicant chooses to postpone street tree and/or landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the street trees/landscaping, assuring installation within 6 months. The cost of the street trees shall be based on the average of three estimates from three landscaping contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a three-year maintenance and warranty period.
 14. Aerate the planter strips to a depth of 3 feet prior to planting street trees. The applicant shall either aerate the planter strip soil at the subdivision stage and install fencing around the planter strips to protect the soil from compaction, or shall aerate the soil at the individual home construction phase. The applicant shall call for an inspection with the City after aerating the soil and before planting the street trees.
 15. Pay plan review, inspection, and permit fees as determined by the Public Works Director.
 16. Pay addressing fees at \$40 for the subdivision plus \$5 per lot, or as otherwise identified in the most updated fee schedule.
 17. Submit a true and exact reproducible copy (Mylar) of the Final Plat for final review and signature.
 18. Submit a copy of the following once recorded:
 - Mylar version of the Final Plat.
 - Tree protection covenant including a map identifying the location of the retention trees.
 - Deeds identifying dedications to the City.

E. Gunderson Road shall be constructed and accepted by the city prior to issuance of the 30th certificate of occupancy for a housing unit in the subdivision. The applicant shall submit a revised phasing plan for Director review and approval.

F. All conditions in Section A., B., C., and D. shall be satisfied prior to submittal of building permits. The following list includes conditions related to individual home construction:

1. All homes shall provide building design features in conformance with the standards of Section 17.90.150.
2. All homes shall meet the development standards of Section 17.34.30.
3. All structures shall maintain a minimum 20-foot setback from the Gunderson Road public right-of-way.
4. The front door of the houses on Lots 55-59 shall face Gunderson Road and include a connection directly to Gunderson Road via a pedestrian route per Section 17.82.20.
5. Street trees shall be installed approximately 30 feet on center in conjunction with issuance of building permits. Street trees are required to be a minimum caliper of 1.5-inches measured 6 inches from grade. Trees shall be planted and staked per the City of Sandy standard planting detail; trees shall be tied to the stakes with loosely tied twine. Tree ties shall be removed within one year of installation. *However, if the applicant postpones street tree installation per Condition D.13 street trees do not need to be planted with individual home construction.*
6. Aerate the planter strips to a depth of 3 feet prior to planting street trees. The applicant shall either aerate the planter strip soil at the subdivision stage and install fencing around the planter strips to protect the soil from compaction, or shall aerate the soil at the individual home construction phase. The applicant shall call for an inspection with the City after aerating the soil and before planting the street trees.
7. All planter strips shall be graded and backfilled as necessary, and bark mulch, vegetation, or other approved material installed prior to occupancy.
8. All trees marked for retention shall be retained and protected during construction regardless of desired or proposed building plans. Plans for future houses on the proposed lots within the subdivision shall be modified to not encroach on retention trees and associated tree protection fencing.
9. Development of this subdivision will require payment of system development charges in accordance with applicable City ordinances.

G. General Conditions of Approval:

1. On January 7, the applicant submitted an application to the City to expand the City's UGB in order to: (1) allow the applicant to dedicate right-of-way and construct Gunderson Road from the south boundary of the subject property to Oregon Highway 211; and (2) to dedicate

approximately 2.3 acres of parkland within TL 701. If the UGB application is approved and is ultimately deemed acknowledged:

- a. The applicant shall dedicate right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan, as shown in Exhibit W (page 4), subject to the terms of a non-statutory Development Agreement to be entered into between the applicant and the City (the "Development Agreement").
- b. The applicant shall construct Gunderson Road with a paved width of at least 24 feet to allow for two lanes of travel, as shown in Exhibit W (page 4), subject to the terms of the Development Agreement.

If the UGB application is not approved by either the City or Clackamas County, or an approval is finally reversed on appeal, the Applicant shall be allowed to proceed with an approval of the tentative subdivision application provided that it:

- a. Received final approval of the tentative subdivision application in the event of an appeal;
- b. Prior to final plat approval, pays the City a fee-in-lieu of parkland dedication of \$310,890 (1.29 acres of land to be dedicated x \$241,000) in accordance with SMC Chapter 17.86 and Resolution 2013-14;
- c. Prior to final plat approval, grants the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan; and
- d. All other conditions of approval in this decision are satisfied.

If the UGB application is approved and is appealed, the applicant will intervene in the appeal and exercise good faith and its best efforts in defending the approval.

2. The Final Plat shall be recorded as detailed in Section 17.100.60.
3. Public improvement plans are subject to a separate review and approval process. Preliminary Plat approval does not connote approval of public improvement construction plans, which will be reviewed and approved separately upon submittal of public improvement construction plans.
4. The improvements to Highway 211 shall meet the requirements of ODOT -or- alternatively AASHTO standards if the highway is transferred to the City of Sandy.
5. No building permits will be issued until all public utilities including sanitary sewer and water service are available to serve the development.
6. The City reserves the right to name all streets.
7. If entry signs are desired, the applicant shall submit a detailed plan showing the location of such signage and a sign permit application.
8. The applicant shall comply with the parking standards in Chapter 17.98. Garages shall be adequate depth to park a vehicle and the on-street parking spaces shall be at least 22 feet in length. All parking, driveway and maneuvering areas shall be constructed of asphalt, concrete, or other approved material.

9. All work within the public right-of-way and within the paved area shall comply with the American Public Works Association (APWA) and City requirements as amended.
10. All ADA ramps shall be designed, inspected by the design engineer, and constructed by the contractor to meet the most current PROWAG requirements.
11. All on-site earthwork activities including any retaining wall construction shall follow the current requirements of the current edition of the Oregon Structural Specialty Code (OSSC). If the proposal includes a retaining wall, the applicant shall submit additional details on the proposed retaining wall for staff review and approval.
12. Trees shall not be removed from the subject property or the property to the south where the off-site Gunderson Road extension will be constructed that are located outside of the rights-of-way without applying for a tree removal permit and obtaining approval for tree removal.
13. All franchise utilities shall be installed underground and in conformance with City standards with individual service to each lot.
14. The applicant shall be responsible for the installation of all improvements detailed in Section 17.100.310, including fiber facilities. SandyNet requires the developer to work with the City to ensure that broadband infrastructure meets the design standards and adopted procedures as described in Section 17.84.70.
15. All public utility installations shall conform to the City's facilities master plans.
16. Site grading shall not in any way impede, impound, or inundate the surface drainage flow from the adjoining properties.
17. The applicant shall retain appropriate professional geotechnical services for observation of construction of earthwork and grading activities. The grading setbacks, drainage, and terracing shall comply with the Oregon Structural Specialty Code (OSSC) requirements and the geotechnical report recommendations and conclusions as indicated in the report.
18. Water line sizes shall be based upon the Water Facilities Master Plan and shall be sized to accommodate domestic fire protection flows on the site.
19. All public sanitary sewer and waterline mains shall be a minimum of 8 inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.
20. All stormwater drains shall be a minimum of 12 inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.
21. As required by Section 17.92.10(L), all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing. As required by Section 17.92.140, the

developer shall maintain all vegetation planted in the development for two (2) years from the date of completion, and shall replace any dead or dying plants during that period.

22. As required by the Planning Commission, retention trees shall be detailed on a recorded tree protection covenant; thus, the retention trees shall be guaranteed or replaced in perpetuity.
23. Maintain all unlandscaped and/or revegetated areas for a period of two years following the date of recording of the final plat associated with those improvements.
24. Successors-in-interest of the applicant shall comply with site development requirements prior to the issuance of building permits.
25. All improvements listed in Section 17.100.300 shall be provided by the applicant including drainage facilities, monumentation, mail facilities, sanitary sewers, storm sewer, sidewalks, street lights, street signs, street trees, streets, traffic signs, underground communication lines including telephone and cable, underground power lines, water lines and fire hydrants.
26. Comply with all standards required by Section 17.84 of the Sandy Development Code. Public and franchise improvements shall be installed or financially guaranteed in accordance with Chapter 17 of the Sandy Municipal Code prior to temporary or final occupancy of structures. Water lines and fire hydrants shall be installed in accordance with City standards. All sanitary sewer lines shall be installed in accordance with City standards.
27. Comply with all other conditions or regulations imposed by the Sandy Fire District or state and federal agencies. Compliance is made a part of this approval and any violations of these conditions and/or regulations may result in the review of this approval and/or revocation of approval.

Exhibit IIIII



MINUTES
Planning Commission Meeting
Tuesday, December 17, 2019 City Hall-
Council Chambers, 39250 Pioneer Blvd.,
Sandy, Oregon 97055 7:00 PM

COMMISSIONERS PRESENT: Ron Lesowski, Commissioner, Hollis MacLean-Wenzel, Commissioner, Jerry Crosby, Commissioner, John Logan, Commissioner, Chris Mayton, Commissioner, and Todd Mobley, Commissioner

COMMISSIONERS ABSENT: Don Carlton, Commissioner

STAFF PRESENT: Kelly O'Neill, Development Services Director and Emily Meharg, Associate Planner, City Attorney David Doughman

MEDIA PRESENT:

1. **Roll Call**
2. **Requests From the Floor - Citizen Communication on Non- Agenda Items**
None
3. **OLD BUSINESS**
None
4. **NEW BUSINESS**
 - 4.1. **Bailey Meadows Subdivision (19-023 SUB/VAR/TREE):**

Chairman Crosby introduced staff, the Commission, and explained the public hearing process to the audience.

Chairman Crosby opened the public hearing on File No. 19-023 SUB/VAR/TREE at 7:04 p.m. Crosby called for any abstentions, conflicts of interest, ex-parte contact, challenges to the jurisdiction of the Planning Commission, or any challenges to any individual member of the Planning Commission. No challenges were made, and no declarations were made by the Planning Commissioners. Crosby explained that the decision tonight is only a recommendation to City Council.

Commissioner Mobley recused himself as the applicant's transportation engineer.

Commission Logan asked a question about ex-parte contact. Attorney Doughman provided advice on ex-parte contact.

Staff Report:

Development Services Director Kelly O'Neill Jr. summarized the staff report and addressed the background, factual information, and presented a brief slide show. Attorney Doughman provided additional information regarding the procedure, a summary of where the review is at and what he finds are the next steps.

The Commission decided they will grant the continuance. The Commission discussed that holding a meeting on January 27, 2020 will be difficult as several of the Commissioners are unavailable.

Applicant Testimony:

Mike Robinson
1211 SW 5th Ave, Suite 1900
Portland, OR 97204

Mr. Robinson provided a brief background of where the applicant and city are at in the process. The applicant volunteered to apply for a UGB expansion to include Gunderson Road, and has met with several state agencies and City staff. The applicant has requested an extension to work on the UGB expansion application and for staff to work on the code analysis for the subdivision.

Proponent Testimony:

None

Opponent Testimony:

Anthony (Tony) Profitt
18306 Grey Avenue
Sandy, OR 97055

Mr. Profitt stated that this subdivision is going to add traffic to the Nicolas Glen subdivision and is concerned with traffic that will impact children. Stated he does not believe that Gunderson Road will be the primary road into the subdivision. Wants to work cooperatively. When he moved into Nicolas Glen he knew the property to the south of Nicolas Glen would be eventually developed. Melissa Avenue gets icy and unsafe in the winter.

Makoto Lane
37828 Rachel Drive
Sandy, OR 97055

Mr. Lane opposes vehicular traffic into Nicolas Glen and would rather Bailey Meadows only connect to HWY 211. He does not want the safety of children put at risk. Stated the developer does not own the land and that the landowner will only develop the land if they obtain development entitlements.

Richard Sheldon
37522 Rachel Drive
Sandy, OR 97055

Mr. Sheldon spoke about safety issues in the existing subdivision. Wants a park in the Bailey Meadows subdivision. The developer at the September public meeting stated they would explore a UGB expansion. Noticed a crash analysis in the packet and noticed that the intersection of Dubarko Road and HWY 211 was not analyzed. Mentioned safety issues with icy roads in Nicolas Glen. He also referenced a letter from Curran-McLeod and stated some of the findings from the letter. He also brought up concerns over the "if approved" language, which he believes gives the developer an out. He wants the secondary access to be a required condition. The applicant does not have the community's interest at mind and is completing the subdivision only for profit. Requests that the record not be closed.

Cary Mallon
37537 Rachel Drive
Sandy, OR 97055

Mr. Mallon stated that Melissa Avenue is not adequate for the proposed subdivision. This property was doomed 20 years ago when Melissa Avenue was designed so narrow and not for additional growth to the south.

Kathleen Walker
15920 Bluff Road
Sandy, OR 97055

Ms. Walker appreciates the public comment period is being extended and is confused why there is not a full staff report yet. Believes the developer has good intentions, but that we need clear transportation connections and a park and believes that can be completed with the developer still making money. The developer makes a lot of arguments that City code does not apply, quotes standards not being clear and objective, and quotes needed housing as a basis. She believes needed housing is only related to needed affordable housing. Buildable lands inventory does not supersede parkland dedication. The existing development code is very clear that parkland dedication can be

required by the City of Sandy. Ms. Walker detailed the parkland dedication requirements and how they should relate to this subdivision proposal. Accepting the fee in-lieu is not fiscally prudent. The additional road access is necessary. The city should not consider horse trading or other negotiations.

Gigi Duncan
18275 Rachael Drive
Sandy, OR 97055

Ms. Duncan said that houses that exceed 400 thousand dollars are not affordable and not needed housing. Agrees with Ms. Walker that parkland should be dedicated. Believes that if the developer uses Melissa Avenue it will be unsafe for children and other people living in the existing subdivision. Believes the condition should be that if Gunderson Road is not extended the subdivision should be denied. Would like to see all Planning Commissioners participate in the January hearing. Sandy is a great place to live, it is safe, and there are a lot of families. Melissa Avenue was not designed to accommodate a bunch of traffic.

Erin Findlay
37616 Rachel Drive
Sandy, OR 97055

Ms. Findlay said she wants the record to remain open. From the start of the process with the proposed subdivision the main concern has been safety. One access into the subdivision is appalling. Would like parkland to be dedicated. There is good intention in the City code and hopes that money is not dictating all of the decisions. Fence lines are not determined yet and is concerned that issues need to be clarified before the subdivision proceeds.

Don Robertson
38412 Juniper Street
Sandy, OR 97055

Mr. Robertson stated he is speaking on behalf of the Sandy Parks and Trails Advisory Board. He read Section 17.86.10 of the Sandy Development Code. Referenced the 1997 Parks Master Plan and other master plan references from a letter he is submitting into the record. It is the city's discretion, not the developer's discretion on whether parkland is dedicated, or parks fee in-lieu is paid. The feasibility of the parkland dedication is very possible as the land is flat, and no major waterways or wetlands exist.

Tim Sellin
18256 Melissa Avenue
Sandy, OR 97055

Mr. Sellin has concerns with the construction phase for Bailey Meadows and how that will impact existing residents on Melissa Avenue. He believes there has to be 3.4 acres of parkland dedicated. Would like to see a gate at the end of Melissa Avenue going into the proposed subdivision that could be opened during emergencies.

Maria DeBatty
37176 Rachael Drive
Sandy, OR 97055

Ms. DeBatty is concerned with construction traffic, closure of Melissa Avenue, and the potential utility trench. She has talked with the Fire Marshall and Fire Chief extensively about emergency access and fire concerns. There is a trailer blocking the emergency fire exit in Nicolas Glen and overgrown vegetation in the emergency lane. The Nicolas Glen neighborhood is upset and does not have adequate details on the proposal. It seems a lot of issues have not been resolved and the developer keeps adding other information. Thinks the whole thing is ridiculous.

Mike Schell
37524 Rachel Drive
Sandy, OR 97055

Mr. Schell stated that parkland dedication should be considered. Public safety is a huge concern and asked the Planning Commission to strongly consider how this subdivision will impact the existing neighborhood. People need a place to play.

Laura Kvamme
37438 Rachel Drive
Sandy, OR 97055

Ms. Kvamme stated that the amount of traffic being proposed is concerning. It seems that people in the new subdivision will use Melissa Avenue as a shortcut to Fred Meyer and other shopping areas. Degradation of Melissa Avenue is a huge concern and believes that Melissa Avenue has issues with ice. Wants to make sure that the subdivision is conditioned to install Gunderson Road at the start of construction, prior to Melissa Avenue being torn up.

Kelli Acord
38897 Cascadia Drive
Sandy, OR 97055

Ms. Acord stated she represents Student Transportation of America. She said that the existing situation is already problematic as the existing streets are

narrow. The roads are not large enough to accommodate large pickups parked on the streets and buses driving down the streets. This is the first-time hearing about Gunderson Road being proposed. Stated that staff is always free to talk with Student Transportation of America.

Carol Cohen
37537 Rachel Drive
Sandy, OR 97055

Ms. Cohen stated it's amazing how this has brought the community together. Parkland dedication is very important and doesn't think the developer should be allowed to just write a check. Safety is a huge issue especially with how steep and icy Melissa Avenue gets.

Mark Miller
37777 Ponder Land
Sandy, OR 97055

Mr. Miller has a wetland or spring that forms and runs into the proposed development. Also, there is an issue with stormwater leaving HWY 211 and entering the subject property. Noted that both could cause issues for the future construction of Gunderson Road. Has questions and concerns with the proposed stormwater location. AKS has been surveying the site and causing issues on HWY 211.

Neutral Testimony

Robert Fisher
38100 Sandy Heights Street
Sandy, OR 97055

Mr. Fisher stated we need to look at this issue rationally and come to a positive solution for everyone. Proceed with caution. Has concerns with Gunderson Road intersecting with HWY 211.

Brad Robison
37412 Rachel Drive
Sandy, OR 97055

Mr. Robison stated the codes and rules have been designed so that if impacts happen to the community as a whole those impacts are often overlooked and cannot be analyzed. Also stated he is pursuing a claim of adverse possession on a property line dispute with the Bailey Meadows property.

Les Geren
37721 Ponder Lane

Sandy, OR 97055

Mr. Geren uses Ponder Lane for large deliveries. Wants to assure that Ponder Lane is left open or an alternative route accommodates large vehicles.

Calvin Mckinnis

37551 HWY 211

Sandy, OR 97055

Mr. Mckinnis farms a lot of acreage around the subject area and drives tractors on HWY 211. He is in favor of anything that will improve HWY 211. Concerned about children playing in the woods and creek, destroying fences and letting cattle off his property.

Staff Recap:

Mr. O'Neill stated that there was a lot of good testimony some of which will be addressed by staff at the January meeting. Staff will deliberate further at the January meeting once the full code analysis has been complete, the applicant completes their presentation, and the public has a chance to testify again. Mr. Doughman explained ex-parte contact with Commissioners in greater detail. Mr. O'Neill stated that city staff is always available to talk and that ex-parte rules do not apply to city staff.

Commissioners Crosby and Maclean-Wenzel thanked the public and stated the earlier you send comments to the Commissioners the better.

Applicant Rebuttal:

Mr. Robinson stated he is happy everyone came to the hearing and reserves their additional testimony for the January meeting.

Discussion:

The Planning Commission decided to continue the hearing to January 23, 2020.

Motion: Motion to continue the public hearing to January 23, 2020 at 6:30.

Moved By: Commissioner Logan

Seconded By: Commissioner Maclean-Wenzel

Yes votes: Lesowski, Maclean-Wenzel, Crosby, Logan, and Mayton

No votes: None

The motion passed at 9:03 PM

5. Items from Commission and Staff

Mr. O'Neill explained the Council decisions from the December 16, 2019 City Council meeting, talked about upcoming meetings, the new associate planner being hired,

Emily Meharg's promotion to senior planner, and a few logistical items.

6. Adjourn

Motion: To adjourn

Moved By: Commissioner Maclean- Wenzel

Seconded By: Commissioner Mayton

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Chairman Crosby adjourned the meeting at 9:19 p.m.



Chair, Jerry Crosby



Planning Director, Kelly O'Neill Jr

Exhibit JJJJJ



MINUTES
Planning Commission Meeting
Thursday, January 23, 2020 City Hall- Council
Chambers, 39250 Pioneer Blvd., Sandy,
Oregon 97055 6:30 PM

COMMISSIONERS PRESENT: Don Carlton, Commissioner, Ron Lesowski, Commissioner, Hollis MacLean-Wenzel, Commissioner, Jerry Crosby, Commissioner, John Logan, Commissioner, Chris Mayton, Commissioner, and Todd Mobley, Commissioner

COMMISSIONERS ABSENT:

STAFF PRESENT: Kelly O'Neill, Development Services Director and Emily Meharg, Associate Planner, David Doughman, City Attorney

MEDIA PRESENT:

1. Roll Call

2. Select Chair and Vice Chair

Motion: To select Commissioner Crosby as the chair for 2020.

Moved By: Commissioner Carlton

Seconded By: Commissioner MacLean-Wenzel

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

To select vice chair for 2020.

5 voted for Commissioner Carlton (Carlton, Lesowski, Crosby, Logan, and Mayton)

2 voted for Commissioner MacLean-Wenzel (MacLean-Wenzel and Mobley)

Motion: To select Commissioner Carlton as the vice chair for 2020.

Moved By: Commissioner Logan

Seconded By: Commissioner Mayton

Yes votes: All Ayes

No votes: None

Abstention: None

The motion passed.

3. Approval of Minutes

3.1. Approval of Minutes - December 3, 2019

Motion: To approve minutes for December 3, 2019

Moved By: Commissioner Carlton

Seconded By: Commissioner Logan

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

3.2. Approval of Minutes - December 17, 2019

Motion: To approve minutes for December 17, 2019

Moved By: Commissioner Mayton

Seconded By: Commissioner MacLean-Wenzel

Yes votes: Lesowski, MacLean-Wenzel, Crosby, Logan, and Mayton

No votes: None

Abstentions: Mobley and Carlton

The motion passed.

4. Requests From the Floor - Citizen Communication on Non- Agenda Items

None

5. OLD BUSINESS

5.1. 19-023 SUB/VAR/TREE Bailey Meadows Subdivision

Staff Report - 0217

Chairman Crosby opened the public hearing on File No. 19-023 SUB/VAR/TREE at 6:46 p.m. Crosby called for any abstentions, conflicts of interest, ex-parte contact, challenges to the jurisdiction of the Planning Commission, or any challenges to any individual member of the Planning Commission. No challenges were made, and no declarations were made by the Planning Commissioners.

Commissioner Mobley recused himself as the applicant's transportation engineer.

Commissioner Carlton stated that he viewed the December 17 Planning Commission hearing video and reviewed the packet since he was not at the

December 17 hearing.

City Attorney Doughman explained the applicant's request to have the record remain open. They are treating tonight's hearing as the first evidentiary hearing. After tonight's meeting, there will be a 7-day period where anyone can submit testimony into the record. This will be followed by a second 7-day period for anyone to submit testimony in response to anything submitted in the first 7 days (new issues cannot be raised). Usually there's a third 7-day period solely for the applicant but, given the time frame, the applicant is waiving the right to final argument. The Planning Commission will reconvene on February 11, 2020 to deliberate amongst themselves with staff, but no additional public or applicant testimony will be heard.

Staff Report:

Since the publication of the report, there are 4 new exhibits that were provided to Planning Commission. Development Services Director Kelly O'Neil Jr. summarized the staff report and addressed the background, factual information, and presented a brief slide show.

Attorney Doughman provided additional information regarding PC's ability to change conditions.

Applicant Testimony:

Mike Robinson
1211 SW 5th Ave, Suite 1900
Portland, OR 97204

Attorney Robinson introduced the applicant's team and provided a brief background of the applicant's request. He stated they are looking for solutions through the UGB expansion to provide parkland and Gunderson Road. Robinson addressed the neighbors stating the applicant understands the concerns and commits to doing their best to minimize disruption and to get the UGB expansion to occur for parkland and Gunderson Road. Robinson cited Oregon statutes related to needed housing. Robinson also explained the application is a limited land use application, so the applicant only needs to adhere to what's in the code, not the TSP. For needed housing, cities can only apply clear and objective criteria. Robinson responded to issues raised in the previous hearing, many of which are subjective or are not in the subdivision approval criteria. Robinson explained that the traffic analysis was reviewed by multiple professionals and found to be sound. Robinson made a formal request that the Planning Commission close the public hearing but keep the record open for the two 7-day periods as explained by Attorney Doughman. The applicant will extend the 120-clock by 14 days.

Chris Goodell
AKS Engineering and Forestry
12965 SW Herman Road, Suite 100
Tualatin, OR 97062

Goodell talked about specifics of the subdivision, including circulation and infrastructure. Mr. Goodell presented a brief slideshow.

Proponent Testimony:

None

Opponent Testimony:

Makoto Lane
37828 Rachael Drive
Sandy, OR 97055

Concerned about traffic. Applicant's attorney alluded to litigation against the City, which is not indicative of a good neighbor. The traffic study appears to be partial to the developer. If a kid gets hit on Melissa Avenue, do the parents sue the City because they allowed it? 30th house tied to Gunderson Road doesn't work because developer will just continue to develop beyond that. Applicant needs to get UGB expansion approved and construct Gunderson Road before any houses are constructed. Mr. Lane does not want motor vehicle access to Melissa Avenue and doesn't understand why the TSP can be ignored.

Erin Findlay
37616 Rachael Drive
Sandy, OR 97055

In support of UGB expansion. Safety is the number one priority. Requests a 4 way stop at Melissa Avenue and Rachael Drive. Wants to know participation in UGB expansion at County level.

Kathleen Walker
15920 Bluff Road
Sandy, OR 97055

Thanked the applicant for working with City, ODOT, and Clackamas County. 900 pages is a lot to review. Concerned about the applicant's plan being in so many pieces, which makes it difficult to see how everything's connected and what the actual proposal is. Gunderson Road and the UGB expansion need to get done or the subdivision should not be approved. Parkland should also be conditioned for approval. Applicant's submittal only includes half a road for Gunderson Road; it's not clear what they are actually proposing. There should

be bike lanes and curb and sidewalk on at least one side of Gunderson Road.

Carol Cohen
37537 Rachael Drive
Sandy, OR 97055

900 pages is a lot to review. Is Gunderson Road going to happen? Lots of confusion. Parkland should be dedicated prior to occupancy. Gunderson Road should be completed before building permits are issued to provide access for construction vehicles.

Kelly Whitlock
17975 422nd Avenue
Sandy, OR 97055

Who pays for the park and who pays for Gunderson Road?

Gigi Duncan
18275 Rachael Drive
Sandy, OR 97055

City has a vision and a higher responsibility. We've learned from Nicolas Glen that one street in and out of a subdivision doesn't work and that there should have been a park. Bailey Meadows is not affordable housing. Safety should be the ultimate litmus test. House Bill 2001 - Oregon working on up-zoning to create denser, greener, and more affordable housing.

Laura Kvamme
37438 Rachael Drive
Sandy, OR 97055

Melissa Avenue already carries too much traffic. Curious about elevation that parallels Rachael Drive and how drainage will work. Can't allow any new development; already exceeding capacity on Melissa Avenue. How will student buses navigate? Wants to see a clear plan.

Brad Robison
37412 Rachael Drive
Sandy, OR 97055

Just because you can do something doesn't mean you should. Afraid that if Gunderson Road doesn't go through, the applicant will still be able to build the subdivision. Subdivision needs to be thought out and impact on existing neighbors needs to be considered, not just profit.

Neutral Testimony

Makoto Lane
37828 Rachael Drive
Sandy, OR 97055

He stated he wants to advocate for keep the hearing open.

Staff Recap:

Development Services Director O'Neill stated that some items will be addressed later and the City Attorney will need to address ORS provisions. O'Neill clarified that needed housing is related to growth projected in a 20-year planning horizon, not affordable housing. O'Neill reiterated that the proposed lots meet the 7,500 square foot lot requirement in the applicable zoning district. A 4-way stop could be considered and evaluated. Gunderson Road is proposed at a 24-foot-wide asphalt section (two 12 foot travel lanes). The 30 house limit can be changed by the Planning Commission. Each house will pay SDCs for parks, which will eventually be used to develop the park. The City will be paying for a significant portion of Gunderson Road and the Highway 211 improvements. Staff can't support closing off Melissa Avenue to vehicles because that would go against the TSP and the development code. All Oregon cities will need to update their code to allow duplexes anywhere a single-family home is allowed.

City Attorney Doughman will put together a public memo to the Planning Commission that responds to some legal issues raised. There's an increasingly magnified focus on housing regulations, including clear and objective standards and needed housing. If the applicant is right and there are laws that entitle them to build a subdivision and take all access from Melissa Avenue, then the consequence could be a neighborhood with 100 new homes taking sole access from Melissa Avenue. The City is working to get a second access. Doughman stated there is risk in denying the application. The City would not be liable for exceeding ADT standard because it qualifies for discretionary immunity. The Planning Commission has a choice to continue the hearing in its entirety to February 11, 2020 or the Commission can close the hearing but keep the record open for written testimony. Doughman prefers closing the hearing and keeping the written record open.

Commissioner Carlton asked about the variance that would be required in relation to having houses face the park. Does that variance need to be addressed now? O'Neill stated the code diagram could be subjective, but the Planning Commission could pose a condition that the houses along the park must face the park. Doughman doesn't think the park has to be surrounded by streets and houses on all sides of the park. The Planning Commission can condition that if the UGB expansion occurs and the park is dedicated then the

houses would have to face the parkland.

Applicant Rebuttal:

Attorney Robinson stated they're glad the public came out and he didn't mean to threaten to sue the City. Their intent is to comply with the law and find a way to get this done. Robinson doesn't think the park would be subject to code standards because it's part of the UGB expansion. Robinson wants to keep the written record open. Needed housing is not just affordable housing. City traffic engineer Replinger's comments reach the same conclusion as the applicant's traffic engineer. Robinson cited Patterson vs. City of Bend case law stating the TSP doesn't have to be adhered to if specific standards are not in the municipal code. The applicant accepts condition G.1. The need for the 30th house is so there's enough generation of revenue to get Gunderson Road started. Gunderson Road will be 30 percent cheaper if they construct it than if the City does. The applicant is trying to get parkland as part of the UGB expansion. They will address drainage in a written response. They will try to provide more information on the Gunderson Road proposal.

O'Neill stated the Clackamas County staff person for UGB expansion is Glen Hamburg. O'Neill will testify on behalf of the applicant and neighbors in support of the UGB expansion for Gunderson Road and the parkland.

Discussion:

The Planning Commission decided to close the public hearing. Commissioner Crosby gave the Planning Commission members one final chance to ask the applicant questions as the hearing will be closed.

Motion: Motion to close the public hearing at 9:15 p.m.

Moved By: Commissioner Carlton

Seconded By: Commissioner Mayton

Yes votes: Carlton, Lesowski, Maclean-Wenzel, Crosby, Logan, and Mayton

No votes: None

Abstentions: None

The motion passed at 9:15 p.m.

Motion: Keep the public record open for 7 days (ends January 30, 2020 at 5 pm, anyone can submit written evidence), followed by a 7 day response period (ends February 6, 2020 at 5pm, responses to issues brought up during first 7 days, but no new issues). Applicant waives right of rebuttal.

Moved By: Commissioner Lesowski

Seconded By: Commissioner Maclean-Wenzel

Yes votes: All Ayes
No votes: None
Abstentions: None
The motion passed at 9:17 p.m.

6. Items from Commission and Staff

O'Neill went over upcoming meetings. The March date will be the 30th, not the 23rd. City Council goal setting was last week. They have a new planning goal related to economic development. New associate planner Shelley starts on February 10. Commissioner Crosby asked when a quorum is established, before or after recusal. City Attorney Doughman will need to look into it. Crosby requested a taller microphone for the public podium. Lesowski asked about a newspaper article that alluded to making adjustments to Sandy Style. O'Neill stated that staff will be evaluating small code modifications to Sandy Style in 2020. Mobley asked about the status of the TSP update. O'Neill stated he would provide a TSP update at a future meeting.

7. Adjourn

Motion: To adjourn
Moved By: Commissioner Lesowski
Seconded By: Commissioner Logan
Yes votes: All Ayes
No votes: None
Abstentions: None
The motion passed.

Chairman Crosby adjourned the meeting at 9:35 p.m.



Chair, Jerry Crosby

Planning Commission
January 23, 2020



Planning Director, Kelly O'Neill Jr

Draft



Staff Report

Meeting Date: February 11, 2020

From Kelly O'Neill, Development Services Director

SUBJECT: 19-023 SUB/VAR/TREE Bailey Meadows Subdivision (Feb. 11th)

Background:

At the January 23, 2020 public hearing the City Attorney, David Doughman, explained the applicant's request to have the record remain open. Since the applicant did not present at the December 17, 2019 meeting Mr. Doughman recommended the Planning Commission treat January 23, 2020 as the first evidentiary hearing. Following the January 23, 2020 meeting, there was a 7-day period where anyone could submit testimony into the record. The City called this first 7-day period Open Record Period #1. This was followed by a second 7-day period for anyone to submit testimony in response to anything submitted in the first 7 days. The City called this second 7-day period Open Record Period #2. Typically, there is a third 7-day period solely for the applicant, but given the time frame, the applicant waived the right to final argument. The Planning Commission decided in light of the open record periods they would reconvene on February 11, 2020 to deliberate amongst themselves with staff and City Attorney input, but no additional public or applicant testimony would be heard.

Open Record Period #1 ended on January 30, 2020 at 5:00 PM. The City posted all materials from Open Record Period #1 on the City of Sandy website on January 31, 2020.

Open Record Period #2 ended on February 6, 2020 at 5:00 PM. The City posted all materials from Open Record Period #2 on the City of Sandy website on February 7, 2020.

The decision by the Planning Commission will become the final decision on this land use matter unless the applicant or someone from the public appeals the decision to City Council. If someone wishes to appeal the decision to City Council that party will have 12 days from the issuance of the decision.

Revised February 7, 2020 (new text in red and removed text in ~~black strikethrough~~)
This is a revision from the January 17, 2020 staff report as reviewed at the January 23, 2020 Planning Commission meeting.

**REVISED STAFF REPORT
PLANNING COMMISSION
TYPE III LAND DIVISION DECISION**

DATE: February 7, 2020 ~~January 17, 2020~~

FILE NO.: 19-023 SUB/TREE

PROJECT NAME: Bailey Meadows Subdivision

OWNER/APPLICANT: Allied Homes & Development

LEGAL DESCRIPTION: T2S R4E Section 23 Tax Lots 800, 801, 802, 803, 804

The above-referenced proposal was reviewed as a Type III Subdivision and Type II Tree Removal Permit. The following Findings of Fact are adopted supporting denial of the Tentative Plat in accordance with Chapter 17 of the Sandy Municipal Code.

EXHIBITS:

Applicant's Submittals

- A. Land Use Application Form
- B. Narrative
- C. Project Plan Set
 - Sheet P1-01: Cover Sheet with Site & Vicinity Maps & Legend
 - Sheet P1-02: Preliminary Existing Conditions Plan
 - Sheet P1-03: Preliminary Existing Conditions Plan
 - Sheet P1-04: Preliminary Subdivision Plat with Future Building Setbacks
 - Sheet P1-05: Preliminary Grading & Erosion & Sediment Control Plan
 - Sheet P1-06: Preliminary Grading & Erosion & Sediment Control Plan
 - Sheet P1-07: Preliminary Composite Utility Plan
 - Sheet P1-08: Preliminary Composite Utility Plan
 - Sheet P1-09: Preliminary Street Plan
 - Sheet P1-10: Preliminary Street Plan
 - Sheet P1-11: Preliminary Street Cross Sections & Profiles
 - Sheet P1-12: Preliminary Street Profiles
 - Sheet P1-13: Preliminary Street Profiles
 - Sheet P1-14: Preliminary Street Profiles
 - Sheet P1-15: Conceptual Future Street Plan

- Sheet P1-16: Preliminary Tree Preservation & Removal Plan & Arborist Report
 - Sheet P1-17: Preliminary Tree Preservation & Removal Plan & Arborist Report
 - Sheet P1-18: Preliminary Tree Preservation & Removal Table & Arborist Report
 - Sheet P1-19: Preliminary Tree Preservation & Removal Table & Arborist Report
 - Sheet P1-20: Preliminary Demolition Plan
 - Sheet P1-21: Preliminary Demolition Plan
 - Sheet P1-22: Preliminary Street Tree and Stormwater Screening Planting Plan
 - Sheet P1-23: Preliminary Landscape Notes and Details
 - Sheet P1-24: Preliminary Parking Plan
 - Sheet P1-25: Preliminary Emergency Vehicle Access Plan
 - Sheet P1-26: Preliminary Emergency Vehicle Access Plan
- D. Conceptual Connectivity Plan
- E. Preliminary Numbered Parking Plan
- F. Traffic Impact Analysis
- G. Preliminary Stormwater Report
- H. Flood & Slope Hazard (FSH) Analysis
- I. Geotechnical Engineering Report
- J. Letter from Michael Robinson (July 2, 2019)
- K. Mailing Labels
- L. Applicant Submittal Checklist
- M. Warranty Deed
- N. Clackamas County Assessor's Map
- O. Documentation of Plat Name Reservation
- P. Letter from Michael Robinson with Exhibits (August 20, 2019)
- Q. 120 Day Extension Letter (October 15, 2019)
- R. Letter from Michael Robinson (November 21, 2019)
- S. Updated Sheet P1-04 (Plan Dated November 15, 2019)
- T. Updated Sheet P1-15 (Plan Dated November 21, 2019)
- U. Updated Narrative (November 21, 2019)
- V. Gunderson Extension Exhibit from Todd Mobley (November 22, 2019)
- W. Letter from Michael Robinson with Exhibits (November 25, 2019)
- X. Trip Distribution with Gunderson Road Email from Todd Mobley (December 5, 2019)

Agency Comments Received Prior to November 2019 Updated Submittal

- Y. City Engineer (September 27, 2019)
- Z. PGE (September 18, 2019)
- AA. ODOT (October 4, 2019)
- BB. Parks and Trails Advisory Board (October 9, 2019)
- CC. ODOT Design Speed Email (November 19, 2019)

Public Comments Received Prior to November 2019 Updated Submittal

- DD. Paul and Jolette Owen, 37189 Rachael Drive (September 14, 2019)
- EE. Paul Savage, 37506 Rachael Drive (September 26, 2019)
- FF. Sarah Bettey, 18195 Melissa Avenue (September 26, 2019)
- GG. Tiffany Harris, Rachael Drive (September 27, 2019)
- HH. Todd Cooper, 18190 Melissa Avenue (September 27, 2019)

- II. Tom Newell, 18007 Rachael Drive (September 27, 2019)
- JJ. Cary Mallon, corner of Melissa Avenue and Rachael Drive (September 28, 2019)
- KK. Lonnie McVey, No address provided (September 28, 2019)
- LL. John and Carol Dick, 18255 Grey Avenue (September 29, 2019)
- MM. Marilyn and Treena Siewell, No address provided (October 1, 2019)
- NN. Marguerite Wadkins, 18291 Myra Court (October 1, 2019)
- OO. Doris E. Rooney, 37214 Rachael Drive (October 1, 2019)
- PP. Susan Hebb, Reich Court and Dubarko Road (October 1, 2019)
- QQ. Dawn and Jordan Allen, Melissa Avenue (October 1, 2019)
- RR. Dave Meeker, 18198 Grey Avenue (October 1, 2019)
- SS. Carol Hassebroek, 39400 SE Trubel Road (October 1, 2019)
- TT. Karen Higgins, 37487 Rachael Drive (October 2, 2019)
- UU. The Molcany Family, Wewer Avenue (October 2, 2019)
- VV. Esther Naomi Quick, 18214 Grey Avenue (October 2, 2019)
- WW. Edith Newton, 18246 Grey Avenue (October 2, 2019)
- XX. Lori Graham, 37322 Rachael Drive (October 3, 2019)
- YY. Jeff Conder, 36345 Dubarko Road (October 3, 2019)
- ZZ. Belus and Juanita Schonek, 18102 Wewer Avenue (October 3, 2019)
- AAA. Danielle and Oliver Mullon, Myra Court (October 3, 2019)
- BBB. Corri Baldwin, 37524 Rachael Drive (October 3, 2019)
- CCC. Mike Schell, 37524 Rachael Drive (October 3, 2019)
- DDD. Ashley Parrish, 37356 Rachael Drive (October 3, 2019)
- EEE. Guimar and James DeVaere, 18176 Rachael Drive (October 3, 2019)
- FFF. Erin Findlay, 37616 Rachael Drive (October 3, 2019)
- GGG. Krista and Gabriel Stone, 18111 Rachael Drive (October 4, 2019)
- HHH. Faith Egli, 37708 Rachael Drive (October 4, 2019)
- III. Tim Sellin, 18256 Melissa Avenue (October 4, 2019)
- JJJ. Nicole Sellin, 18256 Melissa Avenue (October 4, 2019)
- KKK. Barbara Coutts, 37265 Solso Drive (October 4, 2019)
- LLL. Roberta (Shelly) Evett, 18192 Rachael Drive (October 4, 2019)
- MMM. Laura Kvamme, 37438 Rachael Drive (October 11, 2019)
- NNN. Kelli Acord, 36366 Industrial Way Ste B (October 18, 2019)
- OOO. Elizabeth A. (Libby) Burke, 37412 Rachael Drive (October 20, 2019)
- PPP. Brad Robison, 37412 Rachael Drive (October 20, 2019)
- QQQ. Laurie Gilbert, 18392 SE 370th Avenue (November 4, 2019)

Agency Comments Received After November 2019 Updated Submittal

- RRR. ODOT (December 17, 2019)
- SSS. ODOT (January 15, 2020)
- TTT. Public Works Director (*placeholder for comments*)
- UUU. City Transportation Engineer (**January 20, 2020**) (*placeholder for comments*)

Public Comments Received After November 2019 Updated Submittal

- VVV. Sarah Bettey, 18195 Melissa Avenue (December 11, 2019)
- WWW. Les and Kathy Geren, 37721 SE Ponder Lane (December 12, 2019)
- XXX. Gigi Duncan, 18275 Rachael Drive (December 14, 2019)

YYY. Tom Newell, 18007 Rachael Drive (December 17, 2019)
ZZZ. Barnes Family, Rachael Drive (December 17, 2019)
AAAA. Kathleen Walker, 15920 Bluff Road (December 17, 2019)

Documents Submitted at the December 17, 2019 Planning Commission Hearing

BBBB. Letter on behalf of the Parks and Trails Advisory Board

Additional Documents Submitted from the Applicant

CCCC. Continuance Request and second 120 Day Extension Letter (December 17, 2019)
DDDD. Addendum to Traffic Impact Analysis for UGB Expansion
EEEE. Land Use Application – File No. 20-002 UGB (January 7, 2020)
FFFF. Land Use Application – File No. 20-001 ANN/CPA/ZC (January 7, 2020)
GGGG. Bailey Meadow letter response to Curran-Mcleod (January 13, 2019)

Staff Report from December 17, 2019 Planning Commission Hearing

HHHH. Staff Report from December 17, 2019

Additional Public Comments

III. Les and Kathy Geren, 37721 Ponder Lane (January 16, 2020)
JJJ. Melissa and Brian Crosswhite (January 20, 2020)
KKKK. Emily Sheldon (January 22, 2020)
LLLL. Kathleen Walker, 15920 Bluff Road (January 23, 2020)

Additional Comment from Applicant

MMMM. Email from Michael Robinson (January 23, 2020)

Public Testimony – Open Record Period #1 (January 24, 2020 – January 30, 2020 at 5:00 p.m.)

NNNN. Marie Debatty (January 27, 2020)
OOOO. Karen Higgins (January 27, 2020)
PPPP. Erin Findlay, 37616 Rachael Drive (January 27, 2020)
QQQQ. Tom Newell (January 27, 2020)
RRRR. Cary Mallon (January 28, 2020)
SSSS. Les and Kathy Geren, 37721 SE Ponder Lane (January 29, 2020)
TTTT. Robert Mottice (January 28, 2020)
UUUU. Paul Savage, 37506 Rachael Drive (January 28, 2020)
VVVV. Marguerite Wadkins (January 28, 2020)
WWWW. Sarah Bettey, 18195 Melissa Avenue (January 29, 2020)
XXXX. Paul Savage, 37506 Rachael Drive (January 29, 2020)
YYYY. Corri Schell, 37524 Rachael Drive (January 29, 2020)
ZZZZ. Mike Schell, 37524 Rachael Drive (January 29, 2020)
AAAAA. Cary Mallon (January 29, 2020)
BBBBB. Gretchen M. Benson (January 29, 2020)
CCCCC. Marilyn Siewell (January 29, 2020)
DDDDD. Treena L. Siewell (January 29, 2020)
EEEEE. Karen Higgins (January 29, 2020)
FFFFF. Matt Smith (January 29, 2020)

GGGGG. Ryan Tatlock (January 29, 2020)
HHHHH. Melissa Thompson (January 29, 2020)
IIIII. Olga M. Gergberg (January 29, 2020)
JJJJJ. Marguerite Wadkins (January 29, 2020)
KKKKK. Carol Cohen (January 29, 2020)
LLLLL. Gigi Duncan, 18275 Rachael Drive (January 30, 2020)
MMMMM. Melissa and Brian Crosswhite (January 30, 2020)
NNNNN. Bryan Weiz (January 30, 2020)
OOOOO. Jamie Weiz (January 30, 2020)
PPPPP. Erin Findlay (January 30, 2020)
QQQQQ. Emily Sheldon (January 30, 2020)
RRRRR. Kathleen Walker (January 30, 2020)
SSSSS. Tim Sellin, 18256 Melissa Avenue (January 30, 2020)
TTTTT. Richard Sheldon (January 30, 2020)
UUUUU. Laura Kvamme, 37438 Rachael Drive (January 30, 2020)
VVVVV. Martin and Nicole Van Wagner (January 30, 2020)
WWWWW. Guimar DeVaere, 18176 Rachael Drive (January 30, 2020)

Applicant Submittal – Open Record Period #1

XXXXX. Letter from AKS Engineering and Forestry (January 29, 2020)
YYYYY. Letter from Michael Robinson (January 30, 2020)

Memorandum from City Attorney’s Office – Open Record Period #1

ZZZZZ. Memorandum from David Doughman, City Attorney’s Office (January 30, 2020)

Public Testimony – Open Record Period #2 (January 31, 2020 – February 6, 2020 at 5:00 p.m.)

AAAAA. Makoto Lane, 37828 Rachael Drive (February 3, 2020)
BBBBB. Kathleen Walker, 15920 Bluff Road (February 6, 2020)
CCCCC. Emily Sheldon (February 6, 2020)

Applicant Submittal – Open Record Period #2

DDDDD. Letter from Michael Robinson (February 6, 2020)

Memorandum from City Attorney’s Office – Open Record Period #2

EEEEEE. Memorandum from David Doughman, City Attorney’s Office (February 6, 2020)

Memorandum from Public Works Director – Open Record Period #2

FFFFFF. Memorandum from Mike Walker, Public Works Director (February 6, 2020)

Additional Information from City Staff

GGGGGG. Modified Conditions List
HHHHHH. Staff Report from January 23, 2020
IIIII. Planning Commission minutes for December 17, 2019
JJJJJ. Draft Planning Commission minutes for January 23, 2020

FINDINGS OF FACT

General

1. Allied Homes & Development submitted an application to subdivide 23.42 acres into a 100-lot residential subdivision. The 100 proposed lots vary in size from 7,500 to 8,659 square feet. The proposal also includes a 22,521 square foot stormwater detention tract. The proposed development includes removal of trees to accommodate the extension and/or construction of rights-of-way. There are no existing structures on the subject property. The application as originally submitted proposed to rely solely on using Melissa Avenue in the Nicolas Glen subdivision to access the 100 lots in this subdivision.
2. The city received the application on July 5, 2019 and notified the applicant that it was incomplete. The applicant responded with a letter and additional submittal items that the city received on August 22, 2019. Under state law, the application was deemed complete on August 22, 2019 because the applicant provided some information in response to the incompleteness notice and stated that it would provide no additional information.
3. The subject site consists of five lots with a total area of approximately 23.42 acres. The site is located north of Highway 211, south of Rachael Drive, and west of Ponder Lane.
4. The parcel has a Plan Map designation of Low Density Residential and Zoning Map designation of SFR, Single Family Residential.
5. According to the applicant, the 100 proposed lots will add approximately 944 vehicle trips each weekday to Melissa Avenue. In discussions with the applicant, both during the pre-application stage and after the application was submitted, staff expressed concerns about having only one access into Bailey Meadows via Melissa Avenue.
6. One challenge in providing a second access into the proposed subdivision is the location of the subject property relative to the city's urban growth boundary ("UGB"). The city has a road identified in its transportation system plan ("TSP") that would serve as a second way to access Bailey Meadows. That road ("Gunderson Road") could connect the southern portion of the subdivision with Highway 211, as the TSP generally envisions. However, the connection from the subject property to Highway 211 would occur outside of the city's UGB. State law would only allow Gunderson Road to be built if it were either: (a) in the city's UGB; or (b) Clackamas County approved an "exception" in accordance with state law that would allow the road to be built on rural land outside the UGB.
7. Initially, during the pre-application period, the applicant considered filing an exception application with Clackamas County to extend Gunderson Road. However, senior planning staff at the county were not supportive of an exception. The applicant elaborated on the exception in more detail on page 3 of its August 20, 2019 letter to city staff (Exhibit P). After concluding that an exception would likely not be approved, the applicant submitted the Bailey Meadows land use application to City staff and proposed relying solely on Melissa Avenue for access to the subdivision. As discussed further in Exhibit P, the applicant asserts that state law prohibits the city from denying the application for only proposing one access point from Melissa Avenue.

8. After the application was deemed complete, the applicant chose to hold a neighborhood meeting regarding the proposed subdivision, which occurred on September 18, 2019 at the Sandy library. Subsequent to that meeting, on September 26, the applicant, its representatives and its attorney met with city staff and the city attorney to discuss issues related to the application. The parties discussed the impacts to Melissa Avenue and the residents of Nicolas Glen if a second access was not provided. At the conclusion of that meeting, the applicant agreed to explore a UGB expansion that would, if approved, permit the construction of Gunderson Road and provide a second access into and out of the proposed subdivision.
9. Ideally, a UGB expansion and the specifics of how Gunderson Road could be built and financed would occur prior to considering the subdivision application. However, this approach does not work for the applicant. Instead, the applicant is proposing that the city impose a condition of approval on its subdivision application that would require the applicant to seek, in a subsequent application process, an expansion of the UGB to allow the applicant to construct Gunderson Road, subject to certain contingencies. The applicant summarizes this proposal in a November 25, 2019 letter to the city (Exhibit W).
10. The specific details of the second access intersecting with Highway 211 are still being defined by the City of Sandy, the Oregon Department of Transportation (“ODOT”), and the applicant. The city, the county, the Oregon Department of Land Conservation and Development (“DLCD”) and ODOT have discussed the concept of a possible UGB expansion to accommodate a Gunderson Road connection. While the county had some procedural questions, these agencies have not expressed opposition to the concept and DLCD understood the justification for it. The land to be added to the UGB, and upon which Gunderson Road would be built, is under the control of the applicant. The amount of land added to the UGB would essentially be limited to the right-of-way necessary to accommodate constructing Gunderson Road from the subdivision to Highway 211 in accordance with the city’s right-of-way standards for a minor arterial road. The basis for adding the land to the UGB would be to satisfy an unmet need for a transportation facility and it would not justify any other type of development (e.g. additional housing or commercial development). On January 7, the applicant submitted a UGB expansion application to the city to accommodate Gunderson Road. The city would need to hold at least two hearings on the proposed UGB expansion – one before the planning commission and one before the city council. If approved, the county would also need to hold hearings to amend its comprehensive plan map to account for the change to Sandy’s UGB. The applicant has also submitted a concurrent application to Clackamas County, which would hold its hearings in March if the application to the city is approved.
11. The Planning Commission hearing was originally scheduled to be held on October 28, 2019. The applicant agreed to postpone the original hearing to a later date to consider a second access into the proposed subdivision. The original 120-day deadline was December 20, 2019. On October 15, 2019 the City of Sandy received a notice from the applicant’s attorney granting an extension of the 120-day clock to February 8, 2020 (Exhibit Q). On December 17, 2019 the City of Sandy received a notice from the applicant’s attorney requesting to continue the initial evidentiary hearing and granting an extension of the 120-day clock to March 31, 2020 (Exhibit CCCC).

12. Notification of the proposal was originally mailed to property owners within 500 feet of the subject property and to affected agencies on September 12, 2019 regarding the October 28, 2019 public hearing. On October 16, 2019 a notice was mailed to property owners within 500 feet of the subject property stating that the October 28, 2019 meeting was cancelled. On November 27, 2019 notification of the revised proposal was mailed to property owners within 500 feet of the subject property and a legal notice was published in the Sandy Post on December 4, 2019 regarding the rescheduled public hearing on December 17, 2019.
13. Agency comments were initially received from the City Engineer, PGE, the Parks and Trails Advisory Board, and ODOT. On November 21, 2019, the applicant submitted updated materials to city staff (Exhibits R-U). On November 25, 2019, the applicant through its legal counsel clarified its intention to seek a UGB expansion to allow a Gunderson Road connection, subject to certain conditions (Exhibit W). On December 5, 2019, the applicant's traffic consultant submitted a memo (Exhibit X) that outlines anticipated changes in trip distributions from the subdivision if Gunderson Road were built and connected to Highway 211. ODOT submitted a revised comment on January 15, 2020.
14. Forty written comments were received prior to the November 2019 as listed in Exhibits DD. through QQQ. Six additional written comments were received, Exhibits VVV. through AAAA., between publication of the December 17, 2019 staff report on December 10, 2019 and the start of the public hearing on December 17, 2019 at 7:00 PM.
15. One additional public comment was received between the December 17, 2019 public hearing and the publication of this staff report. The public comment is Exhibit IIII. This public comment speaks to Ponder Lane access and a seasonal spring along Ponder Lane.
16. The Planning Commission heard an abbreviated version of the request from staff and the applicant at a public hearing on December 17, 2019. At the hearing, the Planning Commission heard public testimony and granted the applicant their requested continuance. The Planning Commission granted the continuance to January 23, 2020.
17. The following individuals spoke at the December 17, 2019 public hearing:
 - Applicant and Applicant Representatives:
 - Michael Robinson
 - Public:

<ul style="list-style-type: none"> ▪ Tony Profit ▪ Makoto Lane ▪ Richard Sheldon ▪ Cary Mallon ▪ Kathleen Walker ▪ Gigi Duncan ▪ Erin Findlay ▪ Don Robertson ▪ Tim Sellin ▪ Marie DeBatty 	<ul style="list-style-type: none"> ▪ Mike Schell ▪ Laura Kvamme ▪ Kelli Acord ▪ Carol Cohen ▪ Mark Miller ▪ Robert Fisher ▪ Brad Robison ▪ Les Geren ▪ Calvin McKiness
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18. The following individuals spoke at the January 23, 2020 public hearing:

Applicant and Applicant Representatives:

- Michael Robinson
- Chris Goodell

Public:

- | | |
|-------------------|------------------|
| ▪ Makoto Lane | ▪ Kelly Whitlock |
| ▪ Erin Findlay | ▪ Gigi Duncan |
| ▪ Kathleen Walker | ▪ Laura Kvamme |
| ▪ Carol Cohen | ▪ Brad Robison |

19. At the January 23, 2020 public hearing the City Attorney, David Doughman, explained the applicant's request to have the record remain open. Since the applicant did not present at the December 17, 2019 meeting Mr. Doughman recommended the Planning Commission treat January 23, 2020 as the first evidentiary hearing. Following the January 23, 2020 meeting, there was a 7-day period where anyone could submit testimony into the record. The City called this first 7-day period Open Record Period #1. This was followed by a second 7-day period for anyone to submit testimony in response to anything submitted in the first 7 days. The City called this second 7-day period Open Record Period #2. Typically, there is a third 7-day period solely for the applicant, but given the time frame, the applicant waived the right to final argument. The Planning Commission decided in light of the open record periods they would reconvene on February 11, 2020 to deliberate amongst themselves with staff and City Attorney input, but no additional public or applicant testimony would be heard.

20. Open Record Period #1 ended on January 30, 2020 at 5:00 PM. The City posted all materials from Open Record Period #1 on the City of Sandy website on January 31, 2020.

21. Open Record Period #2 ended on February 6, 2020 at 5:00 PM. The City posted all materials from Open Record Period #2 on the City of Sandy website on February 7, 2020.

17.30 – Zoning Districts

22. The area proposed for Gunderson Road and future parkland (tax lot 701) were is not analyzed for density as the land is outside the UGB and is not permitted to include buildable lots.

23. Section 17.30.20 contains requirements for residential density calculations. The total gross acreage for the entire property inside the existing UGB is 23.42 acres. The proposal contains 5.21 acres of area dedicated for public right-of-way and 0.55 acres dedicated for public tracts (Tracts A and B) for the property inside the existing UGB. After removal of the right-of-way and public tracts the net site area for the subject property is reduced to 17.66 acres of net site area (NSA). The subject property does not contain any restricted development areas. Based on required density, the SFR land requires a minimum of 53 dwelling units (17.66 NSA x 3). The maximum allowed dwelling units is 102 (17.66 NSA x 5.8). The proposed 100 dwelling units are within the allowable density range and therefore meet the density requirement.

17.34 – SFR Single Family Residential Zoning District

24. The applicant proposes 100 single family detached dwellings in conformance with minimum and maximum density requirements, as detailed above in the analysis for Chapter 17.30.

25. Section 17.34.10 lists single family detached dwellings as a permitted use. The proposed subdivision includes 100 lots for single family detached dwellings. **All homes shall provide building design features in compliance with the standards in Section 17.90.150.**
26. The proposed lots range in size from 7,500 square feet to 9,706 square feet. **All homes shall meet the development standards of Section 17.34.30.**
27. Section 17.34.40 contains minimum requirements for development. All lots will be required to connect to City services. The applicant is also required to extend utilities to the furthest extent of the subject property.

17.80 – Additional Setbacks on Collector and Arterial Streets

29. Section 17.80.10 specifies additional setbacks for structures constructed adjacent to collector and arterial streets. The applicant is proposing to construct Gunderson Road from the southern boundary of the site to an intersection with Highway 211, but not construct the portion of Gunderson Road along Lots 55-59. Gunderson Road is classified as a minor arterial and therefore requires all lots along its right-of-way to meet the requirements of Chapter 17.80. Based on the applicant's updated proposal (Exhibit W), five of the proposed lots (Lots 55-59) will contain frontage on Gunderson Road. **All structures shall maintain a minimum 20-foot setback from the Gunderson Road public right-of-way.** The Preliminary Plat (Exhibit C, Sheet P1-04) depicts building envelopes at 20 feet from the Gunderson Road right-of-way.

17.82 – Special Setbacks on Transit Streets

30. Section 17.82.20 contains standards for building orientation on transit streets. Gunderson Road is a designated transit street. While the portion of Gunderson Road along Lots 55-59 may not have public improvements completed in conjunction with Bailey Meadows, Gunderson Road will eventually be extended along the southern edge of Lots 55-59. This is consistent with the TSP, which details Gunderson Road along the southern edge of the subject property. This is also consistent with the applicant's updated proposal (Exhibit W), which shows Lots 55-59 will ultimately have frontage on Gunderson Road. Staff asked the applicant whether they wanted to apply for a Special Variance to the requirements of Section 17.82.20 to allow the front door for the houses on lots along Gunderson Road to face the internal street network instead of Gunderson Road, which is a designated transit street. The applicant stated they did not want to apply for the variance. **The applicant shall update the Plan Set to detail the front door of the houses on Lots 55-59 to face Gunderson Road. The primary entrance shall connect directly to Gunderson Road via a pedestrian route per Section 17.82.20.**

17.84 – Improvements Required with Development

31. Section 17.84.20 contains requirements for the timing of improvements. Submission of preliminary street and utility plans during the land use review process is solely for compliance with the data requirements of Section 17.100.60 (D). **Public improvement plans are subject to a separate review and approval process. Preliminary plat approval does not connote approval of public improvement construction plans.** The applicant is proposing a phasing plan with this application. The applicant is proposing three phases and the submitted narrative (Exhibit B) states that improvements are planned to be phased with the approved plans.

32. Section 17.84.30 requires sidewalks along all public streets. Section 17.84.30(B) requires pedestrian and bicyclist facilities to minimize travel distance between residential areas, planned developments and parks. Sidewalks abutting the proposed lots shall be constructed in association with development of the lots. **The applicant shall construct sidewalks along Tract A both on Ponder Lane and Street B, prior to final plat approval. The sidewalks on local streets shall be five feet in width and separated by a five foot wide planter strip (or 6 foot wide swale) in areas not transverse by driveways.** The applicant is not proposing to construct any portion of Gunderson Road on the subject property. Based on the November 2019 updated submittal, the applicant is proposing that the portion of Gunderson Road along the southern property line would be entirely located on the property to the south rather than split across the property line. The City Engineer (Exhibit Y) submitted the following comment based on the original submittal: “Melissa Avenue is classified in the City of Sandy Transportation System Plan (TSP), figure 5, as a local street and is proposed to be the only access to this development. Currently, the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glen No. 2 is 2,490 trips. The traffic volumes increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1,000 ADT. The projected capacity exceeds the preferred capacity limitations. We are also concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case an evacuation is needed. A review by the Fire Department is needed to confirm whether an additional emergency access is needed or not. However, we recommend as a minimum a temporary/ emergency access to Hwy 211.” Additional access for emergency vehicles would exist if the applicant extends Gunderson Road as proposed in the updated November 2019 submittal.
33. With the applicant’s updated submittal in November 2019, the applicant is proposing a pedestrian tract (Tract B) to connect the proposed subdivision to future development to the west. **The applicant shall construct the pedestrian tract (Tract B) improvements prior to final plat approval. Pedestrian scale lighting connected to the street light circuit shall be provided in the pedestrian easement. The Tract B walkway shall be conveyed to the City on the Final Plat. The walkway within the tract shall be constructed of concrete at 8 feet in width with a 7 foot wide area for trees and landscaping. The applicant shall install bollards at the east end of the tract to restrict vehicles from accessing the tract.**
34. Section 17.84.30(C) states that where a development site is traversed by or adjacent to a future trail linkage identified within the Transportation System Plan, improvement of the trail linkage shall occur concurrent with development. Dedication of the trail to the City shall be provided in accordance with 17.84.80. The City’s current TSP maps were created with the former UGB boundaries (pre-June 2017) and did not include the subject property that was brought into the revised UGB boundaries. Therefore, there are no trail linkages identified in the TSP for this property.
35. Section 17.84.40 contains standards for public transit and school bus transit. The Transit Director did not comment on the application. Transit amenities are not required.

36. Section 17.84.50 contains standards for street improvements and traffic evaluations. The initial Traffic Impact Analysis (Exhibit F) was completed by Lancaster Engineering and is dated June 20, 2019. The traffic assumptions are based on the 10th Edition Trip Generation handbook. The analysis is based on the construction of 100 single-family homes. The trip rates indicate that upon full occupancy the subdivision will generate about 74 trips during the morning peak hour and 99 trips during the evening peak hour, with a weekday total of 944 trips. The study looked at four intersections: SE 362nd Drive at Dubarko Road, Ruben Lane at Dubarko Road, Dubarko Road at Melissa Avenue, and Dubarko Road at Bluff Road. The study found that all study intersections are operating acceptably per City of Sandy performance standards and are projected to continue operating acceptably through year 2022, with or without the addition of site trips from the proposed development. The Traffic Impact analysis concludes that no significant safety issues or trends are evident at the study intersections, traffic signal warrants were not met at the study intersections under all analysis scenarios and left-turn warrants are not estimated to be met under any analysis scenario. The study also did not look at the intersection of Melissa Avenue and Rachael Drive. Based on the applicant's updated November 2019 submittal and the proposal to extend Gunderson, the applicant submitted a revised traffic analysis with its UGB expansion application. The revised analysis finds that with the addition of Gunderson Road, it would capture 40 percent of new trips from Bailey Meadows and 30 percent of existing trips from Melissa Avenue. According to the revised traffic analysis, the addition of Gunderson Road would result in a total daily volume of 1378 trips for Melissa Avenue. As of the date of this report, the updated traffic analysis is being reviewed by the city's consulting traffic engineer.

The City Engineer (Exhibit Y) reviewed the original Traffic Impact Analysis and noted the following: "The study doesn't identify any concerns as a result of this development." Although the TIA itself didn't identify concerns, the City Engineer cited concerns regarding further deterioration of Melissa Avenue, as well as the detrimental effect that increased traffic volumes through one access would have on overall life and safety.

37. Section 17.84.50(B) contains the spacing standards for new arterial streets. The proposed subdivision boundaries do not include any new arterial or collector streets on the subject property; however, the applicant is proposing to construct a portion of Gunderson Road on the property to the south. Gunderson Road is defined as a minor arterial in the transportation system plan.
38. Section 17.84.50(C) requires local streets to be designed to discourage through traffic and requires cul-de-sacs to not exceed 400 feet in length nor serve more than 20 dwelling units. The proposal includes a knuckle but does not include any cul-de-sacs.
39. Section 17.84.50(D) requires development sites to provide access from a public street improved to City standards. The proposed street network and improvements generally comply with City standards. There are eight local streets inside the proposed subdivision requiring the improvements listed below.
40. Ponder Lane north/south: Ponder Lane north/south requires half-street improvements including 14 feet of asphalt, concrete curbs, 5-foot wide sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. **The applicant shall install bollards along**

the east terminus of Street B, Ponder Lane east/west, Street C, and Street D. The applicant shall also install ‘no parking’ signs along the full length of Ponder Lane north/south at a spacing as determined during construction plan review.

41. Ponder Lane east/west: Ponder Lane east/west requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Ponder Lane east/west ending before the development site boundary. **The applicant shall extend the street improvements on Ponder Lane east/west to the east and west line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.**
42. Street A: Street A requires full-street construction to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. Staff requested the applicant remove the proposed knuckle and extend Street A to the west to allow for future street connection. Rather than extend the entirety of Street A to the property to the west, the applicant is proposing to install a pedestrian tract (Tract B) between Lots 10 and 11 (Exhibit S). Staff is satisfied with this proposed improvement, which will improve the future bicycle and pedestrian connectivity of the area. **The applicant shall construct the pedestrian tract (Tract B) improvements prior to final plat approval.** The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street A ending before the development site boundary. Section 17.84.50(E) requires extension of street improvements “to the edge of adjacent properties.” **The applicant shall extend the street improvements on Street A to the east property line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.**
43. Melissa Avenue: Melissa Avenue requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strip, street trees, ADA ramps, and public utilities. **The applicant shall install the required local street improvements north of the property boundary to connect to the existing Melissa Avenue stub.** Based on feedback from the residents in the Nichols Glen neighborhood there is concern with accidents at the intersection of Melissa Avenue and Rachael Drive. A stop sign already exists at the intersection of Melissa Avenue and Rachael Drive for southbound traffic on Melissa Avenue. Upon further analysis, staff finds that an additional stop sign could help reduce potential conflicts. A stop sign should also be installed for northbound travel on Melissa Avenue. **The applicant shall install a stop sign at the intersection of Melissa Avenue and Rachael Drive for northbound traffic.**
44. Street B: Street B requires full-street improvements to local standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street B ending before the development site boundary. **The applicant shall extend the street improvements on Street B to the east and west lines of the development**

site and obtain slope easements or construct retaining walls as necessary to comply with this section of the development code.

45. Avenue 1: Avenue 1 requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities.
46. Avenue 2: Avenue 2 requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Avenue 2 ending before the development site boundary. **The applicant shall extend the street improvements on Avenue 2 to connect with Gunderson Road on the property to the south.**
47. Street C: Street C requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street C ending before the development site boundary. **The applicant shall extend the street improvements on Street C to the east and west line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.**
48. Street D: Street D requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street D ending before the development site boundary. **The applicant shall extend the street improvements on Street D to the east and west line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.**
49. Gunderson Road: Subject to a UGB approval, the applicant will dedicate right-of-way to accommodate the eventual construction of Gunderson Road to a minor arterial standard, consistent with page 4, Exhibit W. Dedication of right-of-way to the City of Sandy for Gunderson Road shall include the intersection connection to Highway 211. **The applicant shall construct Gunderson Road to contain two travel lanes with at least 24 feet of paved width.** Additional Gunderson improvements (for example, a wider paved width, bicycle lanes, street trees, etc.) could occur in accordance with a development agreement the city and the applicant will execute. No public utilities are required to be installed in the Gunderson Road right-of-way at this time. **If the UGB application is approved, the applicant shall submit an analysis of the proposed Gunderson Road alignment at Highway 211 to properly connect with Cascadia Village Drive as identified in the TSP. The proposed alignment shall meet code standards such as tangency, or the applicant shall apply for a design exception. ~~The applicant shall submit an analysis of their proposed Gunderson Road alignment that confirms that if Gunderson Road intersects with Highway 211 at the location proposed by the applicant, it can still connect to Cascadia Village Drive as identified in the TSP while meeting code standards such as tangency.~~ If the UGB application is approved, the applicant shall**

dedicate the right-of-way for Gunderson Road. If the UGB application is not approved, the applicant shall grant the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan.

50. Highway 211: Highway 211 will need improvements at the intersection with Gunderson Road. **The improvements to Highway 211 shall meet the requirements of ODOT -or- alternatively AASHTO standards if the highway is transferred to the City of Sandy.** The city and ODOT are currently discussing a transfer of jurisdiction of Highway 211 from ODOT to the City of Sandy. The portion that ODOT would transfer would include the Gunderson Road intersection.
51. Section 17.84.50(E) states that to provide for orderly development of adjacent properties, public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property(ies). The applicant is not proposing any permanent dead-end streets but proposes that Street A, Street B, Ponder Lane, Street C, and Street D be temporary dead-end streets with construction of this subdivision until such a time as these streets are extended onto the adjoining properties to the west, east, and south. **The applicant shall plat a vehicle non-access reserve (VNAR) strip at the east and west ends of Streets B, C, and D, the west ends of Gunderson Road and the east/west portion of Ponder Lane, and the east end of Street A.** The applicant is proposing fire turn-arounds and an emergency access that connects to Highway 211 via Ponder Lane. **The applicant shall work with the Fire Marshall to determine if the proposed plan meets Fire Code requirements, other than second access requirements which the Fire Marshall determined to be met. Per ODOT (Exhibit AA), the applicant shall provide turning templates for the Highway 211/Ponder Lane intersection. Improvements to the intersection will be required if determined necessary by ODOT or the City, depending on which entity has jurisdiction over the intersection. The applicant shall work with the Fire Marshal to determine if the proposed plan meets Fire Code. Per ODOT (Exhibit AA), the applicant shall provide emergency vehicle turning templates for the Highway 211/Ponder Lane intersection. Improvements to the intersection will be required if determined necessary by ODOT.**
52. Section 17.84.50(F) requires that public street improvements may be required through a development site to provide for the logical extension of an existing street network. The proposal includes the extension of Melissa Avenue from the Nicholas Glen subdivision. The submitted Conceptual Connectivity Plan (Exhibit D) details how the proposed street network could tie into the Bornstedt Village Plan.
53. Section 17.84.50(G) states that with the exception of extensions of existing streets, no street names shall be used that will duplicate or be confused with names of existing streets. The applicant has not proposed any new street names. **The City of Sandy reserves the right to name streets.**
54. Section 17.84.50(H) contains standards for public street locations, grades, alignment, and widths. Per the City Engineer (Exhibit Y), **the developer's engineer shall provide a profile design for a minimum of 200 feet for all future extensions of stubbed streets past the project boundary to ensure future grades can be met.**

55. Section 17.84.60 contains standards for public facility extensions. The applicant's Preliminary Street and Utility Plan (Exhibit C, Sheet 5) depicts the location and type of proposed public utilities including water, sanitary sewer, and stormwater. **All public utility installations shall conform to the City's facilities master plans. Staff recommends the applicant revise the utility plan to include broadband fiber locations as detailed by the SandyNet Manager and as required by 17.84.60(A).** Per the City Engineer (Exhibit Y), **all public sanitary sewer and waterline mains shall be a minimum of 8 inches in diameter and all stormwater drains shall be a minimum of 12 inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties. No building permits will be issued until all public utilities including sanitary sewer are available to serve the development. The applicant shall pay plan review, inspection, and permit fees as determined by the Public Works Director.** The utility improvements proposal and requirements for the Bailey Meadows subdivision are further detailed in Sections 17.100.230, 17.100.240, and 17.100.250 below. Except for the stormwater treatment and detention facility identified in Exhibit W, no city utilities will be required in the right-of-way of Gunderson Road.
56. Section 17.84.80 contains specifications for franchise utility installations. Private utility services will be submitted for review and approval by service providers and City staff in association with construction plans, and all utility lines will be extended to the perimeter of the site. **All franchise utilities shall be installed underground and in conformance with City standards.** PGE submitted a comment (Exhibit Z) stating they did not find any conflicts related to the project but that there's a PGE project located on SE Ponder Lane. Per PGE's request, **the applicant shall call the PGE Service Coordinators at (503) 323-6700 when the developer is ready to start the project.**
57. Section 17.84.90 contains requirements regarding land for public purposes. The applicant proposes a 22,521 square foot public stormwater detention pond (Tract A) and 1,460 square feet for a pedestrian access tract to the west (Tract B). The applicant is also proposing a second stormwater detention pond (Tract C) on Tax Lot 701 to the south of the Bailey Meadows. This second stormwater detention pond on Tax Lot 701 is for the collection and treatment of stormwater from Gunderson Road and Highway 211. **The applicant shall grant the stormwater pond (currently noted as Tract C) by easement.**
58. **The plat shall detail the following easements:**
- **An eight-foot wide public utility easement (PUE) along the frontage of all proposed lots;**
 - **A 15-foot private sanitary sewer easement along the common lot lines of Lots 26-29;**
 - **A 15-foot private sanitary sewer easement along the common lot lines of Lots 37-38 and 41-42;**
 - **A 15-foot private sanitary sewer easement along the common lot lines of Lots 38-39 and 40-41;**
 - **A 15-foot private sanitary sewer easement along the common lot lines of Lots 48-51;**

- **A 15-foot private storm drainage easement along the common lot lines of Lots 47-48 and 51-52;**
- **A vehicle non-access reserve (VNAR) strip in the following locations:**
 - **East end of Street A**
 - **West end of Street B**
 - **West end of Ponder Lane (east/west portion of right-of-way)**
 - **West end of Street C**
 - **West end of Street D**

59. Section 17.84.100 contains requirements for mail delivery facilities. The applicant will need to coordinate with the United States Postal Service (USPS) to locate mail facilities and these will be approved by the City and USPS. **Mail delivery facilities shall be provided by the applicant in conformance with 17.84.100 and the standards of the USPS. The applicant shall submit a mail delivery plan, featuring grouped lockable mail facilities, to the City and USPS for review and approval prior to installation of mailboxes.**

60. All public utility installations shall conform to the city's facilities master plans. **No building permits will be issued until all public utilities including sanitary sewer are available to serve the subdivision and the Final Plat has been recorded.** Public utilities must be installed to meet City standards. **Development of this subdivision will require payment of system development charges in accordance with applicable city ordinances.**

17.86 – Parkland and Open Space

61. Section 17.86.10 contains the minimum parkland dedication requirements. The applicant proposes 100 single-family detached dwellings with this subdivision request. Based upon the calculations adopted by the City and specified within Section 17.86.10, the required dedication area is 1.29 acres of public parkland (100 proposed units x 3 persons per unit x .0043=1.29 acres to be dedicated).
62. Section 17.86.40 contains factors for the City to evaluate whether to require parkland dedication based on this formula or collect a fee in lieu of dedication. This section specifies that it is entirely at the city's discretion to accept payment of a fee in lieu of the land dedication or require the dedication. Based on the calculations specified in Section 17.86.10, the applicant is responsible for dedicating 1.29 acres of public parkland based on 100 dwelling units. No parkland is specifically identified on the subject property in the Parks Master Plan; however, a community park is identified just north of the subject property. The conceptual location of the community park is in an already-built subdivision, Nicolas Glen, that was constructed without an active park, but did include dedication of some open space along the Tickle Creek Trail. The Parks Master Plan identifies conceptual locations for parks; thus, a community park should still be located somewhere in the general vicinity of where it is conceptually located in the Parks Master Plan. The Parks and Trails Advisory Board recommended dedication of parkland rather than collecting a fee-in-lieu. In early 2019 the City Council had an opportunity to review the option of requiring parkland or accepting a fee in-lieu for the Bailey Meadows property. City Council decided that accepting a fee in-lieu was satisfactory.

63. **The applicant shall pay a fee in lieu for the required parkland dedication per the adopted Fee Resolution.** Per Resolution 2013-14, the required fee in lieu amount is \$241,000 per acre if the entire amount is paid prior to final plat approval. Therefore, **based on the current Fee Resolution, the applicant is required to pay a fee in lieu of dedication for a total of \$310,890 (1.29 acres of land to be dedicated x \$241,000).** Alternatively, Ordinance 2013-03 allows the applicant to pay a minimum of 50 percent of the fee to receive final plat approval with the remaining balance to be paid as a proportionate amount with each building permit. If a portion of the fee is deferred, Resolution 2013-14 specifies a per acre fee of \$265,000. **Currently, the Fee Resolution requires payment of \$341,850 if a portion of the fee is deferred, a minimum of 50 percent (\$170,925) paid prior to final plat approval and the remaining 50 percent (\$170,925) divided between the 100 lots (\$1,709.25/lot).**
64. An alternative to dedication of parkland in the Bailey Meadows subdivision could be a dedication of parkland on the property to the south of Bailey Meadows that is being proposed for the extension of Gunderson Road. In fact, in its January 7 UGB expansion application, the applicant included approximately 2.4 acres of TL 701 to be dedicated to the city as parkland. The applicant was subsequently asked to evaluate the proposed dedication relative to the standards in Section 17.86.20. As of the date of this report, the city has not received an evaluation from the applicant. **If the applicant dedicates parkland to the south of Bailey Meadows instead of paying the fee in-lieu the applicant and City Manager, on behalf of City Council, shall negotiate the terms of the parkland dedication.**
65. Section 17.86.50 contains standards for open space dedication. The applicant is not proposing any dedication of open space.

17.92 – Landscaping and Screening

66. Section 17.92.10 contains general provisions for landscaping. Per Section 17.92.10 (C), trees over 25-inches circumference measured at a height of 4-½ feet above grade are considered significant and should be preserved to the greatest extent practicable and integrated into the design of a development. A 25-inch circumference tree measured at 4-½ feet above grade has roughly an eight-inch diameter at breast height (DBH). Based on the Planning Commission interpretation from May 15, 2019, Subsection 17.92.10(C) does not apply to residential subdivisions. Tree protection fencing and tree retention will be discussed in more detail under Chapter 17.102 in this document. **Per Section 17.92.10(L), all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing.**
67. Section 17.92.30 specifies that street trees shall be chosen from the City-approved list. As required by Section 17.92.30, the development of the subdivision requires medium trees spaced 30 feet on center along street frontages. The submitted Street Tree Plan (Exhibit C, Sheet P1-22) identifies street trees along all of the proposed streets. The proposed plan details 115 street trees placed 50 feet on center. **The applicant shall update the Street Tree Plan to detail street trees placed 30 feet on center.**

The applicant is proposing to mass grade the buildable portion of the site. This will remove top soil and heavily compact the soil. In order to maximize the success of the required street trees, **the applicant shall aerate the planter strips to a depth of 3 feet prior to planting street trees.**

The applicant shall either aerate the planter strip soil at the subdivision stage and install fencing around the planter strips to protect the soil from compaction or shall aerate the soil at the individual home construction phase. The applicant shall call for an inspection with the City after aerating the soil and before planting the street trees.

If the plans change in a way that affects the number of street trees (e.g., driveway locations), the applicant shall submit an updated street tree plan for staff review and approval. Street trees are required to be a minimum caliper of 1.5-inches measured 6 inches from grade and shall be planted per the City of Sandy standard planting detail. Trees shall be planted, staked, and the planter strip shall be graded and backfilled as necessary, and bark mulch, vegetation, or other approved material installed prior to occupancy. Tree ties shall be loosely tied twine or other soft, elastic material and shall be removed after one growing season (or a maximum of 1 year).

68. Section 17.92.40 requires that all landscaping shall be irrigated, either with a manual or automatic system. **As required by Section 17.92.140, the developer and lot owners shall be required to maintain all vegetation planted in the development for two (2) years from the date of completion, and shall replace any dead or dying plants during that period.**
69. Section 17.92.50 specifies the types and sizes of plant materials that are required when planting new landscaping. Street trees are typically required to be a minimum caliper of 1.5-inches measured 6 inches from grade. **All street trees shall be a minimum of 1.5-inches in caliper measured 6 inches above the ground and shall be planted per the City of Sandy standard planting detail.** The applicant proposes eight (8) distinct street tree species with one (1) tree species per street/block face. Staff would like to see more diversity in street tree species in general and within each block. **The applicant shall update the plan set to detail a minimum of two (2) different tree species per block face for staff review and approval.**
70. Section 17.92.60 requires revegetation in all areas that are not landscaped or remain as natural areas. The applicant did not submit any plans for re-vegetation of areas damaged through grading/construction, although most of the areas affected by grading will be improved. **Exposed soils shall be covered by mulch, sheeting, temporary seeding or other suitable material following grading or construction to maintain erosion control for a period of two years following the date of recording of the final plat associated with those improvements. The applicant shall maintain all unlandscaped and/or revegetated areas for a period of two (2) years following the date of recording of the final plat associated with those improvements.**
71. Section 17.92.130 contains standards for a performance bond. The applicant has the option to defer the installation of street trees and/or landscaping for weather-related reasons. Staff recommends the applicant utilize this option rather than install trees and landscaping during the dry summer months. **Consistent with the warranty period in Section 17.92.140, Staff staff recommends a two-year three-year maintenance and warranty period for street trees based on the standard establishment period of a tree. If the applicant chooses to postpone street tree and/or landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the street trees/landscaping, assuring installation within 6 months. The cost of the street trees shall be based on the average of three estimates from three landscaping**

contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a two-year ~~three-year~~ maintenance and warranty period.

17.98 – Parking, Loading, and Access Requirements

72. Section 17.98.20 requires two off-street parking spaces per single family detached dwelling unit. The 100 dwelling units proposed in this subdivision requires 200 off-street parking spaces. Each lot will have a driveway and based on lot width the ability to construct a double car garage.
73. Section 17.98.50 has specifications for parking area setbacks. Garages are required to be at least 22 feet setback from the front property line to meet setback requirements in the SFR zoning district. The Preliminary Plat (Exhibit C, Sheet P1-04) details a typical 22 foot garage setback.
74. Section 17.98.60 has specifications for parking lot design and size of parking spaces. **The applicant shall comply with the parking standards in Section 17.98.60.** The parking areas in front of the proposed garages for all lots need to be at least 10 feet in width by 20 feet in length. Driveways for single family homes are required to be at least 10 feet wide as detailed in Section 17.98.100 below. **The applicant shall comply with the parking standards in Chapter 17.98. Garages shall be at least 18 feet in depth to accommodate vehicle parking and the on-street parking spaces shall be at least 22 feet in length. All parking, driveway and maneuvering areas shall be constructed of asphalt, concrete, or other approved material. ~~The garages shall be adequate depth to park a vehicle and the on-street parking spaces shall be at least 22 feet in length.~~**
75. Section 17.98.80 specifies access requirements to arterial and collector streets. The applicant proposes Gunderson Road to the south of the Bailey Meadows property. Gunderson Road is defined as a minor arterial in the Transportation System Plan and will not include any proposed driveways to any of the proposed lots in Bailey Meadows.
76. Section 17.98.100 has specifications for driveways. The minimum driveway width for a single-family dwelling is 10 feet. The Public Works driveway approach standard detail specifies a maximum of 24 feet wide for a residential driveway approach. The Preliminary Numbered Parking Plan (Exhibit E) details driveway curb cuts for all lots. The Parking Plan also details temporary emergency vehicle and franchise waste hauler turnaround locations, which also include driveway curb cuts. This results in numerous extra curb cuts. With the exception of Lot 8, it appears that all driveways are detailed at approximately 24 feet in width, but the proposed driveway spacing lacks linear space for street trees. Staff previously recommended that the applicant extend Street A to the west property boundary, which would eliminate the knuckle and the need to combine driveways on Lots 9 and 10, and the driveway on Lot 8 would no longer be on a curve. Rather than extend Street A to the west property boundary, the applicant is proposing to install a pedestrian tract (Tract B) between Lots 10 and 11. **The applicant shall update the plan set to detail all driveways at a maximum of 24 feet wide. The applicant shall combine driveways for Lots 9 and 10 into a shared driveway or reduce the width of the driveways for Lots 9 and 10 to accommodate street trees and other right-of-way amenities.** The applicant is not proposing any shared driveways; however, many of the proposed driveways on adjacent lots are located directly adjacent to each other. In order to increase on-street parking,

maximize street tree planting, and reduce pedestrian conflict, **the applicant shall submit one of the following two options for staff review and approval:**

- a. **Submit a revised plan detailing shared driveways that that do not exceed 24 feet wide with crossover easements; or,**
- b. **Submit a detailed driveway spacing plan that conserves frontage and maximizes area for street trees and on-street parking.**

77. Section 17.98.130 requires that all parking and vehicular maneuvering areas shall be paved with asphalt or concrete. As required by Section 17.98.130, **all parking, driveway and maneuvering areas shall be constructed of asphalt, concrete, or other approved material.**
78. Section 17.98.140 contains requirements for drainage. Other sections of this order detail the stormwater requirements.
79. Section 17.98.200 contains requirements for providing on-street parking spaces for new residential development. The Preliminary Numbered Parking Plan (Exhibit E) identifies a total of 122 on-street parking spaces with at least one (1) on-street parking space within 200 feet of each of the 100 lots. No parking courts are proposed. The location of fire hydrants will be reviewed by the Sandy Fire Department in more detail with Construction Plans. **The applicant shall revise the Parking Analysis if required fire hydrants affect on-street parking spaces.**

17.100 – Land Division

80. Submittal of preliminary utility plans is solely to satisfy the requirements of Section 17.100.60. **Preliminary plat approval does not connote utility or public improvement plan approval which will be reviewed and approved separately upon submittal of public improvement construction plans.**
81. Section 17.100.60(E) contains submittal requirements and criteria for approving residential subdivisions. Section 17.100.60(E)(1) requires subdivisions to be consistent with the density, setback, and dimensional standards of the base zoning district, unless modified by a Planned Development approval. The applicant requests subdivision approval for a subdivision that is in compliance with most of the applicable development standards. The application for the subdivision is being processed through a Type III procedure. The proposal is consistent with density and other dimensional standards of the base zoning district.
82. Section 17.100.60(E)(2) requires subdivisions to be consistent with the design standards set forth in this chapter. Consistency with design standards in this chapter are discussed under each subsection below. Conditions of approval can be adopted where necessary to bring the proposal into compliance with applicable standards.
83. Section 17.100.60(E)(3) requires the proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy. The proposed street pattern is generally consistent with the Comprehensive Plan and the city’s standards. The exception is the fact that the subdivision as originally proposed would rely solely on Melissa Avenue for access. The applicant asserts that it is legally entitled to rely solely on Melissa Avenue based on provisions of state law that apply to applications for housing. Staff consulted with the city

attorney, who advised that the Land Use Board of Appeals and appellate courts have increasingly scrutinized standards applied to housing to determine whether they are “clear and objective.” Staff will defer to the applicant’s legal counsel and the city attorney to provide more information on these issues at the hearing. However, instead of arguing over and potentially litigating these issues, the applicant and the city have focused on trying to provide a second access to the subdivision. This resulted in the applicant’s revised November 2019 submittal which proposed Gunderson Road and the applicant applying for a UGB expansion earlier this month. With the inclusion of Gunderson Road and subject to a condition of approval, the street pattern will be consistent with the TSP. Therefore, the proposed subdivision meets Approval Criteria 3 of Section 17.100.60(E).

84. Section 17.100.60(E)(4) requires that adequate public facilities are available or can be provided to serve the proposed subdivision. All public utilities including water, sewer and stormwater are available or will be constructed by the applicant to serve the Bailey Meadows Subdivision. The original submission did not include Gunderson Road. As discussed above, the applicant is now proposing a solution that would provide Gunderson Road and, as conditioned, will be consistent with the TSP. Therefore, the proposed subdivision meets Approval Criteria 4 of Section 17.100.60(E).
85. Section 17.100.60(E)(5) requires all proposed improvements to meet City standards through the completion of conditions as listed within this final order and as detailed within these findings. The detailed review of proposed improvements is contained in this report. Staff has identified a few aspects of the proposed subdivision improvements requiring additional information or modification by the applicant, but conditions of approval can be adopted to bring the proposal into compliance with City standards.
86. Section 17.100.60(E)(6) strives to ensure that a phasing plan, if requested, can be carried out in a manner that meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops. The applicant is proposing to construct the 100 lot subdivision in three (3) phases. The application includes phase one with 71 lots, phase two with 8 lots, and phase three with 21 lots. The phasing plan is somewhat confusing, and staff has not determined the reasoning for the proposed placement of the phase lines. The applicant’s narrative simply states, “As shown on the Preliminary Subdivision Plat in the Preliminary plans, the subdivision is planned to be completed in three phases and provide necessary public improvements concurrently with each phase. Additionally, the planned offsite extension of Gunderson Road is intended to occur in Phase 1 of the project, though the future minor arterial road is not within the Phase 1 boundary (as the improvements are offsite). The above requirements are satisfied and support the City’s approval of this Subdivision”. The importance of Gunderson Road is well established in this staff report and through public testimony. **If the UGB application is approved, Gunderson Road shall be constructed and accepted by the City prior to issuance of the 30th certificate of occupancy for a housing unit in the subdivision. The applicant shall submit a revised phasing plan for Director review and approval.**
87. Conditions of approval regarding phasing can be adopted to bring the proposal into compliance with City standards.

88. The Final Plat shall be recorded as detailed in Section 17.100.60 (I).

89. Section 17.100.70 specifies that all land divisions shall be in conformance with the requirements of the applicable base zoning district. The applicant did not request any variances; however, the submitted plans indicate the applicant would like a variance to Section 17.82.20 to have the front door for the houses along Gunderson Road face the interior local street network instead of Gunderson Road, which is designated as a transit street. During the completeness check, staff requested that the applicant clarify whether or not they wanted to apply for a variance. The applicant said they did not, thus **houses constructed along Gunderson Road will be required to face Gunderson Road**. Based on the updated proposal (Exhibit W), this would include Lots 55-59. The tentative plat shall otherwise be designed to comply with all standards of the City of Sandy Development Code, Transportation System Plan, Facilities Master Plans and Sandy Municipal Code.
90. Section 17.100.100(A) requires the pattern of streets established through land divisions should be connected to provide safe multimodal options, create a logical pattern of circulation, and spread traffic over many streets. The proposed development is moderately conducive to walking and biking while accommodating motor vehicles. The applicant is proposing a knuckle rather than extending Street A to the west property boundary. Staff recommended the applicant extend Street A to the west property boundary. The applicant is proposing to construct a pedestrian walkway instead. The walkway (Tract B) will be located between Lots 10 and 11 and will provide bicycle and pedestrian connectivity to the west in the future. The addition of Gunderson Road will provide additional bicycle options, albeit Highway 211 is not conducive to bicycling at this time.
91. Section 17.100.100(B) contains requirements for preparing transportation impact studies. The submitted Traffic Impact Analysis (Exhibit F) was completed by Lancaster Engineering and is dated June 20, 2019. The traffic analysis is discussed in Section 17.84.50 of this document.
92. Section 17.100.100(C) requires that all streets follow topographic and arrangement specifications. Considering the site's topography, the proposed street layout is acceptable given the topography and residential use of this site, and the topography and use of adjacent properties.
93. Section 17.100.100(D) specifies that street layout shall generally use a rectangular grid pattern. The applicant proposes a rectangular pattern of streets with one knuckle at the intersection of Street A and Avenue I. Future development to the south, east, and west will be required to align with the proposed intersections in order to maintain a rectangular grid pattern and maximize pedestrian, bicycle, and vehicular connectivity. Staff recommended the applicant extend Street A to the west property boundary. The applicant is proposing a pedestrian tract (Tract B) instead, which will improve future bicycle and pedestrian connectivity to the west. Staff is satisfied with this proposed improvement, which will improve the future bicycle and pedestrian connectivity of the area.
94. Section 17.100.100(E) requires that future street plans assure access for future development and promote a logical, connected pattern of streets. The proposed local street plan has been designed to facilitate the traffic needs of this development while ensuring there are no intersection

conflicts with future development. Per the City Engineer (Exhibit Y), **the applicant shall provide a profile design for a minimum of 200 feet for all future street extensions beyond the project boundary to ensure future street grades can be met.**

95. Sections 17.100.100(F) contain specifications for street connections and exemptions for when typical connections are not possible. The proposed design extends Melissa Avenue south into the site. All proposed streets will allow connection with future development to the south and east, with the exception of Street A, which ends in a knuckle. Staff recommended the applicant extend Street A extending to the west property boundary. The applicant is proposing to install a pedestrian tract (Tract B) instead. The applicant submitted a Conceptual Connectivity Plan (Exhibit D) that shows how the proposed streets can connect to the streets to the east in compliance with the Bornstedt Village Plan.
96. Section 17.100.110 specifies street standards and roadway functional classifications. Section 17.100.110(E) contains standards for local street spacing at 8-10 local streets per mile. All proposed streets in the subdivision are local streets, including the extension of the existing Melissa Avenue into the site. The TSP details Gunderson Road, a minor arterial, along the south property boundary. The applicant is proposing to install Gunderson Road as an off-site improvement to intersect with Highway 211.
97. Section 17.100.120(B) requires that residential blocks for local streets not exceed 400 feet in length, unless physical conditions justify larger blocks. The applicant is not proposing any blocks greater than 400 feet. The applicant is proposing a knuckle where Street A and Avenue 1 intersect. Staff recommended the applicant extend Street A to the west property boundary. The applicant is proposing to install a pedestrian tract instead.
98. Section 17.100.120(D) requires blocks over 600 feet in length to provide a pedestrian and bicycle accessway. None of the proposed blocks exceed 600 feet in length.
99. Section 17.100.130 contains specifications for proposed easements. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) details an 8 foot wide public utility easement along all street frontages. The plat shall detail all proposed easements as detailed in Section 17.84.90 above.
100. Section 17.100.180 contains requirements for the creation of new intersections. The proposed intersections are all right angles and meet the required minimum spacing standard of 150 feet as required in Section 17.84.50(C)(2).
101. Section 17.100.210 specifies that the applicant is financially responsible for the installation of a lighting system. Chapter 15.30 contains the City of Sandy's Dark Sky Ordinance. The applicant will need to install street lights along all street frontages wherever street lighting is determined insufficient. **The locations of the street light fixtures shall be reviewed in detail with construction plans.**
102. Section 17.100.220 contains requirements for lot arrangement, lot dimensions, and other lot specifications. The Single Family Residential (SFR) zoning district requires lots at least 7,500 square feet in area. The proposed lots range in size from 7,500 square feet to 8,659 square feet.

All homes are required to comply with setback standards and maximum building height limitations as required in Chapter 17.34. No lots are proposed to be accessed from a major or minor arterial. All lots are required to comply with clear vision requirements at all intersections.

103. Section 17.100.230 contains specifications for water lines and fire hydrants. The specific details of water facilities will be reviewed with construction plans. The utility plan submitted by the applicant shows a connection to the existing 8-inch water main at the intersection of Melissa Avenue and Rachael Drive and a possible connection to the existing 8-inch water line at the intersection of Arletha Court and Hwy 211. **The applicant shall demonstrate that adequate fire and domestic flow will be available by completing these connections.** Per the City Engineer (Exhibit Y), **all new waterlines shall be a minimum of 8-inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.** The applicant's proposed Utility Plan (Exhibit C, Sheet P1-07) depicts new hydrants. **The location of fire hydrants shall be reviewed by the Sandy Fire Department in more detail with construction plans.**
104. Section 17.100.240 specifies requirements for sanitary sewer lines. The specific details of sanitary sewer facilities will be reviewed with construction plans. Per the City Engineer (Exhibit Y), **all new public sanitary sewer lines shall be a minimum of 8-inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.** In order to achieve the necessary depth to drain the development site the proposed utility plan shows an 8-inch sanitary sewer line extended north to the existing sewer line in Melissa Avenue approximately 200 feet from the intersection of Rachel Drive and Melissa Avenue.
105. Section 17.100.250 contains specifications for surface drainage and stormwater systems. The applicant proposes a 22,521 square foot public stormwater detention pond (Tract A) to be dedicated to the City of Sandy. Detained and treated discharge from the detention pond is proposed to be discharged to the adjacent property to the west, which is outside of the UGB. Per the Public Works Director (Exhibit O), **the applicant shall demonstrate that the proposed subdivision does not exceed pre-development site runoff discharges to this same point and provide information on the dimensions and slope of the existing drainage way. The detention pond shall meet the requirements of the 2016 City of Portland Stormwater Management Manual (SWMM) for landscaping, Section 2.4.1, and escape route, Section 2.30. All new public storm drains shall be a minimum of 12-inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.** The City Engineer (Exhibit Y) states the submitted preliminary stormwater calculations meet the water quality and water quantity criteria as stated in the City of Sandy Municipal Code Chapter 13.18 Standards and the City of Portland current Stormwater Management Manual (SWMM) Standards that were adopted by reference into the Sandy Development Code. Per the City Engineer, **the applicant shall submit a detailed final stormwater report stamped by a licensed professional to the City for review and approval with the final construction plans.**
106. Section 17.100.260 states that all subdivisions shall be required to install underground utilities. **The applicant shall install utilities underground with individual service to each lot.**

107. Section 17.100.270 specifies that sidewalks shall be installed on both sides of a public street. The applicant proposes constructing sidewalks along all public street frontages, with the exception of the Ponder Lane north/south. **As defined in the analysis of Chapter 17.84 of this staff report the applicant shall install sidewalks and planter strips on the west side of Ponder Lane.**
108. Section 17.100.280 requires that when appropriate, bicycle routes shall be extended within the proposed subdivision. The applicant does not propose any specific bicycle routes. Gunderson Road is classified as a minor arterial, which is prescribed to include bicycle lanes in both directions. However, Gunderson Road will not be built to its full profile at this time and bicycle lanes will most likely not be constructed in Gunderson Road in conjunction with development of the Bailey Meadows subdivision.
109. Section 17.100.290 specifies that where planting strips are provided in the public right-of-way, a master street tree plan shall be submitted and approved. As required by Section 17.92.30, the development of the subdivision requires installation of trees along all street frontages. Street trees are discussed in Section 17.92.30 of this document.
110. Section 17.100.300 contains requirements for erosion control for new land divisions. **The applicant shall submit a grading and erosion control permit and request an inspection of installed devices prior to any additional grading onsite. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the subdivision. All erosion control and grading shall comply with Section 15.44 of the Municipal Code and as detailed below. The proposed subdivision is greater than one acre which typically requires approval of a DEQ 1200-C Permit. The applicant shall submit confirmation from DEQ if a 1200-C Permit will not be required.**
111. Install all improvements detailed in Section 17.100.310 as required. **The applicant shall be responsible for the installation of all improvements detailed in Section 17.100.310, including fiber facilities. SandyNet requires the developer to work with the City to ensure that broadband infrastructure meets the design standards and adopted procedures as described in Section 17.84.70.**
112. Entry monument signs shall be located entirely outside the public right-of-way and clear vision areas as required by Section 17.74.30. **If entry signs are desired the applicant shall submit a detailed plan with a sign permit.**

17.102 – Urban Forestry

113. Section 17.102.20 contains information on the applicability of Urban Forestry regulations. The subject property contains 23.42 acres and therefore compliance with this chapter is required. The subject property is currently a field, with very few trees. The applicant is not proposing any tree removal, with the exception of four (4) trees in the Melissa Avenue right-of-way and one (1) tree in the Ponder Lane right-of-way. With construction of Gunderson Road as recommended by staff, additional trees will need to be removed from the Gunderson Road right-of-way. Tree removal as required by the city or public utility for the installation or maintenance or repair of roads, utilities, or other structures is exempt from the requirements of Chapter 17.102 per Section

17.102.20(B.1). **The applicant shall not remove any trees 11-inches DBH or greater from the subject property or the property to the south where the off-site Gunderson Road extension will be constructed (if the UGB application is approved) that are located outside of the rights-of-way without applying for a tree removal permit and obtaining approval for tree removal.**

114. Section 17.102.50 contains tree retention and protection requirements. The subject property is 23.42 acres, which requires a minimum of 70 retention trees that are 11-inches or greater DBH and in good health. The applicant inventoried 192 total trees. Per the submitted Tree Preservation & Removal Plan (Exhibit C, Sheets P1-16-19), 19 of the inventoried trees are on the subject property. All of the 19 trees on the subject property are 11-inches or greater DBH; 17 are in good health, and 2 are in fair health. In order to meet the tree retention standard, the applicant cannot remove any of the 19 trees from the subject property. The applicant is proposing to preserve all 19 trees on the subject property. The properties directly north, south, east, and west of the subject site contain many existing trees, some of which are located close to the shared property line and have canopies that extend onto the subject property. The submitted Tree Preservation & Removal Plan (Exhibit C, Sheets P1-16-19) inventoried 173 trees offsite. Of the 173, five (5) trees are proposed to be removed in conjunction with future street construction of Melissa Avenue and Ponder Lane; the remaining 168 are proposed to be preserved. With dedication of Gunderson Road along the south edge of the property along Lots 55-59, additional trees will need to be eventually removed when the street is constructed. This could result in removal of three (3) trees on the subject property (Trees # 15164, 15236, and 15274). This would result in 16 trees being retained on the subject property. The Tree Preservation & Removal Plan details the optimal tree root zone at 1 foot per 1 inch DBH for all trees inventoried, including those on adjacent properties. **The applicant shall install tree protection fencing to protect all 16 trees on the subject property as well as the 154 trees proposed for retention on adjacent properties. The applicant shall retain an arborist on site to monitor any construction activity within the root protection zones of the trees on adjacent properties that have root protection zones that would be impacted by construction of Gunderson Road.** The applicant did not submit a tree inventory and removal plan for the off-site portion of Gunderson Road.

Section 17.102.50(B.1) requires tree protection fencing be placed no less than 10 horizontal feet from the outside edge of the trunk. Per the Pacific Northwest International Society of Arboriculture (ISA), the ISA defines the critical root zone (CRZ) as “an area equal to a 1-foot radius from the base of the tree’s trunk for each 1 inch of the tree’s diameter at 4.5 feet above grade (referred to as diameter at breast height).” Often the drip-line is used to estimate a tree’s CRZ; however, it should be noted that a tree’s roots typically extend well beyond its drip-line. In addition, trees continue to grow, and roots continue to extend. Thus, a proactive approach to tree protection would take into consideration the fact that the tree and its root zone will continue to grow. The submitted Tree Preservation & Removal Plan (Exhibit C, Sheets P1-16-19) details the optimal tree root zone at 1 foot per 1 inch DBH. **The applicant shall install tree protection fencing a minimum distance of 1 foot per 1 inch DBH, as indicated by the project arborist and recommended by the ISA. Tree protection fencing shall be a minimum of six feet tall supported with metal posts placed no farther than ten feet apart installed flush with the initial undisturbed grade. The tree protection fencing shall be 6 foot tall chain link or no-jump horse fencing and the applicant shall affix a laminated sign (minimum 8.5 inches by**

11 inches) to the tree protection fencing indicating that the area behind the fence is a tree retention area and that the fence shall not be removed or relocated. No construction activity shall occur within the tree protection zone, including, but not limited to, dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles. The applicant shall request an inspection of tree protection measures prior to any tree removal, grading, or other construction activity on the site.

OTHER CONSIDERATIONS FOR TREES:

To ensure protection of the required retention trees, the applicant shall record a tree protection covenant specifying protection of the 16 trees on the subject property and limiting removal without submittal of an Arborist's Report and City approval. This document shall include a sketch identifying the required retention trees and a 1 foot per 1 inch DBH radius critical root zone around each tree. All trees marked for retention shall be retained and protected during construction regardless of desired or proposed building plans; plans for future houses on the proposed lots within the subdivision shall be modified to not encroach on retention trees and associated tree protection fencing.

15.30 – Dark Sky

115. Chapter 15.30 contains the City of Sandy's Dark Sky Ordinance. The applicant will need to install street lights along all street frontages wherever street lighting is determined necessary. **The locations of these fixtures shall be reviewed in detail with construction plans. Full cut-off lighting shall be required. Lights shall not exceed 4,125 Kelvins or 591 nanometers in order to minimize negative impacts on wildlife and human health.**

15.44 – Erosion Control

116. The applicant submitted a Geotechnical Engineering Report (Exhibit I) prepared by GeoPacific Engineering, Inc., dated June 18, 2019. The City Engineer (Exhibit Y) reviewed the Geotechnical Engineering Report and recommends that **the applicant shall retain appropriate professional geotechnical services for observation of construction of earthwork and grading activities. The grading setbacks, drainage, and terracing shall comply with the Oregon Structural Specialty Code (OSSC) requirements and the geotechnical report recommendations and conclusions as indicated in the report. When the grading is completed, the applicant shall submit a final report by the Geotechnical Engineer to the City stating that adequate inspections and testing have been performed on the lots and all of the work is in compliance with the above noted report and the OSSC. Site grading should not in any way impede, impound or inundate the adjoining properties.**

117. **All the work within the public right-of-way and within the paved area should comply with American Public Works Association (APWA) and City requirements as amended. The applicant shall submit a grading and erosion control permit and request an inspection of installed devices prior to any additional grading onsite.** The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the subdivision. **All erosion control and grading shall comply with Section 15.44 of the Municipal Code. The proposed subdivision is greater than one acre which typically requires approval of a DEQ 1200-C Permit. The applicant shall submit confirmation from DEQ if a 1200-C Permit will not be required.**

118. Section 15.44.50 contains requirements for maintenance of a site including re-vegetation of all graded areas. **The applicant's Erosion Control Plan shall be designed in accordance with the standards of Section 15.44.50.**

119. Recent development at both Zion Meadows subdivision and the remodel of the Pioneer Building (former Sandy High School) have sparked unintended rodent issues in the surrounding neighborhoods. Prior to development of the site, **the applicant shall have a licensed pest control agent evaluate the site to determine if pest eradication is needed.**

DECISION

Staff recommends the Planning Commission approve the Bailey Meadows subdivision with the conditions as outlined below.

CONDITIONS OF APPROVAL

A. Prior to submitting construction plans, including grading and erosion control permits, the applicant shall update the plan set and associated documents based on the conditions of approval determined by the Planning Commission and shall submit a full set of the updated plans to Planning Division staff for review and approval.

1. Submit a revised Preliminary Plat featuring the following:
 - An eight-foot wide public utility easement (PUE) along the frontage of all proposed lots;
 - A 15-foot private sanitary sewer easement along the common lot lines of Lots 26-29;
 - A 15-foot private sanitary sewer easement along the common lot lines of Lots 37-38 and 41-42;
 - A 15-foot private sanitary sewer easement along the common lot lines of Lots 38-39 and 40-41;
 - A 15-foot private sanitary sewer easement along the common lot lines of Lots 48-51;
 - A 15-foot private storm drainage easement along the common lot lines of Lots 47-48 and 51-52;
 - A vehicle non-access reserve (VNAR) strip in the following locations:
 - East end of Street A
 - West end of Street B
 - West end of Ponder Lane (east/west portion of right-of-way)
 - West end of Street C
 - West end of Street D

2. Submit a revised Tree Plan featuring the following modifications:

- If the plans change in a way that affects the number of street trees (e.g., driveway locations), the applicant shall submit an updated street tree plan for staff review and approval.
 - Detail a minimum of two (2) different tree species per block face for staff review and approval.
3. If the UGB application is approved, the applicant shall submit an analysis of the proposed Gunderson Road alignment at Highway 211 to properly connect with Cascadia Village Drive as identified in the TSP. The proposed alignment shall meet code standards such as tangency, or the applicant shall apply for a design exception. ~~If the UGB application is approved, submit an analysis of the proposed Gunderson Road alignment that confirms that if Gunderson Road intersects with Highway 211 at the location proposed by the applicant, it can still connect to Cascadia Village Drive as identified in the TSP while meeting code standards such as tangency.~~
4. Submit a revised Plan Set featuring the following:
- Revise the Plan Set to detail the front door of the houses on Lots 55-59 facing Gunderson Road.
 - Extend the street improvements on Ponder Lane east/west to the east and west line of the development site and obtain slope easements or construct retaining walls as necessary.
 - Extend the street improvements on Street A to the east property line of the development site and obtain slope easements or construct retaining walls as necessary.
 - Extend the street improvements on Street B to the east and west lines of the development site and obtain slope easements or construct retaining walls as necessary.
 - If the UGB application is approved, extend the street improvements on Avenue 2 to connect with Gunderson Road on the property to the south.
 - Extend the street improvements on Street C to the east and west line of the development site and obtain slope easements or construct retaining walls as necessary.
 - Extend the street improvements on Street D to the east and west line of the development site and obtain slope easements or construct retaining walls as necessary.
5. Revise the plan set to detail all driveways at a maximum of 24 feet wide. Combine driveways for Lots 9 and 10 into a shared driveway or reduce the width of the driveways for Lots 9 and 10 to accommodate street trees and other right-of-way amenities. Submit one of the following two options for staff review and approval:
- Submit a revised plan detailing shared driveways that that do not exceed 24 feet wide with crossover easements; or,
 - Submit a detailed driveway spacing plan that conserves frontage and maximizes area for street trees and on-street parking.
6. Call the PGE Service Coordinators at 503-323-6700 when the developer is ready to start the project.
7. If the plans change in a way that affects the number of street trees (e.g., driveway locations), the applicant shall submit an updated street tree plan for staff review and approval.

B. Prior to earthwork, grading, or excavation, the applicant shall complete the following and receive necessary approvals as described:

1. The applicant shall obtain a grading and erosion control permit in conformance with Chapter 15.44. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the subdivision. *(Submit 2 copies to Planning/Building Department.)*
2. Submit proof of receipt of a Department of Environmental Quality 1200-C permit or submit confirmation from DEQ if a 1200-C Permit will not be required. *(Submit to Planning/Building Department.)*
3. Any existing domestic or irrigation wells on site shall be located, identified, capped, disconnected or abandoned in conformance with OAR 690-220-0030. A copy of the Oregon Water Resources Department (OWRD) abandonment certificate shall be submitted to the City Planning Division. Any on-site sewage disposal system shall be abandoned in conformance with Clackamas County Water Environmental Services (WES) regulations and a copy of the septic tank removal certificate shall be submitted to the City Planning Division.
4. Install tree protection fencing to protect all 16 trees on the subject property as well as the 154 trees proposed for retention on adjacent properties. Retain an arborist on site to monitor any construction activity within the root protection zones of the trees on adjacent properties that have root protection zones that would be impacted by construction of Gunderson Road. Install tree protection fencing a minimum distance of 1 foot per 1 inch DBH, as indicated by the project arborist and recommended by the ISA. Tree protection fencing shall be a minimum of six feet tall supported with metal posts placed no farther than ten feet apart installed flush with the initial undisturbed grade. The tree protection fencing shall be 6 foot tall chain link or no-jump horse fencing and the applicant shall affix a laminated sign (minimum 8.5 inches by 11 inches) to the tree protection fencing indicating that the area behind the fence is a tree retention area and that the fence shall not be removed or relocated. No construction activity shall occur within the tree protection zone, including, but not limited to, dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles. The applicant shall request an inspection of tree protection measures prior to any tree removal, grading, or other construction activity on the site.
5. Request an inspection of erosion control measures and tree protection measures as specified in Section 17.102.50(C). Receive an approval of erosion control measures and tree protection measures prior to construction activities or issuance of the grading and erosion control permit.
6. Submit confirmation from a licensed pest control agent that the site was reviewed to determine if pest eradication is needed.

C. Prior to all construction activities, except grading and/or excavation, the applicant shall submit the following additional information as part of construction plans and complete items during construction as identified below: *(Submit to Public Works unless otherwise noted)*

1. The location of fire hydrants will be reviewed by the Sandy Fire Department in more detail with construction plans. Revise the Parking Analysis if required fire hydrants affect on-street parking spaces.
2. ~~Work with the Fire Marshall to determine if the proposed plan meets Fire Code requirements, other than second access requirements which the Fire Marshall determined to be met. Per ODOT (Exhibit AA), the applicant shall provide turning templates for the Highway 211/Ponder Lane intersection. Improvements to the intersection will be required if determined necessary by ODOT or the City, depending on which entity has jurisdiction over the intersection.~~ ~~Work with the Fire Marshal to determine if the proposed plan meets Fire Code. Per ODOT (Exhibit AA), the applicant shall provide emergency vehicle turning templates for the Highway 211/Ponder Lane intersection. Improvements to the intersection will be required if determined necessary by ODOT.~~
3. Submit a profile design for a minimum of 200 feet for all future street extensions beyond the project boundary to ensure future street grades can be met.
4. Specify the locations of street lights on all streets being improved within and adjacent to the subdivision. Full cut-off lighting shall be required that does not exceed 4,125 Kelvins.
5. Submit a detailed final stormwater report stamped by a licensed professional to the City for review and approval with the final construction plans.
6. Demonstrate that the proposed subdivision does not exceed pre-development site runoff discharges to this same point and provide information on the dimensions and slope of the existing drainage way. The detention pond shall meet the requirements of the 2016 City of Portland Stormwater Management Manual (SWMM) for landscaping, Section 2.4.1, and escape route, Section 2.30.
7. Submit a mail delivery plan, featuring grouped lockable mail facilities, to the City and the USPS for review and approval prior to installation of mailboxes. Mail delivery facilities shall be provided by the applicant in conformance with Section 17.84.100 and the standards of the USPS.
8. Revise the utility plan to include broadband fiber locations as detailed by the SandyNet Manager.

D. Prior to Final Plat approval, the applicant shall complete the following tasks or provide assurance for their future completion:

1. Submit two paper copies of the tentative final plat for review with the associated plat review fee.
2. When the grading is completed, the applicant shall submit a final report by the Geotechnical Engineer to the City stating that adequate inspections and testing have been performed on all lots (Lots 1-32) and all of the work is in compliance with the above noted report and OSSC.

3. Construct all public improvements including streets and utilities, install street lights, and street signage. Complete street improvements for all streets within the subdivision as defined in this staff report, and for Gunderson Road and Highway 211 per the Development Agreement. The improvements shall include installation of sidewalks and planter strips on the west side of Ponder Lane.
4. Construct sidewalks along Tract A both on Ponder Lane and Street B, prior to final plat approval.
5. Construct the pedestrian tract (Tract B) improvements with pedestrian scale lighting connected to the street light circuit. The Tract B walkway shall be conveyed to the City on the Final Plat. The walkway within the tract shall be constructed of concrete at 8 feet in width with a 7 foot wide area for trees and landscaping. Install bollards at the east end of the tract to restrict vehicles from accessing the tract.
6. Install bollards along the east terminus of Street B, Ponder Lane east/west, Street C, and Street D. Also, install 'no parking' signs along the full length of Ponder Lane north/south at a spacing as determined during construction plan review.
7. Install the required local street improvements north of the property boundary to connect to the existing Melissa Avenue stub.
8. Install a stop sign at the intersection of Melissa Avenue and Rachael Drive for northbound traffic.
9. Install street lights as identified on the construction plans. The locations of street light fixtures shall be reviewed in detail with construction plans.
10. Dedicate the following to the City (by deed using the City's standard form):
 - Tract A and Tract B.
 - If the UGB application is approved, dedicate the right-of-way for Gunderson Road. If the UGB application is not approved, grant the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan. ~~Gunderson Road.~~
 - If the UGB application is approved, the stormwater pond for Gunderson Road and Highway 211 (currently noted as Tract C).
11. Record a tree protection covenant specifying protection of the 16 trees on the subject property and limiting removal without submittal of an Arborist's Report and City approval. This document shall include a sketch identifying the required retention trees and a 1 foot per 1 inch DBH radius critical root zone around each tree. All trees marked for retention shall be retained and protected during construction regardless of desired or proposed building plans; plans for future houses on the proposed lots within the subdivision shall be modified to not encroach on retention trees and associated tree protection fencing.

12. Pay \$310,890 for the parks fee in lieu of dedication, -or- pay a total of \$341,850 if a portion of the fee is deferred (a minimum of 50 percent (\$170,925) paid prior to final plat approval with the remaining 50 percent (\$170,925) divided between the 100 lots, paid with each building permit). If the applicant dedicates parkland to the south of Bailey Meadows instead of paying the fee in-lieu the applicant and City Manager, on behalf of City Council, shall negotiate the terms of the parkland dedication.
 13. ~~If the applicant chooses to postpone street tree and/or landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the street trees/landscaping, assuring installation within 6 months. The cost of the street trees shall be based on the average of three estimates from three landscaping contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a two-year maintenance and warranty period. If the applicant chooses to postpone street tree and/or landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the street trees/landscaping, assuring installation within 6 months. The cost of the street trees shall be based on the average of three estimates from three landscaping contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a three-year maintenance and warranty period.~~
 14. Aerate the planter strips to a depth of 3 feet prior to planting street trees. The applicant shall either aerate the planter strip soil at the subdivision stage and install fencing around the planter strips to protect the soil from compaction, or shall aerate the soil at the individual home construction phase. The applicant shall call for an inspection with the City after aerating the soil and before planting the street trees.
 15. Pay plan review, inspection, and permit fees as determined by the Public Works Director.
 16. Pay addressing fees at \$40 for the subdivision plus \$5 per lot, or as otherwise identified in the most updated fee schedule.
 17. Submit a true and exact reproducible copy (Mylar) of the Final Plat for final review and signature.
 18. Submit a copy of the following once recorded:
 - Mylar version of the Final Plat.
 - Tree protection covenant including a map identifying the location of the retention trees.
 - Deeds identifying dedications to the City.
- E. If the UGB application is approved, Gunderson Road shall be constructed and accepted by the city prior to issuance of the 30th certificate of occupancy for a housing unit in the subdivision. The applicant shall submit a revised phasing plan for Director review and approval. ~~Gunderson Road shall be constructed and accepted by the city prior to issuance of the 30th certificate of occupancy for a housing unit in the subdivision. The applicant shall submit a revised phasing plan for Director review and approval.~~**

F. All conditions in Section A., B., C., and D. shall be satisfied prior to submittal of building permits. The following list includes conditions related to individual home construction:

1. All homes shall provide building design features in conformance with the standards of Section 17.90.150.
2. All homes shall meet the development standards of Section 17.34.30.
3. All structures shall maintain a minimum 20-foot setback from the Gunderson Road public right-of-way.
4. The front door of the houses on Lots 55-59 shall face Gunderson Road and include a connection directly to Gunderson Road via a pedestrian route per Section 17.82.20.
5. Street trees shall be installed approximately 30 feet on center in conjunction with issuance of building permits. Street trees are required to be a minimum caliper of 1.5-inches measured 6 inches from grade. Trees shall be planted and staked per the City of Sandy standard planting detail; trees shall be tied to the stakes with loosely tied twine. Tree ties shall be removed within one year of installation. *However, if the applicant postpones street tree installation per Condition D.13 street trees do not need to be planted with individual home construction.*
6. Aerate the planter strips to a depth of 3 feet prior to planting street trees. The applicant shall either aerate the planter strip soil at the subdivision stage and install fencing around the planter strips to protect the soil from compaction, or shall aerate the soil at the individual home construction phase. The applicant shall call for an inspection with the City after aerating the soil and before planting the street trees.
7. All planter strips shall be graded and backfilled as necessary, and bark mulch, vegetation, or other approved material installed prior to occupancy.
8. All trees marked for retention shall be retained and protected during construction regardless of desired or proposed building plans. Plans for future houses on the proposed lots within the subdivision shall be modified to not encroach on retention trees and associated tree protection fencing.
9. Development of this subdivision will require payment of system development charges in accordance with applicable City ordinances.

G. General Conditions of Approval:

1. On January 7, the applicant submitted an application to the City to expand the City's UGB in order to: (1) allow the applicant to dedicate right-of-way and construct Gunderson Road from the south boundary of the subject property to Oregon Highway 211; and (2) to dedicate approximately 2.3 acres of parkland within TL 701. If the UGB application is approved and is ultimately deemed acknowledged:
 - a. The applicant shall dedicate right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan, as shown in Exhibit W

(page 4), subject to the terms of a non-statutory Development Agreement to be entered into between the applicant and the City (the “Development Agreement”).

- b. The applicant shall construct Gunderson Road with a paved width of at least 24 feet to allow for two lanes of travel, as shown in Exhibit W (page 4), subject to the terms of the Development Agreement.

If the UGB application is not approved by either the City or Clackamas County, or an approval is finally reversed on appeal, the Applicant shall be allowed to proceed with an approval of the tentative subdivision application provided that it:

- a. Received final approval of the tentative subdivision application in the event of an appeal;
- b. Prior to final plat approval, pays the City a fee-in-lieu of parkland dedication of \$310,890 (1.29 acres of land to be dedicated x \$241,000) in accordance with SMC Chapter 17.86 and Resolution 2013-14;
- c. Prior to final plat approval, grants the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City’s transportation system plan; and
- d. All other conditions of approval in this decision are satisfied.

If the UGB application is approved and is appealed, the applicant will intervene in the appeal and exercise good faith and its best efforts in defending the approval.

2. The Final Plat shall be recorded as detailed in Section 17.100.60.
3. Public improvement plans are subject to a separate review and approval process. Preliminary Plat approval does not connote approval of public improvement construction plans, which will be reviewed and approved separately upon submittal of public improvement construction plans.
4. The improvements to Highway 211 shall meet the requirements of ODOT -or- alternatively AASHTO standards if the highway is transferred to the City of Sandy.
5. No building permits will be issued until all public utilities including sanitary sewer and water service are available to serve the development.
6. The City reserves the right to name all streets.
7. If entry signs are desired, the applicant shall submit a detailed plan showing the location of such signage and a sign permit application.
8. ~~The applicant shall comply with the parking standards in Chapter 17.98. Garages shall be at least 18 feet in depth to accommodate vehicle parking and the on-street parking spaces shall be at least 22 feet in length. All parking, driveway and maneuvering areas shall be constructed of asphalt, concrete, or other approved material. The applicant shall comply with the parking standards in Chapter 17.98. Garages shall be adequate depth to park a vehicle and the on-street parking spaces shall be at least 22 feet in length. All parking, driveway and maneuvering areas shall be constructed of asphalt, concrete, or other approved material.~~
9. All work within the public right-of-way and within the paved area shall comply with the American Public Works Association (APWA) and City requirements as amended.

10. All ADA ramps shall be designed, inspected by the design engineer, and constructed by the contractor to meet the most current PROWAG requirements.
11. All on-site earthwork activities including any retaining wall construction shall follow the current requirements of the current edition of the Oregon Structural Specialty Code (OSSC). If the proposal includes a retaining wall, the applicant shall submit additional details on the proposed retaining wall for staff review and approval.
12. Trees shall not be removed from the subject property or the property to the south where the off-site Gunderson Road extension will be constructed that are located outside of the rights-of-way without applying for a tree removal permit and obtaining approval for tree removal.
13. All franchise utilities shall be installed underground and in conformance with City standards with individual service to each lot.
14. The applicant shall be responsible for the installation of all improvements detailed in Section 17.100.310, including fiber facilities. SandyNet requires the developer to work with the City to ensure that broadband infrastructure meets the design standards and adopted procedures as described in Section 17.84.70.
15. All public utility installations shall conform to the City's facilities master plans.
16. Site grading shall not in any way impede, impound, or inundate the surface drainage flow from the adjoining properties.
17. The applicant shall retain appropriate professional geotechnical services for observation of construction of earthwork and grading activities. The grading setbacks, drainage, and terracing shall comply with the Oregon Structural Specialty Code (OSSC) requirements and the geotechnical report recommendations and conclusions as indicated in the report.
18. Water line sizes shall be based upon the Water Facilities Master Plan and shall be sized to accommodate domestic fire protection flows on the site.
19. All public sanitary sewer and waterline mains shall be a minimum of 8 inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.
20. All stormwater drains shall be a minimum of 12 inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.
21. As required by Section 17.92.10(L), all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing. As required by Section 17.92.140, the developer shall maintain all vegetation planted in the development for two (2) years from the date of completion, and shall replace any dead or dying plants during that period.

22. ~~As required by the Planning Commission, retention trees shall be detailed on a recorded tree protection covenant; thus, the retention trees shall be guaranteed or replaced in tree. None of the trees required to be retained may be located on or outside of the property line of the subject property. As required by the Planning Commission, retention trees shall be detailed on a recorded tree protection covenant; thus, the retention trees shall be guaranteed or replaced in perpetuity.~~
23. ~~Exposed soils shall be covered by mulch, sheeting, temporary seeding or other suitable material following grading or construction to maintain erosion control for a period of two years following the date of recording of the final plat associated with those improvements. Maintain all unlandscaped and/or revegetated areas for a period of two years following the date of recording of the final plat associated with those improvements.~~
24. Successors-in-interest of the applicant shall comply with site development requirements prior to the issuance of building permits.
25. All improvements listed in Section 17.100.300 shall be provided by the applicant including drainage facilities, monumentation, mail facilities, sanitary sewers, storm sewer, sidewalks, street lights, street signs, street trees, streets, traffic signs, underground communication lines including telephone and cable, underground power lines, water lines and fire hydrants.
26. Comply with all standards required by Section 17.84 of the Sandy Development Code. Public and franchise improvements shall be installed or financially guaranteed in accordance with Chapter 17 of the Sandy Municipal Code prior to temporary or final occupancy of structures. Water lines and fire hydrants shall be installed in accordance with City standards. All sanitary sewer lines shall be installed in accordance with City standards.
27. Comply with all other conditions or regulations imposed by the Sandy Fire District or state and federal agencies. Compliance is made a part of this approval and any violations of these conditions and/or regulations may result in the review of this approval and/or revocation of approval.

**FINAL ORDER and FINDINGS OF FACT
PLANNING COMMISSION
TYPE III LAND DIVISION DECISION**

DATE: February 14, 2020

FILE NO.: 19-023 SUB/TREE

PROJECT NAME: Bailey Meadows Subdivision

OWNER/APPLICANT: Allied Homes & Development

LEGAL DESCRIPTION: T2S R4E Section 23 Tax Lots 800, 801, 802, 803, 804

The above-referenced proposal was reviewed as a Type III Subdivision and Type II Tree Removal Permit. The following Findings of Fact are adopted supporting approval of the Tentative Plat in accordance with Chapter 17 of the Sandy Municipal Code.

FINDINGS OF FACT

General

1. Allied Homes & Development submitted an application to subdivide 23.42 acres into a 100-lot residential subdivision. The 100 proposed lots vary in size from 7,500 to 8,659 square feet. The proposal also includes a 22,521 square foot stormwater detention tract. The proposed development includes removal of trees to accommodate the extension and/or construction of rights-of-way. There are no existing structures on the subject property. The application as originally submitted proposed to rely solely on using Melissa Avenue in the Nicolas Glen subdivision to access the 100 lots in this subdivision.
2. The city received the application on July 5, 2019 and notified the applicant that it was incomplete. The applicant responded with a letter and additional submittal items that the city received on August 22, 2019. Under state law, the application was deemed complete on August 22, 2019 because the applicant provided some information in response to the incompleteness notice and stated that it would provide no additional information.
3. The subject site consists of five lots with a total area of approximately 23.42 acres. The site is located north of Highway 211, south of Rachael Drive, and west of Ponder Lane.
4. The parcel has a Plan Map designation of Low Density Residential and Zoning Map designation of SFR, Single Family Residential.
5. According to the applicant, the 100 proposed lots will add approximately 944 vehicle trips each weekday to Melissa Avenue. In discussions with the applicant, both during the pre-application

stage and after the application was submitted, staff expressed concerns about having only one access into Bailey Meadows via Melissa Avenue.

6. One challenge in providing a second access into the proposed subdivision is the location of the subject property relative to the city's urban growth boundary ("UGB"). The city has a road identified in its transportation system plan ("TSP") that would serve as a second way to access Bailey Meadows. That road ("Gunderson Road") could connect the southern portion of the subdivision with Highway 211, as the TSP generally envisions. However, the connection from the subject property to Highway 211 would occur outside of the city's UGB. State law would only allow Gunderson Road to be built if it were either: (a) in the city's UGB; or (b) Clackamas County approved an "exception" in accordance with state law that would allow the road to be built on rural land outside the UGB.
7. Initially, during the pre-application period, the applicant considered filing an exception application with Clackamas County to extend Gunderson Road. However, senior planning staff at the county were not supportive of an exception. The applicant elaborated on the exception in more detail on page 3 of its August 20, 2019 letter to city staff (Exhibit P). After concluding that an exception would likely not be approved, the applicant submitted the Bailey Meadows land use application to City staff and proposed relying solely on Melissa Avenue for access to the subdivision. As discussed further in Exhibit P, the applicant asserts that state law prohibits the city from denying the application for only proposing one access point from Melissa Avenue.
8. After the application was deemed complete, the applicant chose to hold a neighborhood meeting regarding the proposed subdivision, which occurred on September 18, 2019 at the Sandy library. Subsequent to that meeting, on September 26, the applicant, its representatives and its attorney met with city staff and the city attorney to discuss issues related to the application. The parties discussed the impacts to Melissa Avenue and the residents of Nicolas Glen if a second access was not provided. At the conclusion of that meeting, the applicant agreed to explore a UGB expansion that would, if approved, permit the construction of Gunderson Road and provide a second access into and out of the proposed subdivision.
9. Ideally, a UGB expansion and the specifics of how Gunderson Road could be built and financed would occur prior to considering the subdivision application. However, this approach does not work for the applicant. Instead, the applicant is proposing that the city impose a condition of approval on its subdivision application that would require the applicant to seek, in a subsequent application process, an expansion of the UGB to allow the applicant to construct Gunderson Road, subject to certain contingencies. The applicant summarizes this proposal in a November 25, 2019 letter to the city (Exhibit W).
10. The specific details of the second access intersecting with Highway 211 are still being defined by the City of Sandy, the Oregon Department of Transportation ("ODOT"), and the applicant. The city, the county, the Oregon Department of Land Conservation and Development ("DLCD") and ODOT have discussed the concept of a possible UGB expansion to accommodate a Gunderson Road connection. While the county had some procedural questions, these agencies have not expressed opposition to the concept and DLCD understood the justification for it. The land to be added to the UGB, and upon which Gunderson Road would be built, is under the control of the

applicant. The amount of land added to the UGB would essentially be limited to the right-of-way necessary to accommodate constructing Gunderson Road from the subdivision to Highway 211 in accordance with the city's right-of-way standards for a minor arterial road. The basis for adding the land to the UGB would be to satisfy an unmet need for a transportation facility and it would not justify any other type of development (e.g. additional housing or commercial development). On January 7, the applicant submitted a UGB expansion application to the city to accommodate Gunderson Road. The city would need to hold at least two hearings on the proposed UGB expansion – one before the planning commission and one before the city council. If approved, the county would also need to hold hearings to amend its comprehensive plan map to account for the change to Sandy's UGB. The applicant has also submitted a concurrent application to Clackamas County, which would hold its hearings in March if the application to the city is approved.

11. The Planning Commission hearing was originally scheduled to be held on October 28, 2019. The applicant agreed to postpone the original hearing to a later date to consider a second access into the proposed subdivision. The original 120-day deadline was December 20, 2019. On October 15, 2019 the City of Sandy received a notice from the applicant's attorney granting an extension of the 120-day clock to February 8, 2020 (Exhibit Q). On December 17, 2019 the City of Sandy received a notice from the applicant's attorney requesting to continue the initial evidentiary hearing and granting an extension of the 120-day clock to March 31, 2020 (Exhibit CCCC).
12. Notification of the proposal was originally mailed to property owners within 500 feet of the subject property and to affected agencies on September 12, 2019 regarding the October 28, 2019 public hearing. On October 16, 2019 a notice was mailed to property owners within 500 feet of the subject property stating that the October 28, 2019 meeting was cancelled. On November 27, 2019 notification of the revised proposal was mailed to property owners within 500 feet of the subject property and a legal notice was published in the Sandy Post on December 4, 2019 regarding the rescheduled public hearing on December 17, 2019.
13. Agency comments were initially received from the City Engineer, PGE, the Parks and Trails Advisory Board, and ODOT. On November 21, 2019, the applicant submitted updated materials to city staff (Exhibits R-U). On November 25, 2019, the applicant through its legal counsel clarified its intention to seek a UGB expansion to allow a Gunderson Road connection, subject to certain conditions (Exhibit W). On December 5, 2019, the applicant's traffic consultant submitted a memo (Exhibit X) that outlines anticipated changes in trip distributions from the subdivision if Gunderson Road were built and connected to Highway 211. ODOT submitted a revised comment on January 15, 2020.
14. Forty written comments were received prior to the November 2019 as listed in Exhibits DD. through QQQ. Six additional written comments were received, Exhibits VVV. through AAAA., between publication of the December 17, 2019 staff report on December 10, 2019 and the start of the public hearing on December 17, 2019 at 7:00 PM.
15. One additional public comment was received between the December 17, 2019 public hearing and the publication of this staff report. The public comment is Exhibit IIII. This public comment speaks to Ponder Lane access and a seasonal spring along Ponder Lane.

16. The Planning Commission heard an abbreviated version of the request from staff and the applicant at a public hearing on December 17, 2019. At the hearing, the Planning Commission heard public testimony and granted the applicant their requested continuance. The Planning Commission granted the continuance to January 23, 2020.

17. The following individuals spoke at the December 17, 2019 public hearing:

Applicant and Applicant Representatives:

- Michael Robinson

Public:

- | | |
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| ▪ Tony Profit | ▪ Mike Schell |
| ▪ Makoto Lane | ▪ Laura Kvamme |
| ▪ Richard Sheldon | ▪ Kelli Acord |
| ▪ Cary Mallon | ▪ Carol Cohen |
| ▪ Kathleen Walker | ▪ Mark Miller |
| ▪ Gigi Duncan | ▪ Robert Fisher |
| ▪ Erin Findlay | ▪ Brad Robison |
| ▪ Don Robertson | ▪ Les Geren |
| ▪ Tim Sellin | ▪ Calvin McKiness |
| ▪ Marie DeBatty | |

18. The following individuals spoke at the January 23, 2020 public hearing:

Applicant and Applicant Representatives:

- Michael Robinson
- Chris Goodell

Public:

- | | |
|-------------------|------------------|
| ▪ Makoto Lane | ▪ Kelly Whitlock |
| ▪ Erin Findlay | ▪ Gigi Duncan |
| ▪ Kathleen Walker | ▪ Laura Kvamme |
| ▪ Carol Cohen | ▪ Brad Robison |

19. At the January 23, 2020 public hearing the City Attorney, David Doughman, explained the applicant's request to have the record remain open. Since the applicant did not present at the December 17, 2019 meeting Mr. Doughman recommended the Planning Commission treat January 23, 2020 as the first evidentiary hearing. Following the January 23, 2020 meeting, there was a 7-day period where anyone could submit testimony into the record. The City called this first 7-day period Open Record Period #1. This was followed by a second 7-day period for anyone to submit testimony in response to anything submitted in the first 7 days. The City called this second 7-day period Open Record Period #2. Typically, there is a third 7-day period solely for the applicant, but given the time frame, the applicant waived the right to final argument. The Planning Commission decided in light of the open record periods they would reconvene on February 11, 2020 to deliberate amongst themselves with staff and City Attorney input, but no additional public or applicant testimony would be heard.

20. Open Record Period #1 ended on January 30, 2020 at 5:00 PM. The City posted all materials from Open Record Period #1 on the City of Sandy website on January 31, 2020.

21. Open Record Period #2 ended on February 6, 2020 at 5:00 PM. The City posted all materials from Open Record Period #2 on the City of Sandy website on February 7, 2020.
22. The Planning Commission deliberated on February 11, 2020. At the meeting, the Planning Commission approved the 100-lot subdivision per the findings and conditions listed in this final order and with modification to Condition G. 22 in this final order.
 Moved By: Commissioner Carlton
 Seconded By: Commissioner Logan
 Yes votes: Carlton, Lesowski, MacLean-Wenzel, Crosby, Logan, Mayton.
 No votes: None

17.30 – Zoning Districts

23. The area proposed for Gunderson Road and future parkland (tax lot 701) were not analyzed for density as the land is outside the UGB and is not permitted to include buildable lots.
24. Section 17.30.20 contains requirements for residential density calculations. The total gross acreage for the entire property inside the existing UGB is 23.42 acres. The proposal contains 5.21 acres of area dedicated for public right-of-way and 0.55 acres dedicated for public tracts (Tracts A and B) for the property inside the existing UGB. After removal of the right-of-way and public tracts the net site area for the subject property is reduced to 17.66 acres of net site area (NSA). The subject property does not contain any restricted development areas. Based on required density, the SFR land requires a minimum of 53 dwelling units (17.66 NSA x 3). The maximum allowed dwelling units is 102 (17.66 NSA x 5.8). The proposed 100 dwelling units are within the allowable density range and therefore meet the density requirement.

17.34 – SFR Single Family Residential Zoning District

25. The applicant proposes 100 single family detached dwellings in conformance with minimum and maximum density requirements, as detailed above in the analysis for Chapter 17.30.
26. Section 17.34.10 lists single family detached dwellings as a permitted use. The proposed subdivision includes 100 lots for single family detached dwellings. **All homes shall provide building design features in compliance with the standards in Section 17.90.150.**
27. The proposed lots range in size from 7,500 square feet to 9,706 square feet. **All homes shall meet the development standards of Section 17.34.30.**
28. Section 17.34.40 contains minimum requirements for development. All lots will be required to connect to City services. The applicant is also required to extend utilities to the furthest extent of the subject property.

17.80 – Additional Setbacks on Collector and Arterial Streets

29. Section 17.80.10 specifies additional setbacks for structures constructed adjacent to collector and arterial streets. The applicant is proposing to construct Gunderson Road from the southern boundary of the site to an intersection with Highway 211, but not construct the portion of Gunderson Road along Lots 55-59. Gunderson Road is classified as a minor arterial and therefore

requires all lots along its right-of-way to meet the requirements of Chapter 17.80. Based on the applicant's updated proposal (Exhibit W), five of the proposed lots (Lots 55-59) will contain frontage on Gunderson Road. **All structures shall maintain a minimum 20-foot setback from the Gunderson Road public right-of-way.** The Preliminary Plat (Exhibit C, Sheet P1-04) depicts building envelopes at 20 feet from the Gunderson Road right-of-way.

17.82 – Special Setbacks on Transit Streets

30. Section 17.82.20 contains standards for building orientation on transit streets. Gunderson Road is a designated transit street. While the portion of Gunderson Road along Lots 55-59 may not have public improvements completed in conjunction with Bailey Meadows, Gunderson Road will eventually be extended along the southern edge of Lots 55-59. This is consistent with the TSP, which details Gunderson Road along the southern edge of the subject property. This is also consistent with the applicant's updated proposal (Exhibit W), which shows Lots 55-59 will ultimately have frontage on Gunderson Road. Staff asked the applicant whether they wanted to apply for a Special Variance to the requirements of Section 17.82.20 to allow the front door for the houses on lots along Gunderson Road to face the internal street network instead of Gunderson Road, which is a designated transit street. The applicant stated they did not want to apply for the variance. **The applicant shall update the Plan Set to detail the front door of the houses on Lots 55-59 to face Gunderson Road. The primary entrance shall connect directly to Gunderson Road via a pedestrian route per Section 17.82.20.**

17.84 – Improvements Required with Development

31. Section 17.84.20 contains requirements for the timing of improvements. Submission of preliminary street and utility plans during the land use review process is solely for compliance with the data requirements of Section 17.100.60 (D). **Public improvement plans are subject to a separate review and approval process. Preliminary plat approval does not connote approval of public improvement construction plans.** The applicant is proposing a phasing plan with this application. The applicant is proposing three phases and the submitted narrative (Exhibit B) states that improvements are planned to be phased with the approved plans.
32. Section 17.84.30 requires sidewalks along all public streets. Section 17.84.30(B) requires pedestrian and bicyclist facilities to minimize travel distance between residential areas, planned developments and parks. Sidewalks abutting the proposed lots shall be constructed in association with development of the lots. **The applicant shall construct sidewalks along Tract A both on Ponder Lane and Street B, prior to final plat approval. The sidewalks on local streets shall be five feet in width and separated by a five foot wide planter strip (or 6 foot wide swale) in areas not traversed by driveways.** The applicant is not proposing to construct any portion of Gunderson Road on the subject property. Based on the November 2019 updated submittal, the applicant is proposing that the portion of Gunderson Road along the southern property line would be entirely located on the property to the south rather than split across the property line. The City Engineer (Exhibit Y) submitted the following comment based on the original submittal: "Melissa Avenue is classified in the City of Sandy Transportation System Plan (TSP), figure 5, as a local street and is proposed to be the only access to this development. Currently, the street surface is in bad condition. This site is generating an additional 944 trips while the combined ADT generated from this site and the existing Nicholas Glen No. 2 is 2,490 trips. The traffic volumes increase is deemed to deteriorate the existing street cross section further and potentially cause a complete

failure. The TSP alludes to a traffic capacity on local streets between 800 and 1,000 ADT. The projected capacity exceeds the preferred capacity limitations. We are also concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case an evacuation is needed. A review by the Fire Department is needed to confirm whether an additional emergency access is needed or not. However, we recommend as a minimum a temporary/ emergency access to Hwy 211.” Additional access for emergency vehicles would exist if the applicant extends Gunderson Road as proposed in the updated November 2019 submittal.

33. With the applicant’s updated submittal in November 2019, the applicant is proposing a pedestrian tract (Tract B) to connect the proposed subdivision to future development to the west. **The applicant shall construct the pedestrian tract (Tract B) improvements prior to final plat approval. Pedestrian scale lighting connected to the street light circuit shall be provided in the pedestrian easement. The Tract B walkway shall be conveyed to the City on the Final Plat. The walkway within the tract shall be constructed of concrete at 8 feet in width with a 7 foot wide area for trees and landscaping. The applicant shall install bollards at the east end of the tract to restrict vehicles from accessing the tract.**
34. Section 17.84.30(C) states that where a development site is traversed by or adjacent to a future trail linkage identified within the Transportation System Plan, improvement of the trail linkage shall occur concurrent with development. Dedication of the trail to the City shall be provided in accordance with 17.84.80. The City’s current TSP maps were created with the former UGB boundaries (pre-June 2017) and did not include the subject property that was brought into the revised UGB boundaries. Therefore, there are no trail linkages identified in the TSP for this property.
35. Section 17.84.40 contains standards for public transit and school bus transit. The Transit Director did not comment on the application. Transit amenities are not required.
36. Section 17.84.50 contains standards for street improvements and traffic evaluations. The initial Traffic Impact Analysis (Exhibit F) was completed by Lancaster Engineering and is dated June 20, 2019. The traffic assumptions are based on the 10th Edition Trip Generation handbook. The analysis is based on the construction of 100 single-family homes. The trip rates indicate that upon full occupancy the subdivision will generate about 74 trips during the morning peak hour and 99 trips during the evening peak hour, with a weekday total of 944 trips. The study looked at four intersections: SE 362nd Drive at Dubarko Road, Ruben Lane at Dubarko Road, Dubarko Road at Melissa Avenue, and Dubarko Road at Bluff Road. The study found that all study intersections are operating acceptably per City of Sandy performance standards and are projected to continue operating acceptably through year 2022, with or without the addition of site trips from the proposed development. The Traffic Impact analysis concludes that no significant safety issues or trends are evident at the study intersections, traffic signal warrants were not met at the study intersections under all analysis scenarios and left-turn warrants are not estimated to be met under any analysis scenario. The study also did not look at the intersection of Melissa Avenue and Rachael Drive. Based on the applicant’s updated November 2019 submittal and the proposal to extend Gunderson, the applicant submitted a revised traffic analysis with its UGB expansion application. The revised analysis finds that with the addition of Gunderson Road, it would

capture 40 percent of new trips from Bailey Meadows and 30 percent of existing trips from Melissa Avenue. According to the revised traffic analysis, the addition of Gunderson Road would result in a total daily volume of 1378 trips for Melissa Avenue. As of the date of this report, the updated traffic analysis is being reviewed by the city's consulting traffic engineer.

The City Engineer (Exhibit Y) reviewed the original Traffic Impact Analysis and noted the following: "The study doesn't identify any concerns as a result of this development." Although the TIA itself didn't identify concerns, the City Engineer cited concerns regarding further deterioration of Melissa Avenue, as well as the detrimental effect that increased traffic volumes through one access would have on overall life and safety.

37. Section 17.84.50(B) contains the spacing standards for new arterial streets. The proposed subdivision boundaries do not include any new arterial or collector streets on the subject property; however, the applicant is proposing to construct a portion of Gunderson Road on the property to the south. Gunderson Road is defined as a minor arterial in the transportation system plan.
38. Section 17.84.50(C) requires local streets to be designed to discourage through traffic and requires cul-de-sacs to not exceed 400 feet in length nor serve more than 20 dwelling units. The proposal includes a knuckle but does not include any cul-de-sacs.
39. Section 17.84.50(D) requires development sites to provide access from a public street improved to City standards. The proposed street network and improvements generally comply with City standards. There are eight local streets inside the proposed subdivision requiring the improvements listed below.
40. Ponder Lane north/south: Ponder Lane north/south requires half-street improvements including 14 feet of asphalt, concrete curbs, 5-foot wide sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. **The applicant shall install bollards along the east terminus of Street B, Ponder Lane east/west, Street C, and Street D. The applicant shall also install 'no parking' signs along the full length of Ponder Lane north/south at a spacing as determined during construction plan review.**
41. Ponder Lane east/west: Ponder Lane east/west requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Ponder Lane east/west ending before the development site boundary. **The applicant shall extend the street improvements on Ponder Lane east/west to the east and west line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.**
42. Street A: Street A requires full-street construction to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. Staff requested the applicant remove the proposed knuckle and extend Street A to the west to allow for future street connection. Rather than extend the entirety

of Street A to the property to the west, the applicant is proposing to install a pedestrian tract (Tract B) between Lots 10 and 11 (Exhibit S). Staff is satisfied with this proposed improvement, which will improve the future bicycle and pedestrian connectivity of the area. **The applicant shall construct the pedestrian tract (Tract B) improvements prior to final plat approval.** The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street A ending before the development site boundary. Section 17.84.50(E) requires extension of street improvements “to the edge of adjacent properties.” **The applicant shall extend the street improvements on Street A to the east property line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.**

43. Melissa Avenue: Melissa Avenue requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strip, street trees, ADA ramps, and public utilities. **The applicant shall install the required local street improvements north of the property boundary to connect to the existing Melissa Avenue stub.** Based on feedback from the residents in the Nichols Glen neighborhood there is concern with accidents at the intersection of Melissa Avenue and Rachael Drive. A stop sign already exists at the intersection of Melissa Avenue and Rachael Drive for southbound traffic on Melissa Avenue. Upon further analysis, staff finds that an additional stop sign could help reduce potential conflicts. A stop sign should also be installed for northbound travel on Melissa Avenue. **The applicant shall install a stop sign at the intersection of Melissa Avenue and Rachael Drive for northbound traffic.**
44. Street B: Street B requires full-street improvements to local standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street B ending before the development site boundary. **The applicant shall extend the street improvements on Street B to the east and west lines of the development site and obtain slope easements or construct retaining walls as necessary to comply with this section of the development code.**
45. Avenue 1: Avenue 1 requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities.
46. Avenue 2: Avenue 2 requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Avenue 2 ending before the development site boundary. **The applicant shall extend the street improvements on Avenue 2 to connect with Gunderson Road on the property to the south.**
47. Street C: Street C requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street C ending before the development site boundary. **The applicant**

shall extend the street improvements on Street C to the east and west line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.

48. Street D: Street D requires full-street improvements to local street standards including concrete curbs, 5-foot wide concrete sidewalks, street lighting, 5-foot wide planter strips, street trees, ADA ramps, and public utilities. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) shows the street improvements on Street D ending before the development site boundary. **The applicant shall extend the street improvements on Street D to the east and west line of the development site and shall obtain slope easements or construct retaining walls as necessary to comply with this section of the Development Code.**
49. Gunderson Road: Subject to a UGB approval, the applicant will dedicate right-of-way to accommodate the eventual construction of Gunderson Road to a minor arterial standard, consistent with page 4, Exhibit W. Dedication of right-of-way to the City of Sandy for Gunderson Road shall include the intersection connection to Highway 211. **The applicant shall construct Gunderson Road to contain two travel lanes with at least 24 feet of paved width.** Additional Gunderson improvements (for example, a wider paved width, bicycle lanes, street trees, etc.) could occur in accordance with a development agreement the city and the applicant will execute. No public utilities are required to be installed in the Gunderson Road right-of-way at this time. **If the UGB application is approved, the applicant shall submit an analysis of the proposed Gunderson Road alignment at Highway 211 to properly connect with Cascadia Village Drive as identified in the TSP. The proposed alignment shall meet code standards such as tangency, or the applicant shall apply for a design exception. If the UGB application is approved, the applicant shall dedicate the right-of-way for Gunderson Road. If the UGB application is not approved, the applicant shall grant the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan.**
50. Highway 211: Highway 211 will need improvements at the intersection with Gunderson Road. **The improvements to Highway 211 shall meet the requirements of ODOT -or- alternatively AASHTO standards if the highway is transferred to the City of Sandy.** The city and ODOT are currently discussing a transfer of jurisdiction of Highway 211 from ODOT to the City of Sandy. The portion that ODOT would transfer would include the Gunderson Road intersection.
51. Section 17.84.50(E) states that to provide for orderly development of adjacent properties, public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property(ies). The applicant is not proposing any permanent dead-end streets but proposes that Street A, Street B, Ponder Lane, Street C, and Street D be temporary dead-end streets with construction of this subdivision until such a time as these streets are extended onto the adjoining properties to the west, east, and south. **The applicant shall plat a vehicle non-access reserve (VNAR) strip at the east and west ends of Streets B, C, and D, the west ends of Gunderson Road and the east/west portion of Ponder Lane, and the east end of Street A.** The applicant is proposing fire turn-arounds and an emergency access that connects to Highway 211 via Ponder Lane. **The applicant shall work with the Fire Marshall to determine if the proposed plan meets Fire Code requirements, other than second access requirements which**

the Fire Marshall determined to be met. Per ODOT (Exhibit AA), the applicant shall provide turning templates for the Highway 211/Ponder Lane intersection. Improvements to the intersection will be required if determined necessary by ODOT or the City, depending on which entity has jurisdiction over the intersection.

52. Section 17.84.50(F) requires that public street improvements may be required through a development site to provide for the logical extension of an existing street network. The proposal includes the extension of Melissa Avenue from the Nicholas Glen subdivision. The submitted Conceptual Connectivity Plan (Exhibit D) details how the proposed street network could tie into the Bornstedt Village Plan.
53. Section 17.84.50(G) states that with the exception of extensions of existing streets, no street names shall be used that will duplicate or be confused with names of existing streets. The applicant has not proposed any new street names. **The City of Sandy reserves the right to name streets.**
54. Section 17.84.50(H) contains standards for public street locations, grades, alignment, and widths. Per the City Engineer (Exhibit Y), **the developer's engineer shall provide a profile design for a minimum of 200 feet for all future extensions of stubbed streets past the project boundary to ensure future grades can be met.**
55. Section 17.84.60 contains standards for public facility extensions. The applicant's Preliminary Street and Utility Plan (Exhibit C, Sheet 5) depicts the location and type of proposed public utilities including water, sanitary sewer, and stormwater. **All public utility installations shall conform to the City's facilities master plans. The applicant shall revise the utility plan to include broadband fiber locations as detailed by the SandyNet Manager and as required by 17.84.60(A).** Per the City Engineer (Exhibit Y), **all public sanitary sewer and waterline mains shall be a minimum of 8 inches in diameter and all stormwater drains shall be a minimum of 12 inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties. No building permits will be issued until all public utilities including sanitary sewer are available to serve the development. The applicant shall pay plan review, inspection, and permit fees as determined by the Public Works Director.** The utility improvements proposal and requirements for the Bailey Meadows subdivision are further detailed in Sections 17.100.230, 17.100.240, and 17.100.250 below. Except for the stormwater treatment and detention facility identified in Exhibit W, no city utilities will be required in the right-of-way of Gunderson Road.
56. Section 17.84.80 contains specifications for franchise utility installations. Private utility services will be submitted for review and approval by service providers and City staff in association with construction plans, and all utility lines will be extended to the perimeter of the site. **All franchise utilities shall be installed underground and in conformance with City standards.** PGE submitted a comment (Exhibit Z) stating they did not find any conflicts related to the project but that there's a PGE project located on SE Ponder Lane. Per PGE's request, **the applicant shall call the PGE Service Coordinators at (503) 323-6700 when the developer is ready to start the project.**

57. Section 17.84.90 contains requirements regarding land for public purposes. The applicant proposes a 22,521 square foot public stormwater detention pond (Tract A) and 1,460 square feet for a pedestrian access tract to the west (Tract B). The applicant is also proposing a second stormwater detention pond (Tract C) on Tax Lot 701 to the south of the Bailey Meadows. This second stormwater detention pond on Tax Lot 701 is for the collection and treatment of stormwater from Gunderson Road and Highway 211. **The applicant shall grant the stormwater pond (currently noted as Tract C) by easement.**

58. **The plat shall detail the following easements:**

- **An eight-foot wide public utility easement (PUE) along the frontage of all proposed lots;**
- **A 15-foot private sanitary sewer easement along the common lot lines of Lots 26-29;**
- **A 15-foot private sanitary sewer easement along the common lot lines of Lots 37-38 and 41-42;**
- **A 15-foot private sanitary sewer easement along the common lot lines of Lots 38-39 and 40-41;**
- **A 15-foot private sanitary sewer easement along the common lot lines of Lots 48-51;**
- **A 15-foot private storm drainage easement along the common lot lines of Lots 47-48 and 51-52;**
- **A vehicle non-access reserve (VNAR) strip in the following locations:**
 - **East end of Street A**
 - **West end of Street B**
 - **West end of Ponder Lane (east/west portion of right-of-way)**
 - **West end of Street C**
 - **West end of Street D**

59. Section 17.84.100 contains requirements for mail delivery facilities. The applicant will need to coordinate with the United States Postal Service (USPS) to locate mail facilities and these will be approved by the City and USPS. **Mail delivery facilities shall be provided by the applicant in conformance with 17.84.100 and the standards of the USPS. The applicant shall submit a mail delivery plan, featuring grouped lockable mail facilities, to the City and USPS for review and approval prior to installation of mailboxes.**

60. All public utility installations shall conform to the city's facilities master plans. **No building permits will be issued until all public utilities including sanitary sewer are available to serve the subdivision and the Final Plat has been recorded.** Public utilities must be installed to meet City standards. **Development of this subdivision will require payment of system development charges in accordance with applicable city ordinances.**

17.86 – Parkland and Open Space

61. Section 17.86.10 contains the minimum parkland dedication requirements. The applicant proposes 100 single-family detached dwellings with this subdivision request. Based upon the calculations adopted by the City and specified within Section 17.86.10, the required dedication area is 1.29 acres of public parkland (100 proposed units x 3 persons per unit x .0043=1.29 acres to be dedicated).
62. Section 17.86.40 contains factors for the City to evaluate whether to require parkland dedication based on this formula or collect a fee in lieu of dedication. This section specifies that it is entirely at the city's discretion to accept payment of a fee in lieu of the land dedication or require the dedication. Based on the calculations specified in Section 17.86.10, the applicant is responsible for dedicating 1.29 acres of public parkland based on 100 dwelling units. No parkland is specifically identified on the subject property in the Parks Master Plan; however, a community park is identified just north of the subject property. The conceptual location of the community park is in an already-built subdivision, Nicolas Glen, that was constructed without an active park, but did include dedication of some open space along the Tickle Creek Trail. The Parks Master Plan identifies conceptual locations for parks; thus, a community park should still be located somewhere in the general vicinity of where it is conceptually located in the Parks Master Plan. The Parks and Trails Advisory Board recommended dedication of parkland rather than collecting a fee-in-lieu. In early 2019 the City Council had an opportunity to review the option of requiring parkland or accepting a fee in-lieu for the Bailey Meadows property. City Council decided that accepting a fee in-lieu was satisfactory.
63. **The applicant shall pay a fee in lieu for the required parkland dedication per the adopted Fee Resolution.** Per Resolution 2013-14, the required fee in lieu amount is \$241,000 per acre if the entire amount is paid prior to final plat approval. Therefore, **based on the current Fee Resolution, the applicant is required to pay a fee in lieu of dedication for a total of \$310,890 (1.29 acres of land to be dedicated x \$241,000).** Alternatively, Ordinance 2013-03 allows the applicant to pay a minimum of 50 percent of the fee to receive final plat approval with the remaining balance to be paid as a proportionate amount with each building permit. If a portion of the fee is deferred, Resolution 2013-14 specifies a per acre fee of \$265,000. **Currently, the Fee Resolution requires payment of \$341,850 if a portion of the fee is deferred, a minimum of 50 percent (\$170,925) paid prior to final plat approval and the remaining 50 percent (\$170,925) divided between the 100 lots (\$1,709.25/lot).**
64. An alternative to dedication of parkland in the Bailey Meadows subdivision could be a dedication of parkland on the property to the south of Bailey Meadows that is being proposed for the extension of Gunderson Road. In fact, in its January 7 UGB expansion application, the applicant included approximately 2.4 acres of TL 701 to be dedicated to the city as parkland. The applicant was subsequently asked to evaluate the proposed dedication relative to the standards in Section 17.86.20. As of the date of this report, the city has not received an evaluation from the applicant. **If the applicant dedicates parkland to the south of Bailey Meadows instead of paying the fee in-lieu the applicant and City Manager, on behalf of City Council, shall negotiate the terms of the parkland dedication.**

65. Section 17.86.50 contains standards for open space dedication. The applicant is not proposing any dedication of open space.

17.92 – Landscaping and Screening

66. Section 17.92.10 contains general provisions for landscaping. Per Section 17.92.10 (C), trees over 25-inches circumference measured at a height of 4-½ feet above grade are considered significant and should be preserved to the greatest extent practicable and integrated into the design of a development. A 25-inch circumference tree measured at 4-½ feet above grade has roughly an eight-inch diameter at breast height (DBH). Based on the Planning Commission interpretation from May 15, 2019, Subsection 17.92.10(C) does not apply to residential subdivisions. Tree protection fencing and tree retention will be discussed in more detail under Chapter 17.102 in this document. **Per Section 17.92.10(L), all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing.**

67. Section 17.92.30 specifies that street trees shall be chosen from the City-approved list. As required by Section 17.92.30, the development of the subdivision requires medium trees spaced 30 feet on center along street frontages. The submitted Street Tree Plan (Exhibit C, Sheet P1-22) identifies street trees along all of the proposed streets. The proposed plan details 115 street trees placed 50 feet on center. **The applicant shall update the Street Tree Plan to detail street trees placed 30 feet on center.**

The applicant is proposing to mass grade the buildable portion of the site. This will remove top soil and heavily compact the soil. In order to maximize the success of the required street trees, **the applicant shall aerate the planter strips to a depth of 3 feet prior to planting street trees. The applicant shall either aerate the planter strip soil at the subdivision stage and install fencing around the planter strips to protect the soil from compaction or shall aerate the soil at the individual home construction phase. The applicant shall call for an inspection with the City after aerating the soil and before planting the street trees.**

If the plans change in a way that affects the number of street trees (e.g., driveway locations), the applicant shall submit an updated street tree plan for staff review and approval. Street trees are required to be a minimum caliper of 1.5-inches measured 6 inches from grade and shall be planted per the City of Sandy standard planting detail. Trees shall be planted, staked, and the planter strip shall be graded and backfilled as necessary, and bark mulch, vegetation, or other approved material installed prior to occupancy. Tree ties shall be loosely tied twine or other soft, elastic material and shall be removed after one growing season (or a maximum of 1 year).

68. Section 17.92.40 requires that all landscaping shall be irrigated, either with a manual or automatic system. **As required by Section 17.92.140, the developer and lot owners shall be required to maintain all vegetation planted in the development for two (2) years from the date of completion, and shall replace any dead or dying plants during that period.**

69. Section 17.92.50 specifies the types and sizes of plant materials that are required when planting new landscaping. Street trees are typically required to be a minimum caliper of 1.5-inches measured 6 inches from grade. **All street trees shall be a minimum of 1.5-inches in caliper**

measured 6 inches above the ground and shall be planted per the City of Sandy standard planting detail. The applicant proposes eight (8) distinct street tree species with one (1) tree species per street/block face. Staff would like to see more diversity in street tree species in general and within each block. **The applicant shall update the plan set to detail a minimum of two (2) different tree species per block face for staff review and approval.**

70. Section 17.92.60 requires revegetation in all areas that are not landscaped or remain as natural areas. The applicant did not submit any plans for re-vegetation of areas damaged through grading/construction, although most of the areas affected by grading will be improved. **Exposed soils shall be covered by mulch, sheeting, temporary seeding or other suitable material following grading or construction to maintain erosion control for a period of two years following the date of recording of the final plat associated with those improvements.**
71. Section 17.92.130 contains standards for a performance bond. The applicant has the option to defer the installation of street trees and/or landscaping for weather-related reasons. Staff recommends the applicant utilize this option rather than install trees and landscaping during the dry summer months. Consistent with the warranty period in Section 17.92.140, staff recommends a two-year maintenance and warranty period for street trees based on the standard establishment period of a tree. **If the applicant chooses to postpone street tree and/or landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the street trees/landscaping, assuring installation within 6 months. The cost of the street trees shall be based on the average of three estimates from three landscaping contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a two-year maintenance and warranty period.**

17.98 – Parking, Loading, and Access Requirements

72. Section 17.98.20 requires two off-street parking spaces per single family detached dwelling unit. The 100 dwelling units proposed in this subdivision requires 200 off-street parking spaces. Each lot will have a driveway and based on lot width the ability to construct a double car garage.
73. Section 17.98.50 has specifications for parking area setbacks. Garages are required to be at least 22 feet setback from the front property line to meet setback requirements in the SFR zoning district. The Preliminary Plat (Exhibit C, Sheet P1-04) details a typical 22 foot garage setback.
74. Section 17.98.60 has specifications for parking lot design and size of parking spaces. **The applicant shall comply with the parking standards in Section 17.98.60.** The parking areas in front of the proposed garages for all lots need to be at least 10 feet in width by 20 feet in length. Driveways for single family homes are required to be at least 10 feet wide as detailed in Section 17.98.100 below. **The applicant shall comply with the parking standards in Chapter 17.98. Garages shall be at least 18 feet in depth to accommodate vehicle parking and the on-street parking spaces shall be at least 22 feet in length. All parking, driveway and maneuvering areas shall be constructed of asphalt, concrete, or other approved material.**
75. Section 17.98.80 specifies access requirements to arterial and collector streets. The applicant proposes Gunderson Road to the south of the Bailey Meadows property. Gunderson Road is

defined as a minor arterial in the Transportation System Plan and will not include any proposed driveways to any of the proposed lots in Bailey Meadows.

76. Section 17.98.100 has specifications for driveways. The minimum driveway width for a single-family dwelling is 10 feet. The Public Works driveway approach standard detail specifies a maximum of 24 feet wide for a residential driveway approach. The Preliminary Numbered Parking Plan (Exhibit E) details driveway curb cuts for all lots. The Parking Plan also details temporary emergency vehicle and franchise waste hauler turnaround locations, which also include driveway curb cuts. This results in numerous extra curb cuts. With the exception of Lot 8, it appears that all driveways are detailed at approximately 24 feet in width, but the proposed driveway spacing lacks linear space for street trees. Staff previously recommended that the applicant extend Street A to the west property boundary, which would eliminate the knuckle and the need to combine driveways on Lots 9 and 10, and the driveway on Lot 8 would no longer be on a curve. Rather than extend Street A to the west property boundary, the applicant is proposing to install a pedestrian tract (Tract B) between Lots 10 and 11. **The applicant shall update the plan set to detail all driveways at a maximum of 24 feet wide. The applicant shall combine driveways for Lots 9 and 10 into a shared driveway or reduce the width of the driveways for Lots 9 and 10 to accommodate street trees and other right-of-way amenities.** The applicant is not proposing any shared driveways; however, many of the proposed driveways on adjacent lots are located directly adjacent to each other. In order to increase on-street parking, maximize street tree planting, and reduce pedestrian conflict, **the applicant shall submit one of the following two options for staff review and approval:**
- a. **Submit a revised plan detailing shared driveways that do not exceed 24 feet wide with crossover easements; or,**
 - b. **Submit a detailed driveway spacing plan that conserves frontage and maximizes area for street trees and on-street parking.**
77. Section 17.98.130 requires that all parking and vehicular maneuvering areas shall be paved with asphalt or concrete. As required by Section 17.98.130, **all parking, driveway and maneuvering areas shall be constructed of asphalt, concrete, or other approved material.**
78. Section 17.98.140 contains requirements for drainage. Other sections of this order detail the stormwater requirements.
79. Section 17.98.200 contains requirements for providing on-street parking spaces for new residential development. The Preliminary Numbered Parking Plan (Exhibit E) identifies a total of 122 on-street parking spaces with at least one (1) on-street parking space within 200 feet of each of the 100 lots. No parking courts are proposed. The location of fire hydrants will be reviewed by the Sandy Fire Department in more detail with Construction Plans. **The applicant shall revise the Parking Analysis if required fire hydrants affect on-street parking spaces.**

17.100 – Land Division

80. Submittal of preliminary utility plans is solely to satisfy the requirements of Section 17.100.60. **Preliminary plat approval does not connote utility or public improvement plan approval which will be reviewed and approved separately upon submittal of public improvement construction plans.**

81. Section 17.100.60(E) contains submittal requirements and criteria for approving residential subdivisions. Section 17.100.60(E)(1) requires subdivisions to be consistent with the density, setback, and dimensional standards of the base zoning district, unless modified by a Planned Development approval. The applicant requests subdivision approval for a subdivision that is in compliance with most of the applicable development standards. The application for the subdivision is being processed through a Type III procedure. The proposal is consistent with density and other dimensional standards of the base zoning district.
82. Section 17.100.60(E)(2) requires subdivisions to be consistent with the design standards set forth in this chapter. Consistency with design standards in this chapter are discussed under each subsection below. Conditions of approval can be adopted where necessary to bring the proposal into compliance with applicable standards.
83. Section 17.100.60(E)(3) requires the proposed street pattern to be connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy. The proposed street pattern is generally consistent with the Comprehensive Plan and the city's standards. The exception is that the subdivision as originally proposed would rely solely on Melissa Avenue for access. As discussed above in paragraph 32, the TSP generally limits local streets to a maximum of 1,000 ADT. The record contains arguments from the applicant's legal counsel, and responses from the city attorney, regarding the applicability of the ADT standards and whether those standards would allow the City to either: (a) compel the applicant to construct Gunderson Road or another adequate second access into the subdivision; or (b) deny the application. The Planning Commission also received testimony from members of the public regarding this important issue. With the inclusion of Gunderson Road and subject to a condition of approval, the street pattern will be consistent with the TSP. Therefore, the proposed subdivision meets Section 17.100.60(E)(3).
84. Section 17.100.60(E)(4) requires that adequate public facilities are available or can be provided to serve the proposed subdivision. All public utilities including water, sewer and stormwater are available or will be constructed by the applicant to serve the Bailey Meadows Subdivision. The original submission did not include Gunderson Road. As discussed above, the applicant is now proposing a solution that would provide Gunderson Road and, as conditioned, will be consistent with the TSP. Therefore, the proposed subdivision meets Approval Criteria 4 of Section 17.100.60(E).
85. Section 17.100.60(E)(5) requires all proposed improvements to meet City standards through the completion of conditions as listed within this final order and as detailed within these findings. The detailed review of proposed improvements is contained in this report. Staff has identified a few aspects of the proposed subdivision improvements requiring additional information or modification by the applicant, but conditions of approval can be adopted to bring the proposal into compliance with City standards.
86. Section 17.100.60(E)(6) strives to ensure that a phasing plan, if requested, can be carried out in a manner that meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops. The applicant is proposing to construct the 100 lot

subdivision in three (3) phases. The application includes phase one with 71 lots, phase two with 8 lots, and phase three with 21 lots. The phasing plan is somewhat confusing, and staff has not determined the reasoning for the proposed placement of the phase lines. The applicant's narrative simply states, "As shown on the Preliminary Subdivision Plat in the Preliminary plans, the subdivision is planned to be completed in three phases and provide necessary public improvements concurrently with each phase. Additionally, the planned offsite extension of Gunderson Road is intended to occur in Phase 1 of the project, though the future minor arterial road is not within the Phase 1 boundary (as the improvements are offsite). The above requirements are satisfied and support the City's approval of this Subdivision". The importance of Gunderson Road is well established in this staff report and through public testimony. **If the UGB application is approved, Gunderson Road shall be constructed and accepted by the City prior to issuance of the 30th certificate of occupancy for a housing unit in the subdivision. The applicant shall submit a revised phasing plan for Director review and approval.**

87. Conditions of approval regarding phasing can be adopted to bring the proposal into compliance with City standards.
88. **The Final Plat shall be recorded as detailed in Section 17.100.60 (I).**
89. Section 17.100.70 specifies that all land divisions shall be in conformance with the requirements of the applicable base zoning district. The applicant did not request any variances; however, the submitted plans indicate the applicant would like a variance to Section 17.82.20 to have the front door for the houses along Gunderson Road face the interior local street network instead of Gunderson Road, which is designated as a transit street. During the completeness check, staff requested that the applicant clarify whether or not they wanted to apply for a variance. The applicant said they did not, thus **houses constructed along Gunderson Road will be required to face Gunderson Road.** Based on the updated proposal (Exhibit W), this would include Lots 55-59. The tentative plat shall otherwise be designed to comply with all standards of the City of Sandy Development Code, Transportation System Plan, Facilities Master Plans and Sandy Municipal Code.
90. Section 17.100.100(A) requires the pattern of streets established through land divisions should be connected to provide safe multimodal options, create a logical pattern of circulation, and spread traffic over many streets. The proposed development is moderately conducive to walking and biking while accommodating motor vehicles. The applicant is proposing a knuckle rather than extending Street A to the west property boundary. Staff recommended the applicant extend Street A to the west property boundary. The applicant is proposing to construct a pedestrian walkway instead. The walkway (Tract B) will be located between Lots 10 and 11 and will provide bicycle and pedestrian connectivity to the west in the future. The addition of Gunderson Road will provide additional bicycle options, albeit Highway 211 is not conducive to bicycling at this time.
91. Section 17.100.100(B) contains requirements for preparing transportation impact studies. The submitted Traffic Impact Analysis (Exhibit F) was completed by Lancaster Engineering and is dated June 20, 2019. The traffic analysis is discussed in Section 17.84.50 of this document.

92. Section 17.100.100(C) requires that all streets follow topographic and arrangement specifications. Considering the site's topography, the proposed street layout is acceptable given the topography and residential use of this site, and the topography and use of adjacent properties.
93. Section 17.100.100(D) specifies that street layout shall generally use a rectangular grid pattern. The applicant proposes a rectangular pattern of streets with one knuckle at the intersection of Street A and Avenue 1. Future development to the south, east, and west will be required to align with the proposed intersections in order to maintain a rectangular grid pattern and maximize pedestrian, bicycle, and vehicular connectivity. Staff recommended the applicant extend Street A to the west property boundary. The applicant is proposing a pedestrian tract (Tract B) instead, which will improve future bicycle and pedestrian connectivity to the west. Staff is satisfied with this proposed improvement, which will improve the future bicycle and pedestrian connectivity of the area.
94. Section 17.100.100(E) requires that future street plans assure access for future development and promote a logical, connected pattern of streets. The proposed local street plan has been designed to facilitate the traffic needs of this development while ensuring there are no intersection conflicts with future development. Per the City Engineer (Exhibit Y), **the applicant shall provide a profile design for a minimum of 200 feet for all future street extensions beyond the project boundary to ensure future street grades can be met.**
95. Sections 17.100.100(F) contain specifications for street connections and exemptions for when typical connections are not possible. The proposed design extends Melissa Avenue south into the site. All proposed streets will allow connection with future development to the south and east, with the exception of Street A, which ends in a knuckle. Staff recommended the applicant extend Street A extending to the west property boundary. The applicant is proposing to install a pedestrian tract (Tract B) instead. The applicant submitted a Conceptual Connectivity Plan (Exhibit D) that shows how the proposed streets can connect to the streets to the east in compliance with the Bornstedt Village Plan.
96. Section 17.100.110 specifies street standards and roadway functional classifications. Section 17.100.110(E) contains standards for local street spacing at 8-10 local streets per mile. All proposed streets in the subdivision are local streets, including the extension of the existing Melissa Avenue into the site. The TSP details Gunderson Road, a minor arterial, along the south property boundary. The applicant is proposing to install Gunderson Road as an off-site improvement to intersect with Highway 211.
97. Section 17.100.120(B) requires that residential blocks for local streets not exceed 400 feet in length, unless physical conditions justify larger blocks. The applicant is not proposing any blocks greater than 400 feet. The applicant is proposing a knuckle where Street A and Avenue 1 intersect. Staff recommended the applicant extend Street A to the west property boundary. The applicant is proposing to install a pedestrian tract instead.
98. Section 17.100.120(D) requires blocks over 600 feet in length to provide a pedestrian and bicycle accessway. None of the proposed blocks exceed 600 feet in length.

99. Section 17.100.130 contains specifications for proposed easements. The Preliminary Utility Plan (Exhibit C, Sheet P1-07) details an 8 foot wide public utility easement along all street frontages. The plat shall detail all proposed easements as detailed in Section 17.84.90 above.
100. Section 17.100.180 contains requirements for the creation of new intersections. The proposed intersections are all right angles and meet the required minimum spacing standard of 150 feet as required in Section 17.84.50(C)(2).
101. Section 17.100.210 specifies that the applicant is financially responsible for the installation of a lighting system. Chapter 15.30 contains the City of Sandy's Dark Sky Ordinance. The applicant will need to install street lights along all street frontages wherever street lighting is determined insufficient. **The locations of the street light fixtures shall be reviewed in detail with construction plans.**
102. Section 17.100.220 contains requirements for lot arrangement, lot dimensions, and other lot specifications. The Single Family Residential (SFR) zoning district requires lots at least 7,500 square feet in area. The proposed lots range in size from 7,500 square feet to 8,659 square feet. All homes are required to comply with setback standards and maximum building height limitations as required in Chapter 17.34. No lots are proposed to be accessed from a major or minor arterial. All lots are required to comply with clear vision requirements at all intersections.
103. Section 17.100.230 contains specifications for water lines and fire hydrants. The specific details of water facilities will be reviewed with construction plans. The utility plan submitted by the applicant shows a connection to the existing 8-inch water main at the intersection of Melissa Avenue and Rachael Drive and a possible connection to the existing 8-inch water line at the intersection of Arletha Court and Hwy 211. **The applicant shall demonstrate that adequate fire and domestic flow will be available by completing these connections.** Per the City Engineer (Exhibit Y), **all new waterlines shall be a minimum of 8-inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.** The applicant's proposed Utility Plan (Exhibit C, Sheet P1-07) depicts new hydrants. **The location of fire hydrants shall be reviewed by the Sandy Fire Department in more detail with construction plans.**
104. Section 17.100.240 specifies requirements for sanitary sewer lines. The specific details of sanitary sewer facilities will be reviewed with construction plans. Per the City Engineer (Exhibit Y), **all new public sanitary sewer lines shall be a minimum of 8-inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.** In order to achieve the necessary depth to drain the development site the proposed utility plan shows an 8-inch sanitary sewer line extended north to the existing sewer line in Melissa Avenue approximately 200 feet from the intersection of Rachel Drive and Melissa Avenue.
105. Section 17.100.250 contains specifications for surface drainage and stormwater systems. The applicant proposes a 22,521 square foot public stormwater detention pond (Tract A) to be dedicated to the City of Sandy. Detained and treated discharge from the detention pond is proposed to be discharged to the adjacent property to the west, which is outside of the UGB. Per

the Public Works Director (Exhibit O), **the applicant shall demonstrate that the proposed subdivision does not exceed pre-development site runoff discharges to this same point and provide information on the dimensions and slope of the existing drainage way. The detention pond shall meet the requirements of the 2016 City of Portland Stormwater Management Manual (SWMM) for landscaping, Section 2.4.1, and escape route, Section 2.30. All new public storm drains shall be a minimum of 12-inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.** The City Engineer (Exhibit Y) states the submitted preliminary stormwater calculations meet the water quality and water quantity criteria as stated in the City of Sandy Municipal Code Chapter 13.18 Standards and the City of Portland current Stormwater Management Manual (SWMM) Standards that were adopted by reference into the Sandy Development Code. Per the City Engineer, **the applicant shall submit a detailed final stormwater report stamped by a licensed professional to the City for review and approval with the final construction plans.**

106. Section 17.100.260 states that all subdivisions shall be required to install underground utilities. **The applicant shall install utilities underground with individual service to each lot.**
107. Section 17.100.270 specifies that sidewalks shall be installed on both sides of a public street. The applicant proposes constructing sidewalks along all public street frontages, with the exception of the Ponder Lane north/south. **As defined in the analysis of Chapter 17.84 of this staff report the applicant shall install sidewalks and planter strips on the west side of Ponder Lane.**
108. Section 17.100.280 requires that when appropriate, bicycle routes shall be extended within the proposed subdivision. The applicant does not propose any specific bicycle routes. Gunderson Road is classified as a minor arterial, which is prescribed to include bicycle lanes in both directions. However, Gunderson Road will not be built to its full profile at this time and bicycle lanes will most likely not be constructed in Gunderson Road in conjunction with development of the Bailey Meadows subdivision.
109. Section 17.100.290 specifies that where planting strips are provided in the public right-of-way, a master street tree plan shall be submitted and approved. As required by Section 17.92.30, the development of the subdivision requires installation of trees along all street frontages. Street trees are discussed in Section 17.92.30 of this document.
110. Section 17.100.300 contains requirements for erosion control for new land divisions. **The applicant shall submit a grading and erosion control permit and request an inspection of installed devices prior to any additional grading onsite. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the subdivision. All erosion control and grading shall comply with Section 15.44 of the Municipal Code and as detailed below. The proposed subdivision is greater than one acre which typically requires approval of a DEQ 1200-C Permit. The applicant shall submit confirmation from DEQ if a 1200-C Permit will not be required.**
111. Install all improvements detailed in Section 17.100.310 as required. **The applicant shall be responsible for the installation of all improvements detailed in Section 17.100.310, including**

fiber facilities. SandyNet requires the developer to work with the City to ensure that broadband infrastructure meets the design standards and adopted procedures as described in Section 17.84.70.

112. Entry monument signs shall be located entirely outside the public right-of-way and clear vision areas as required by Section 17.74.30. **If entry signs are desired the applicant shall submit a detailed plan with a sign permit.**

17.102 – Urban Forestry

113. Section 17.102.20 contains information on the applicability of Urban Forestry regulations. The subject property contains 23.42 acres and therefore compliance with this chapter is required. The subject property is currently a field, with very few trees. The applicant is not proposing any tree removal, with the exception of four (4) trees in the Melissa Avenue right-of-way and one (1) tree in the Ponder Lane right-of-way. With construction of Gunderson Road as recommended by staff, additional trees will need to be removed from the Gunderson Road right-of-way. Tree removal as required by the city or public utility for the installation or maintenance or repair of roads, utilities, or other structures is exempt from the requirements of Chapter 17.102 per Section 17.102.20(B.1). **The applicant shall not remove any trees 11-inches DBH or greater from the subject property or the property to the south where the off-site Gunderson Road extension will be constructed (if the UGB application is approved) that are located outside of the rights-of-way without applying for a tree removal permit and obtaining approval for tree removal.**

114. Section 17.102.50 contains tree retention and protection requirements. The subject property is 23.42 acres, which requires a minimum of 70 retention trees that are 11-inches or greater DBH and in good health. The applicant inventoried 192 total trees. Per the submitted Tree Preservation & Removal Plan (Exhibit C, Sheets P1-16-19), 19 of the inventoried trees are on the subject property. All of the 19 trees on the subject property are 11-inches or greater DBH; 17 are in good health, and 2 are in fair health. In order to meet the tree retention standard, the applicant cannot remove any of the 19 trees from the subject property. The applicant is proposing to preserve all 19 trees on the subject property. The properties directly north, south, east, and west of the subject site contain many existing trees, some of which are located close to the shared property line and have canopies that extend onto the subject property. The submitted Tree Preservation & Removal Plan (Exhibit C, Sheets P1-16-19) inventoried 173 trees offsite. Of the 173, five (5) trees are proposed to be removed in conjunction with future street construction of Melissa Avenue and Ponder Lane; the remaining 168 are proposed to be preserved. With dedication of Gunderson Road along the south edge of the property along Lots 55-59, additional trees will need to be eventually removed when the street is constructed. This could result in removal of three (3) trees on the subject property (Trees # 15164, 15236, and 15274). This would result in 16 trees being retained on the subject property. The Tree Preservation & Removal Plan details the optimal tree root zone at 1 foot per 1 inch DBH for all trees inventoried, including those on adjacent properties. **The applicant shall install tree protection fencing to protect all 16 trees on the subject property as well as the 154 trees proposed for retention on adjacent properties. The applicant shall retain an arborist on site to monitor any construction activity within the root protection zones of the trees on adjacent properties that have root protection zones**

that would be impacted by construction of Gunderson Road. The applicant did not submit a tree inventory and removal plan for the off-site portion of Gunderson Road.

Section 17.102.50(B.1) requires tree protection fencing be placed no less than 10 horizontal feet from the outside edge of the trunk. Per the Pacific Northwest International Society of Arboriculture (ISA), the ISA defines the critical root zone (CRZ) as “an area equal to a 1-foot radius from the base of the tree’s trunk for each 1 inch of the tree’s diameter at 4.5 feet above grade (referred to as diameter at breast height).” Often the drip-line is used to estimate a tree’s CRZ; however, it should be noted that a tree’s roots typically extend well beyond its drip-line. In addition, trees continue to grow, and roots continue to extend. Thus, a proactive approach to tree protection would take into consideration the fact that the tree and its root zone will continue to grow. The submitted Tree Preservation & Removal Plan (Exhibit C, Sheets P1-16-19) details the optimal tree root zone at 1 foot per 1 inch DBH. **The applicant shall install tree protection fencing a minimum distance of 1 foot per 1 inch DBH, as indicated by the project arborist and recommended by the ISA. Tree protection fencing shall be a minimum of six feet tall supported with metal posts placed no farther than ten feet apart installed flush with the initial undisturbed grade. The tree protection fencing shall be 6 foot tall chain link or no-jump horse fencing and the applicant shall affix a laminated sign (minimum 8.5 inches by 11 inches) to the tree protection fencing indicating that the area behind the fence is a tree retention area and that the fence shall not be removed or relocated. No construction activity shall occur within the tree protection zone, including, but not limited to, dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles. The applicant shall request an inspection of tree protection measures prior to any tree removal, grading, or other construction activity on the site.**

OTHER CONSIDERATIONS FOR TREES:

To ensure protection of the required retention trees, the applicant shall record a tree protection covenant specifying protection of the 16 trees on the subject property and limiting removal without submittal of an Arborist’s Report and City approval. This document shall include a sketch identifying the required retention trees and a 1 foot per 1 inch DBH radius critical root zone around each tree. All trees marked for retention shall be retained and protected during construction regardless of desired or proposed building plans; plans for future houses on the proposed lots within the subdivision shall be modified to not encroach on retention trees and associated tree protection fencing.

15.30 – Dark Sky

115. Chapter 15.30 contains the City of Sandy’s Dark Sky Ordinance. The applicant will need to install street lights along all street frontages wherever street lighting is determined necessary.

The locations of these fixtures shall be reviewed in detail with construction plans. Full cut-off lighting shall be required. Lights shall not exceed 4,125 Kelvins or 591 nanometers in order to minimize negative impacts on wildlife and human health.

15.44 – Erosion Control

116. The applicant submitted a Geotechnical Engineering Report (Exhibit I) prepared by GeoPacific Engineering, Inc., dated June 18, 2019. The City Engineer (Exhibit Y) reviewed the Geotechnical Engineering Report and recommends that **the applicant shall retain appropriate professional**

geotechnical services for observation of construction of earthwork and grading activities. The grading setbacks, drainage, and terracing shall comply with the Oregon Structural Specialty Code (OSSC) requirements and the geotechnical report recommendations and conclusions as indicated in the report. When the grading is completed, the applicant shall submit a final report by the Geotechnical Engineer to the City stating that adequate inspections and testing have been performed on the lots and all of the work is in compliance with the above noted report and the OSSC. Site grading should not in any way impede, impound or inundate the adjoining properties.

117. All the work within the public right-of-way and within the paved area should comply with American Public Works Association (APWA) and City requirements as amended. The applicant shall submit a grading and erosion control permit and request an inspection of installed devices prior to any additional grading onsite. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the subdivision. All erosion control and grading shall comply with Section 15.44 of the Municipal Code. The proposed subdivision is greater than one acre which typically requires approval of a DEQ 1200-C Permit. The applicant shall submit confirmation from DEQ if a 1200-C Permit will not be required.

118. Section 15.44.50 contains requirements for maintenance of a site including re-vegetation of all graded areas. The applicant's Erosion Control Plan shall be designed in accordance with the standards of Section 15.44.50.

119. Recent development at both Zion Meadows subdivision and the remodel of the Pioneer Building (former Sandy High School) have sparked unintended rodent issues in the surrounding neighborhoods. Prior to development of the site, the applicant shall have a licensed pest control agent evaluate the site to determine if pest eradication is needed.

DECISION

For the reasons described above, the request by Allied Homes and Development to construct a 100-lot subdivision is hereby **approved by the Planning Commission** with the following conditions.

CONDITIONS OF APPROVAL

A. Prior to submitting construction plans, including grading and erosion control permits, the applicant shall update the plan set and associated documents based on the conditions of approval determined by the Planning Commission and shall submit a full set of the updated plans to Planning Division staff for review and approval.

1. Submit a revised Preliminary Plat featuring the following:
 - An eight-foot wide public utility easement (PUE) along the frontage of all proposed lots;
 - A 15-foot private sanitary sewer easement along the common lot lines of Lots 26-29;

- A 15-foot private sanitary sewer easement along the common lot lines of Lots 37-38 and 41-42;
 - A 15-foot private sanitary sewer easement along the common lot lines of Lots 38-39 and 40-41;
 - A 15-foot private sanitary sewer easement along the common lot lines of Lots 48-51;
 - A 15-foot private storm drainage easement along the common lot lines of Lots 47-48 and 51-52;
 - A vehicle non-access reserve (VNAR) strip in the following locations:
 - East end of Street A
 - West end of Street B
 - West end of Ponder Lane (east/west portion of right-of-way)
 - West end of Street C
 - West end of Street D
2. Submit a revised Tree Plan featuring the following modifications:
 - If the plans change in a way that affects the number of street trees (e.g., driveway locations), the applicant shall submit an updated street tree plan for staff review and approval.
 - Detail a minimum of two (2) different tree species per block face for staff review and approval.
 3. If the UGB application is approved, the applicant shall submit an analysis of the proposed Gunderson Road alignment at Highway 211 to properly connect with Cascadia Village Drive as identified in the TSP. The proposed alignment shall meet code standards such as tangency, or the applicant shall apply for a design exception.
 4. Submit a revised Plan Set featuring the following:
 - Revise the Plan Set to detail the front door of the houses on Lots 55-59 facing Gunderson Road.
 - Extend the street improvements on Ponder Lane east/west to the east and west line of the development site and obtain slope easements or construct retaining walls as necessary.
 - Extend the street improvements on Street A to the east property line of the development site and obtain slope easements or construct retaining walls as necessary.
 - Extend the street improvements on Street B to the east and west lines of the development site and obtain slope easements or construct retaining walls as necessary.
 - If the UGB application is approved, extend the street improvements on Avenue 2 to connect with Gunderson Road on the property to the south.
 - Extend the street improvements on Street C to the east and west line of the development site and obtain slope easements or construct retaining walls as necessary.
 - Extend the street improvements on Street D to the east and west line of the development site and obtain slope easements or construct retaining walls as necessary.

5. Revise the plan set to detail all driveways at a maximum of 24 feet wide. Combine driveways for Lots 9 and 10 into a shared driveway or reduce the width of the driveways for Lots 9 and 10 to accommodate street trees and other right-of-way amenities. Submit one of the following two options for staff review and approval:
 - Submit a revised plan detailing shared driveways that do not exceed 24 feet wide with crossover easements; or,
 - Submit a detailed driveway spacing plan that conserves frontage and maximizes area for street trees and on-street parking.
6. Call the PGE Service Coordinators at 503-323-6700 when the developer is ready to start the project.
7. If the plans change in a way that affects the number of street trees (e.g., driveway locations), the applicant shall submit an updated street tree plan for staff review and approval.

B. Prior to earthwork, grading, or excavation, the applicant shall complete the following and receive necessary approvals as described:

1. The applicant shall obtain a grading and erosion control permit in conformance with Chapter 15.44. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction of the subdivision. *(Submit 2 copies to Planning/Building Department.)*
2. Submit proof of receipt of a Department of Environmental Quality 1200-C permit or submit confirmation from DEQ if a 1200-C Permit will not be required. *(Submit to Planning/Building Department.)*
3. Any existing domestic or irrigation wells on site shall be located, identified, capped, disconnected or abandoned in conformance with OAR 690-220-0030. A copy of the Oregon Water Resources Department (OWRD) abandonment certificate shall be submitted to the City Planning Division. Any on-site sewage disposal system shall be abandoned in conformance with Clackamas County Water Environmental Services (WES) regulations and a copy of the septic tank removal certificate shall be submitted to the City Planning Division.
4. Install tree protection fencing to protect all 16 trees on the subject property as well as the 154 trees proposed for retention on adjacent properties. Retain an arborist on site to monitor any construction activity within the root protection zones of the trees on adjacent properties that have root protection zones that would be impacted by construction of Gunderson Road. Install tree protection fencing a minimum distance of 1 foot per 1 inch DBH, as indicated by the project arborist and recommended by the ISA. Tree protection fencing shall be a minimum of six feet tall supported with metal posts placed no farther than ten feet apart installed flush with the initial undisturbed grade. The tree protection fencing shall be 6 foot tall chain link or no-jump horse fencing and the applicant shall affix a laminated sign (minimum 8.5 inches by 11 inches) to the tree protection fencing indicating that the area behind the fence is a tree retention area and that the fence shall not be removed or relocated. No construction activity shall occur within the tree protection zone, including, but not limited to, dumping or storage of materials

such as building supplies, soil, waste items, equipment, or parked vehicles. The applicant shall request an inspection of tree protection measures prior to any tree removal, grading, or other construction activity on the site.

5. Request an inspection of erosion control measures and tree protection measures as specified in Section 17.102.50(C). Receive an approval of erosion control measures and tree protection measures prior to construction activities or issuance of the grading and erosion control permit.
6. Submit confirmation from a licensed pest control agent that the site was reviewed to determine if pest eradication is needed.

C. Prior to all construction activities, except grading and/or excavation, the applicant shall submit the following additional information as part of construction plans and complete items during construction as identified below: (*Submit to Public Works unless otherwise noted*)

1. The location of fire hydrants will be reviewed by the Sandy Fire Department in more detail with construction plans. Revise the Parking Analysis if required fire hydrants affect on-street parking spaces.
2. Work with the Fire Marshall to determine if the proposed plan meets Fire Code requirements, other than second access requirements which the Fire Marshall determined to be met. Per ODOT (Exhibit AA), the applicant shall provide turning templates for the Highway 211/Ponder Lane intersection. Improvements to the intersection will be required if determined necessary by ODOT or the City, depending on which entity has jurisdiction over the intersection.
3. Submit a profile design for a minimum of 200 feet for all future street extensions beyond the project boundary to ensure future street grades can be met.
4. Specify the locations of street lights on all streets being improved within and adjacent to the subdivision. Full cut-off lighting shall be required that does not exceed 4,125 Kelvins.
5. Submit a detailed final stormwater report stamped by a licensed professional to the City for review and approval with the final construction plans.
6. Demonstrate that the proposed subdivision does not exceed pre-development site runoff discharges to this same point and provide information on the dimensions and slope of the existing drainage way. The detention pond shall meet the requirements of the 2016 City of Portland Stormwater Management Manual (SWMM) for landscaping, Section 2.4.1, and escape route, Section 2.30.
7. Submit a mail delivery plan, featuring grouped lockable mail facilities, to the City and the USPS for review and approval prior to installation of mailboxes. Mail delivery facilities shall be provided by the applicant in conformance with Section 17.84.100 and the standards of the USPS.

8. Revise the utility plan to include broadband fiber locations as detailed by the SandyNet Manager.

D. Prior to Final Plat approval, the applicant shall complete the following tasks or provide assurance for their future completion:

1. Submit two paper copies of the tentative final plat for review with the associated plat review fee.
2. When the grading is completed, the applicant shall submit a final report by the Geotechnical Engineer to the City stating that adequate inspections and testing have been performed on all lots (Lots 1-32) and all of the work is in compliance with the above noted report and OSSC.
3. Construct all public improvements including streets and utilities, install street lights, and street signage. Complete street improvements for all streets within the subdivision as defined in this staff report, and for Gunderson Road and Highway 211 per the Development Agreement. The improvements shall include installation of sidewalks and planter strips on the west side of Ponder Lane.
4. Construct sidewalks along Tract A both on Ponder Lane and Street B, prior to final plat approval.
5. Construct the pedestrian tract (Tract B) improvements with pedestrian scale lighting connected to the street light circuit. The Tract B walkway shall be conveyed to the City on the Final Plat. The walkway within the tract shall be constructed of concrete at 8 feet in width with a 7 foot wide area for trees and landscaping. Install bollards at the east end of the tract to restrict vehicles from accessing the tract.
6. Install bollards along the east terminus of Street B, Ponder Lane east/west, Street C, and Street D. Also, install 'no parking' signs along the full length of Ponder Lane north/south at a spacing as determined during construction plan review.
7. Install the required local street improvements north of the property boundary to connect to the existing Melissa Avenue stub.
8. Install a stop sign at the intersection of Melissa Avenue and Rachael Drive for northbound traffic.
9. Install street lights as identified on the construction plans. The locations of street light fixtures shall be reviewed in detail with construction plans.
10. Dedicate the following to the City (by deed using the City's standard form):
 - Tract A and Tract B.
 - If the UGB application is approved, dedicate the right-of-way for Gunderson Road. If the UGB application is not approved, grant the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan.

- If the UGB application is approved, the stormwater pond for Gunderson Road and Highway 211 (currently noted as Tract C).
11. Record a tree protection covenant specifying protection of the 16 trees on the subject property and limiting removal without submittal of an Arborist's Report and City approval. This document shall include a sketch identifying the required retention trees and a 1 foot per 1 inch DBH radius critical root zone around each tree. All trees marked for retention shall be retained and protected during construction regardless of desired or proposed building plans; plans for future houses on the proposed lots within the subdivision shall be modified to not encroach on retention trees and associated tree protection fencing.
 12. Pay \$310,890 for the parks fee in lieu of dedication, -or- pay a total of \$341,850 if a portion of the fee is deferred (a minimum of 50 percent (\$170,925) paid prior to final plat approval with the remaining 50 percent (\$170,925) divided between the 100 lots, paid with each building permit). If the applicant dedicates parkland to the south of Bailey Meadows instead of paying the fee in-lieu the applicant and City Manager, on behalf of City Council, shall negotiate the terms of the parkland dedication.
 13. If the applicant chooses to postpone street tree and/or landscaping installation, the applicant shall post a performance bond equal to 120 percent of the cost of the street trees/landscaping, assuring installation within 6 months. The cost of the street trees shall be based on the average of three estimates from three landscaping contractors; the estimates shall include as separate items all materials, labor, and other costs of the required action, including a two-year maintenance and warranty period.
 14. Aerate the planter strips to a depth of 3 feet prior to planting street trees. The applicant shall either aerate the planter strip soil at the subdivision stage and install fencing around the planter strips to protect the soil from compaction, or shall aerate the soil at the individual home construction phase. The applicant shall call for an inspection with the City after aerating the soil and before planting the street trees.
 15. Pay plan review, inspection, and permit fees as determined by the Public Works Director.
 16. Pay addressing fees at \$40 for the subdivision plus \$5 per lot, or as otherwise identified in the most updated fee schedule.
 17. Submit a true and exact reproducible copy (Mylar) of the Final Plat for final review and signature.
 18. Submit a copy of the following once recorded:
 - Mylar version of the Final Plat.
 - Tree protection covenant including a map identifying the location of the retention trees.
 - Deeds identifying dedications to the City.

E. If the UGB application is approved, Gunderson Road shall be constructed and accepted by the city prior to issuance of the 30th certificate of occupancy for a housing unit in the

subdivision. The applicant shall submit a revised phasing plan for Director review and approval.

F. All conditions in Section A., B., C., and D. shall be satisfied prior to submittal of building permits. The following list includes conditions related to individual home construction:

1. All homes shall provide building design features in conformance with the standards of Section 17.90.150.
2. All homes shall meet the development standards of Section 17.34.30.
3. All structures shall maintain a minimum 20-foot setback from the Gunderson Road public right-of-way.
4. The front door of the houses on Lots 55-59 shall face Gunderson Road and include a connection directly to Gunderson Road via a pedestrian route per Section 17.82.20.
5. Street trees shall be installed approximately 30 feet on center in conjunction with issuance of building permits. Street trees are required to be a minimum caliper of 1.5-inches measured 6 inches from grade. Trees shall be planted and staked per the City of Sandy standard planting detail; trees shall be tied to the stakes with loosely tied twine. Tree ties shall be removed within one year of installation. *However, if the applicant postpones street tree installation per Condition D.13 street trees do not need to be planted with individual home construction.*
6. Aerate the planter strips to a depth of 3 feet prior to planting street trees. The applicant shall either aerate the planter strip soil at the subdivision stage and install fencing around the planter strips to protect the soil from compaction, or shall aerate the soil at the individual home construction phase. The applicant shall call for an inspection with the City after aerating the soil and before planting the street trees.
7. All planter strips shall be graded and backfilled as necessary, and bark mulch, vegetation, or other approved material installed prior to occupancy.
8. All trees marked for retention shall be retained and protected during construction regardless of desired or proposed building plans. Plans for future houses on the proposed lots within the subdivision shall be modified to not encroach on retention trees and associated tree protection fencing.
9. Development of this subdivision will require payment of system development charges in accordance with applicable City ordinances.

G. General Conditions of Approval:

1. On January 7, the applicant submitted an application to the City to expand the City's UGB in order to: (1) allow the applicant to dedicate right-of-way and construct Gunderson Road from the south boundary of the subject property to Oregon Highway 211; and (2) to dedicate

approximately 2.3 acres of parkland within TL 701. If the UGB application is approved and is ultimately deemed acknowledged:

- a. The applicant shall dedicate right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan, as shown in Exhibit W (page 4), subject to the terms of a non-statutory Development Agreement to be entered into between the applicant and the City (the "Development Agreement").
- b. The applicant shall construct Gunderson Road with a paved width of at least 24 feet to allow for two lanes of travel, as shown in Exhibit W (page 4), subject to the terms of the Development Agreement.

If the UGB application is not approved by either the City or Clackamas County, or an approval is finally reversed on appeal, the Applicant shall be allowed to proceed with an approval of the tentative subdivision application provided that it:

- a. Received final approval of the tentative subdivision application in the event of an appeal;
- b. Prior to final plat approval, pays the City a fee-in-lieu of parkland dedication of \$310,890 (1.29 acres of land to be dedicated x \$241,000) in accordance with SMC Chapter 17.86 and Resolution 2013-14;
- c. Prior to final plat approval, grants the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan; and
- d. All other conditions of approval in this decision are satisfied.

If the UGB application is approved and is appealed, the applicant will intervene in the appeal and exercise good faith and its best efforts in defending the approval.

2. The Final Plat shall be recorded as detailed in Section 17.100.60.
3. Public improvement plans are subject to a separate review and approval process. Preliminary Plat approval does not connote approval of public improvement construction plans, which will be reviewed and approved separately upon submittal of public improvement construction plans.
4. The improvements to Highway 211 shall meet the requirements of ODOT -or- alternatively AASHTO standards if the highway is transferred to the City of Sandy.
5. No building permits will be issued until all public utilities including sanitary sewer and water service are available to serve the development.
6. The City reserves the right to name all streets.
7. If entry signs are desired, the applicant shall submit a detailed plan showing the location of such signage and a sign permit application.
8. The applicant shall comply with the parking standards in Chapter 17.98. Garages shall be at least 18 feet in depth to accommodate vehicle parking and the on-street parking spaces shall be at least 22 feet in length. All parking, driveway and maneuvering areas shall be constructed of asphalt, concrete, or other approved material.
9. All work within the public right-of-way and within the paved area shall comply with the American Public Works Association (APWA) and City requirements as amended.

10. All ADA ramps shall be designed, inspected by the design engineer, and constructed by the contractor to meet the most current PROWAG requirements.
11. All on-site earthwork activities including any retaining wall construction shall follow the current requirements of the current edition of the Oregon Structural Specialty Code (OSSC). If the proposal includes a retaining wall, the applicant shall submit additional details on the proposed retaining wall for staff review and approval.
12. Trees shall not be removed from the subject property or the property to the south where the off-site Gunderson Road extension will be constructed that are located outside of the rights-of-way without applying for a tree removal permit and obtaining approval for tree removal.
13. All franchise utilities shall be installed underground and in conformance with City standards with individual service to each lot.
14. The applicant shall be responsible for the installation of all improvements detailed in Section 17.100.310, including fiber facilities. SandyNet requires the developer to work with the City to ensure that broadband infrastructure meets the design standards and adopted procedures as described in Section 17.84.70.
15. All public utility installations shall conform to the City's facilities master plans.
16. Site grading shall not in any way impede, impound, or inundate the surface drainage flow from the adjoining properties.
17. The applicant shall retain appropriate professional geotechnical services for observation of construction of earthwork and grading activities. The grading setbacks, drainage, and terracing shall comply with the Oregon Structural Specialty Code (OSSC) requirements and the geotechnical report recommendations and conclusions as indicated in the report.
18. Water line sizes shall be based upon the Water Facilities Master Plan and shall be sized to accommodate domestic fire protection flows on the site.
19. All public sanitary sewer and waterline mains shall be a minimum of 8 inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.
20. All stormwater drains shall be a minimum of 12 inches in diameter and shall be extended to the plat boundaries where practical to provide future connections to adjoining properties.
21. As required by Section 17.92.10(L), all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing. As required by Section 17.92.140, the developer shall maintain all vegetation planted in the development for two (2) years from the date of completion, and shall replace any dead or dying plants during that period.

22. Retention trees shall be detailed on a recorded tree protection covenant; thus, the retention trees shall be guaranteed or replaced in tree. None of the trees required to be retained may be located on or outside of the property line of the subject property.
23. Exposed soils shall be covered by mulch, sheeting, temporary seeding or other suitable material following grading or construction to maintain erosion control for a period of two years following the date of recording of the final plat associated with those improvements.
24. Successors-in-interest of the applicant shall comply with site development requirements prior to the issuance of building permits.
25. All improvements listed in Section 17.100.300 shall be provided by the applicant including drainage facilities, monumentation, mail facilities, sanitary sewers, storm sewer, sidewalks, street lights, street signs, street trees, streets, traffic signs, underground communication lines including telephone and cable, underground power lines, water lines and fire hydrants.
26. Comply with all standards required by Section 17.84 of the Sandy Development Code. Public and franchise improvements shall be installed or financially guaranteed in accordance with Chapter 17 of the Sandy Municipal Code prior to temporary or final occupancy of structures. Water lines and fire hydrants shall be installed in accordance with City standards. All sanitary sewer lines shall be installed in accordance with City standards.
27. Comply with all other conditions or regulations imposed by the Sandy Fire District or state and federal agencies. Compliance is made a part of this approval and any violations of these conditions and/or regulations may result in the review of this approval and/or revocation of approval.



Jerry Crosby
Planning Commission Chair

RIGHT OF APPEAL

A decision on a land use proposal or permit may be appealed to the City Council by an affected party by filing an appeal with the Director within twelve (12) calendar days of notice of the decision. Any person interested in filing an appeal should contact the city to obtain the form, "*Notice of Appeal*", and Chapter 17.28 of the Sandy Development Code regulating appeals. All applications for an appeal shall indicate the nature of the interpretation that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of the Code.

An application for an appeal shall contain:

1. An identification of the decision sought to be reviewed, including the date of the decision;
2. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;
3. The specific grounds relied upon for review;
4. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Chapter 17.28.50; and,
5. Payment of required filing fees.

Exhibit M M M M M M



NOTICE OF INTENT TO APPEAL

(Please print or type the information below)

File No. <u>20-009 AP</u>	Date of Decision:
Date Notice of Decision Mailed:	Date Appeal Filed: <u>2/26/2020</u>
Appeal Filed within 12 calendar days of Written Decision: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Application Complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	Appeal Fee: \$ <u>770</u> Receipt No.
Scheduled for review before the <input type="checkbox"/> Planning Commission <input checked="" type="checkbox"/> City Council	
Date Set for Appeal Hearing:	

Name of Appellant: Erin Findlay and Nicholas Glen Neighbors Phone Number 503-312-2608

Address: 37616 Rachael Drive, Sandy, Oregon 97055

(city/state/zip)

Legal Description of Property under Appeal: T2S R 4 E Section 23 TL 800,801,802,803,804,701

Basis for Standing to Appeal:

- Submitted written evidence during the initial review
- Testified orally at the hearing
- Participated through _____

Grounds for the Appeal: Attach separate page(s) stating the grounds for the appeal. The appeal must be based upon issues raised during the decision-making process or hearing. You must identify the issue with sufficient information so that the reviewing body understands under what criteria within the Sandy Development Code, the Comprehensive Plan, or Statewide Land Use Goals you are appealing.

Relevant Code Sections: Attach separate page(s) listing the relevant code sections, which relate to the appeal application.

Please note:

- If the notice fails to conform to the above requirements or is not actually received by the city (delivered to the city manager, planning director, city recorder or their staff) within the timelines specified, the appeal is void and shall be dismissed.
- An appeal stays an approval until resolution of the appeal.

RECEIVED
FEB 26 2020
CITY OF SANDY
9:30 a.m.

Exhibit NNNNNN

Emily Meharg
39250 Pioneer Blvd.
Sandy, OR 97055

February 26, 2020

Dear Emily, Kelly and City Council Members:

We are appealing the decision that the Planning Commission made for the Bailey Subdivision and are asking that you deny the application. The Findings of Fact omitted the City Engineer's finding in Exhibit Y that Gunderson Road construction was determined to be necessary to meet Sandy Development Code and our TSP back in September, 2019 and again found it to be necessary in their feedback on the proposed Gunderson Road alignment in January 2020 Exhibit UUU.

The Finding of Fact omitted transportation related code language that would have clearly and objectively required the development be required to build and pay for Gunderson Road. As a result of these omissions, and as a result of what could be construed as bullying or threats by the developer to appeal the City's land use decision to LUBA, the staff prepared, and the Planning Commission approved, a series of confusing and conflicting Conditions of Approval, many of which rely on IF statements.

We are asking that these conditions be amended to approve Bailey Meadows IF the UGB is expanded, and IF the developer then constructs Gunderson Road to Hwy 211. Instead, the Planning Commission approved the subdivision with the huge unknown of who pays for it, left undetermined, in a yet to be finalized "development agreement" They also implied that Gunderson Road construction was only required IF the UGB was expanded and IF ODOT transferred Hwy 211 to City jurisdiction.

This appeal will:

- 1) Highlight the confusing and apparent contradictory conditions of approval for Gunderson Road approved by the Planning Commission as well as omissions in Findings of Fact.
- 2) Quote the City's clear and objective (measurable) Code that requires the developer's responsibility for building/paying for Gunderson Road including additional findings of fact and revised conditions of approval.
- 3) Express concern regarding the proposed development agreement.

Your Planning Staff's Final Order Page 2, #9 says:

Ideally, a UGB expansion and the specifics of how Gunderson Road could be built and financed would occur prior to considering the subdivision application. However, this approach does not work for the applicant. Instead, the applicant is proposing that the city impose a condition of approval on its subdivision application that would require the applicant to seek, in a subsequent application process, an expansion of the UGB to allow the applicant to construct Gunderson Road, subject to certain contingencies. The applicant summarizes this proposal in a November 25, 2019 letter to the city (Exhibit W).

We can appreciate "this approach does not work for the applicant", but your responsibility as City Council is what works for the City and its residents! Instead you have a muddled and contradictory list of Conditions for Approval that appear to be optional for the developer, but in no way guarantees that Gunderson Road will be built and especially that the developer will be required to pay their share of Gunderson Road.

Final Staff Report - Conditions of Approval References to Gunderson Road:

A 3 and A 4 - both have references to requirements that begin with: If the UGB is approved...

D: Prior to Final Plat approval, the applicant shall complete the following tasks or provide assurance for their future completion: D3: Construct all public improvements including streets and utilities, install street lights, and street signage. Complete street improvements for all streets within the subdivision as defined in this staff report, and for Gunderson Road and Highway 211 per the Development Agreement. The improvements shall include installation of sidewalks and planter strips on the west side of Ponder Lane.

D 10: If the UGB application is approved, dedicate the right-of-way for Gunderson Road. If the UGB application is not approved, grant the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan.

E. If the UGB application is approved, Gunderson Road shall be constructed and accepted by the city prior to issuance of the 30th certificate of occupancy for a housing unit in the subdivision. The applicant shall submit a revised phasing plan for Director review and approval.

G1. On January 7, the applicant submitted an application to the City to expand the City's UGB in order to: (1) allow the applicant to dedicate right-of-way and construct Gunderson Road from the south boundary of the subject property to Oregon Highway 211; and (2) to dedicate approximately 2.3 acres of parkland within TL 701. If the UGB application is approved and is ultimately deemed acknowledged:

a. The applicant shall dedicate right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan, as shown in Exhibit W (page 4), subject to the terms of a non-statutory Development Agreement to be entered into between the applicant and the City (the "Development Agreement").

b. The applicant shall construct Gunderson Road with a paved width of at least 24 feet to allow for two lanes of travel, as shown in Exhibit W (page 4), subject to the terms of the Development Agreement. If the UGB application is not approved by either the City or Clackamas County, or an approval is finally reversed on appeal, the Applicant shall be allowed to proceed with an approval of the tentative subdivision application provided that it:

a. Received final approval of the tentative subdivision application in the event of an appeal;

b. Prior to final plat approval, pays the City a fee-in-lieu of parkland dedication of \$310,890 (1.29 acres of land to be dedicated x \$241,000) in accordance with SMC Chapter 17.86 and Resolution 2013-14;

c. Prior to final plat approval, grants the City an easement to permit the eventual dedication of right-of-way sufficient to allow Gunderson Road to meet the minor arterial standard in the City's transportation system plan; and

d. All other conditions of approval in this decision are satisfied.

G 25: All improvements listed in Section 17.100.300 shall be provided by the applicant including drainage facilities, monumentation, mail facilities, sanitary sewers, storm sewer, sidewalks, street

lights, street signs, street trees, streets, traffic signs, underground communication lines including telephone and cable, underground power lines, water lines and fire hydrants.

G26: Comply with all standards required by Section 17.84 of the Sandy Development Code. Public and franchise improvements shall be installed or financially guaranteed in accordance with Chapter 17 of the Sandy Municipal Code prior to temporary or final occupancy of structures. Water lines and fire hydrants shall be installed in accordance with City standards. All sanitary sewer lines shall be installed in accordance with City standards. If the UGB application is approved and is appealed, the applicant will intervene in the appeal and exercise good faith and its best efforts in defending the approval.

Reading all these conditions, many with the ambiguous IF, it is difficult to understand when Gunderson Road will be constructed. Condition #D3 says it should be constructed prior to the final plat approval, but is based on the as yet unknown development agreement that could water down all other conditions. Condition #E says that if the UGB is approved, Gunderson Road shall be constructed and accepted by the City before the 30th occupancy permit is issued. That condition and the use of the word *shall*, implies that the developer will be paying for and constructing the road, as in a normal land use decision. Similarly G1 references the applicant constructing the road, but is then overturned in G1a and b that mentions the as yet, undefined development agreement.. This appeal should be upheld because these conditions contradict each other.

Code Language and Other applicable standards that clarify the need for the developer to build and pay for Gunderson Road:

Chapter I of the Sandy Transportation Plan (TSP) says it serves “as the transportation element of our Comprehensive Plan.” Ordinance 2011-012 signed by the City Council, adopted the TSP as the transportation element of our comprehensive plan.

The TSP’s “Functional Classification Management Objectives” (page 17 of TSP) sets the standard for Local Streets like Melissa Avenue

Local Street

Local streets have the sole function of providing immediate access to adjacent land. These streets have a typical capacity between 800 and 1,000 ADT. Service to through traffic movements on local streets is deliberately discouraged by design.

The use of the word “typical” is a common engineering term meant to demonstrate clear and objective standards. Most road drawings are labeled “Typical” drawings to illustrate specific design elements and dimensions.

17.84.50 STREET REQUIREMENTS

A. Traffic evaluations may be required of all development proposals in accordance with the following:

1. A proposal establishing the scope of the traffic evaluation shall be submitted for review to the City Engineer. The evaluation requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. Large projects should assess all nearby key intersections. Once the scope of the traffic evaluation has been approved, the applicant shall present the results with and an overall site development proposal. If required by the City

Engineer, such evaluations shall be signed by a Licensed Professional Civil Engineer or Licensed Professional Traffic Engineer licensed in the State of Oregon.

2. If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.

B. Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:

- 1. Arterial streets should generally be spaced in one-mile intervals.*
- 2. Traffic signals should generally not be spaced closer than 1500 ft. for reasonable traffic progression.*

Under this Code Requirement a Traffic Impact Analysis (TIA) was done by the developer. It was done by a member of the Planning Commission, who repeatedly had to step down due to “conflicts of interest” and chose to sit next to the developer. While we cannot prove the fix was in, the optics are sketchy at best.

In fact the City Engineer, in his Traffic Engineering Report, contradicted the conclusions that the developer’s traffic engineer made in the TIA. He expressed concerns about this development related to traffic capacity, road conditions and safety on Melissa Avenue. **Exhibit Y #6 and #7 (Page 468 of Final Report) and documented the requirement for the new arterial Gunderson Road.**

#6. “Gunderson Road is classified in the City of Sandy TSP Figure 5 as a minor arterial street. A minimum off 34 feet right of way dedication will be required along the entire site frontage as per City of Sandy Development Code, chapter 17.84. This roadway will be extended in the future as the surrounding properties develop around this site.

A half improvement would be required on Gunderson Road to include 22 foot wide paved surface, curb cuts on one side, 5 foot planter strips and 6 foot wide sidewalks along the south plat boundary line as per the TSP. At the request of the City we have developed a layout to this site and came up with 98 lots including a 34-foot right of way dedication along Gunderson Road.

#7. Melissa Avenue is classified by the City of Sandy TSP figure 5 as a local street and is proposed to be the only access to this development. Currently, the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glen No 2 is 2,490 trips. The traffic volumes increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1,000 ADT. The projected capacity exceeds the preferred capacity limitations.

We are also concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case evacuation is needed...

The comments made by the developer’s representative imply that the word “allude” in their report was a suggestion and not a requirement. As referenced in the appropriate code stated above, the Comprehensive Plan, TSP, and Sandy Development Code all incorporate the TSP by reference. SDC 17.84.50 refers to them as “**minimum standards**” and “**accepted traffic engineering practices**”. If a development proposed an expected AADT of 1,100 it may be debatable, but the finding that the AADT with this development will be 2,490 - three times the 800 and 2.5 times the 1000 AADT

threshold under accepted traffic engineering practices, as concluded by the City's Traffic Engineer, should leave no doubt that there is a definite need for the Gunderson connection and that the City Plans and Code language are sufficient to require it. Similarly, there are not specified pipe diameters for potential water and sewer needs in our Code, but the fact that we need adequate water and sewer systems are not questioned or allowed to be undersized and overloaded with proposed development.

The Condition for Approval must require incorporation of Gunderson Road into the UGB as well as construction of Gunderson Road in order for Bailey Meadows development to be consistent with **SDC 17.100.60 E and F that ties back to the TSP street plan.**

E. Approval Criteria. The Director or Planning Commission shall review the tentative plat for the subdivision based on the classification procedure (Type II or III) set forth in Section 17.102 and the following approval criteria: ...

3. The proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy.(TSP).

4. Adequate public facilities are available or can be provided to serve the proposed subdivision.

5. All proposed improvements meet City standards.

6. The phasing plan, if requested, can be carried out in a manner that meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops.

F. Conditions. The Director or Planning Commission may require dedication of land and easements and may specify such conditions or modifications of the tentative plat as deemed necessary.

Gunderson Road must be constructed and Melissa Ave must be managed under **SDC 17.100.100** to ensure that development provides safe options, and addresses

B 2. If the study identifies level-of-service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered as part of the land use decision for the proposal.

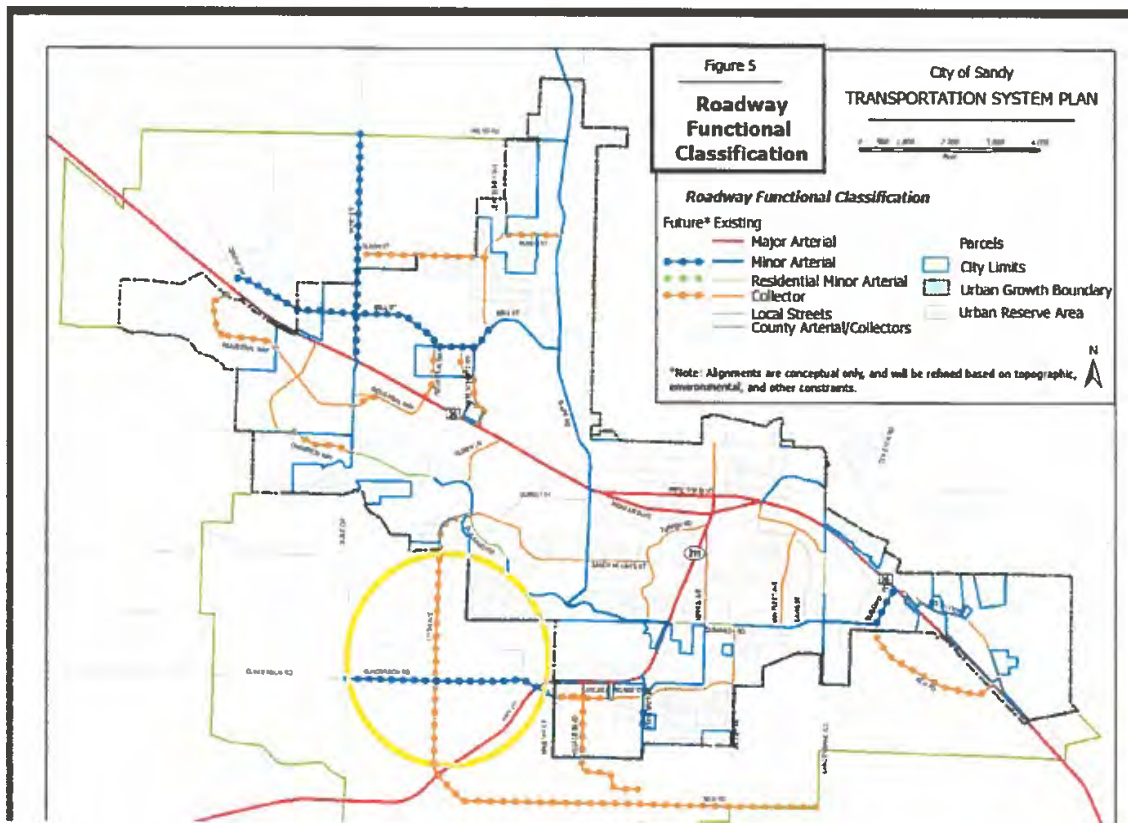
To further refute the comments that the SDC does not contain objective standards in the City's Code, **SDC 17.100.110** references specific drawings and incorporates by reference and summary statements, the TSP itself .

...B. Minor arterials are designed to collect and distribute traffic from major and minor arterials to neighborhood collectors and local streets, or directly to traffic destinations. Minor arterials should generally be spaced at 1-mile intervals.

C. Residential minor arterials are a hybrid between minor arterial and collector type streets that allow for moderate to high traffic volumes on streets where over 90% of the fronting lots are residential.

D. Collector streets are designed to collect and distribute traffic from higher type arterial streets to local streets or directly to traffic destinations. Collector streets should generally be spaced at 1/2-mile intervals.

E. Local streets are designed to provide direct access to abutting property and connect to collector streets. A general spacing of 8-10 local streets per mile is recommended.



We believe in “responsible growth”, and that Bailey Meadows must meet SDC17.100.310: In order to do that, you should condition approval with the UGB expansion and require the construction of Gunderson Road “at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.

17.100.310 REQUIRED IMPROVEMENTS

The following improvements shall be installed at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.

... I. Streets

We are concerned that approval of Gunderson occurred before a Development Agreement was finalized. We believe it is foolhardy to give up any leverage you have, approving the subdivision, before you finalize the cost share requirements and other terms for Gunderson Road construction. In fact, we do not believe a Development Agreement necessary. The statutory regulations that allow a City and a developer to enter into a “Development Agreement” are found in ORS 94.504. After these requirements were brought up to the staff during review by Planning Commission, the Development Agreement was changed to be a “non-statutory development agreement”. While an annotation on this statute mentions that a City may enter into a development agreement other than provided under that statute, we question whether that approach is transparent, or in the best interest of the City and its residents. The statutes outline the Agreement must define:

- (b) The permitted uses of the property;*
- (c) The density or intensity of use;*
- (d) The maximum height and size of proposed structures;*
- (e) Provisions for reservation or dedication of land for public purposes;*
- (f) A schedule of fees and charges;*
- (g) A schedule and procedure for compliance review;*
- (h) Responsibility for providing infrastructure and services;*
- (i) The effect on the agreement when changes in regional policy or federal or state law or rules render compliance with the agreement impossible, unlawful or inconsistent with such laws, rules or policy;*
- (j) Remedies available to the parties upon a breach of the agreement;*
- (k) The extent to which the agreement is assignable; and*
- (L) The effect on the applicability or implementation of the agreement when a city annexes all or part of the property subject to a development agreement.*

(3) A development agreement shall set forth all future discretionary approvals required for the development specified in the agreement and shall specify the conditions, terms, restrictions and requirements for those discretionary approvals.

(4) A development agreement shall also provide that construction shall be commenced within a specified period of time and that the entire project or any phase of the project be completed by a specified time.

(5) A development agreement shall contain a provision that makes all city or county obligations to expend moneys under the development agreement contingent upon future appropriations as part of the local budget process. The development agreement shall further provide that nothing in the agreement requires a city or county to appropriate any such moneys.

(6) A development agreement must state the assumptions underlying the agreement that relate to the ability of the city or county to serve the development. The development agreement must also specify the procedures to be followed when there is a change in circumstances that affects compliance with the agreement.

ORS 94.508 outlines the need for a Development Agreement to be consistent with local land use regulations, is a land use decision, and must be adopted by ordinance with notice and a public hearing. **Section 94.518** requires that the Development Agreement must comply with the comprehensive plan, zoning ordinances, rules and regulations of the City.

Regarding the Condition of Approval for park land, we believe it should be modified to require payment of fee in lieu as demanded by the developers. The land currently outside the UGB needed for Gunderson Road is wet and not wholly compatible as park land under 17.86.20. It does not meet the requirements set out in 17.86.20. Homes on the south end of Bailey Meadows do not face the park and despite having that pointed out by the planning commission that they consider a variance, the developers declined a variance. The developer would also need to grade and seed the park land and install sidewalks. For this reason, and because the developer insisted on an in lieu fee, we believe you should require the fee and accept the excess land as a donation.

Regarding the Condition of Approval for Gunderson Road to be built before the 30th occupancy permit is issued. It is important for City Council members to realize that the occupancy permit is often issued while the new home buyer is waiting with a loaded U-Haul in the driveway to move into the home. So when the occupancy permit is being held up, for some off-site road that the home owner is completely unaware of, they direct their anger at the City – not the developer. We would suggest that if you intend to put a threshold on allowing the developer to build some homes before Gunderson must be completed, that you should condition it on building permits, and not put the City planning staff in the cross-hairs of unaware homeowners waiting for an occupancy permit to unload the truck and move in.

Based on all the clear and objective existing City Code and TSP language, the TSP map, and the findings by the City Engineer, please deny the developers application, or at a minimum insert Conditions of Approval that approves Bailey Meadows IF the UGB is expanded, and IF the developer then constructs Gunderson Road to Hwy 211. If the Developer insists that the IGA for Hwy 211 be completed, then that can also be added to say that Bailey Meadows is approved IF the IGA is completed.

Sincerely,

Erin Findlay

Cary Mallon

Kathleen Walker

Emily and Richard Sheldon

Midge Wadkins

and numerous other Nicholas Glen Neighbors that submitted written and/or oral testimony

3/6/2020

City of Sandy Mail - Bailey Meadows Appeal (File No. 20-009 AP) update



Exhibit OOOOOO

Marisol Martinez <mmartinez@ci.sandy.or.us>

Bailey Meadows Appeal (File No. 20-009 AP) update

1 message

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>
Bcc: mmartinez@ci.sandy.or.us

Fri, Feb 28, 2020 at 2:55 PM

Hi all,

We received the appeal of 19-023 SUB/VAR/TREE on February 26, 2020 at 9:30 a.m. in accordance with the appeal deadline. The hearing for File No. 20-009 AP will be March 16, 2020 at 7:00 PM (*location on the agenda is to be determined*). On March 2, 2020 the City Council will determine if the appeal will be held de novo or on the record.

Some important dates:

Mailed notice will be sent on March 3, 2020.

Legal notice will be in the Sandy Post on March 4, 2020.

Staff report will be published on the City website by March 9, 2020.


If you have any questions let me know. Have a great weekend. -Kelly

--

Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2163
koneill@ci.sandy.or.us

MEMORANDUM

TO: Sandy City Council
FROM: David Doughman, City Attorney's Office 
SUBJECT: Scope of Review for March 16 Bailey Meadows Appeal
DATE: February 28, 2020

On March 16, 2020, the Sandy City Council will hear an appeal of the Sandy Planning Commission's approval of File No. 19-023 SUB/VAR/TREE, which is a 100-lot subdivision known as Bailey Meadows.

At its March 2, 2020 meeting, the council must determine the scope of its review when it considers the appeal. Section 17.28.30 of the Sandy Municipal Code says:

Except where a de novo hearing is required for review of Type II (Limited Land Use) decisions, an appeal is limited to a review of the record and a hearing for receipt of oral arguments regarding the record. At its discretion and if good cause has been demonstrated by the appellant or City staff, the hearing body may allow an appeal to include new evidence based upon circumscribed issues relevant to the appeal, or it may allow a de novo hearing.

Historically, the council has exercised its discretion to hear appeals "de novo." Under the city's code, a de novo hearing is one where the council is able to consider new evidence and written testimony, in addition to the evidence and testimony presented to the planning commission. When an appeal is heard "on the record," parties may only offer oral argument and may not raise any new issue or introduce any new evidence before the council.

In my experience, local governments are ill equipped to handle appeals on the record. It makes great sense for appellate bodies such as LUBA and appellate courts to limit appeals to the record. However, in those instances, rules govern the contents of the record; parties have an opportunity to object to the contents; and, prior to the hearing, each party files written briefs that must cite to relevant portions of the record in order to demonstrate they have preserved an issue for appeal.

Local governments are not appellate courts. Without similar procedures in place, appeals on the record (especially in complex or controversial situations) often lead to arguments between parties about what issues may or may not be asserted on appeal, who may assert them and what evidence in the record supports those assertions. Significant amounts of time can be spent sorting through and making decisions concerning these issues, which then results in potential procedural errors.

RECOMMENDATION: For these reasons, I recommend the council choose to hold a de novo appeal for File No. 19-023 SUB/VAR/TREE.

March 2, 2020

Michael C. Robinson
Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

VIA E-MAIL

Mr. Stan Pulliam, Mayor
City of Sandy City Council
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: Appeal of Planning Commission Decision Approving Bailey Meadows Tentative Subdivision Application; Applicant's Request Regarding Scope of Review of Appeal Hearing Pursuant to Sandy Development Code ("SDC") 17.28.30

Dear Mayor Pulliam and Members of the Sandy City Council:

This office represents Allied Homes & Development, the Applicant. This letter requests that the City Council conduct an on-the-record appeal hearing and not a *de novo* appeal hearing.

The Applicant understands the difficulty of providing an on-the-record appeal hearing, principally in determining what documents were before the Planning Commission and which were not. However, the Applicant respectfully requests that the City Council conduct an on-the-record appeal hearing as provided for in SDC 17.28.30.A which provides that:

"At its discretion and if good cause has been demonstrated by the appellant or City staff, the hearing body may allow an appeal to include new evidence based upon circumscribed issues relevant to the appeal, or it may allow a *de novo* hearing."

SDC 17.28.50.A.1-4 provides the standards for allowing a *de novo* hearing. The City Council can find that allowing the *de novo* hearing where the Planning Commission provided two opportunities for public testimony, including the submittal of evidence, and an extensive open record period prejudices the Applicant by allowing another opportunity to submit evidence. The parties had the availability and convenience to submit evidence at the December 17, 2019 Planning Commission hearing and the January 23, 2020 Planning Commission hearing. There is no reason that additional evidence could not have been presented to the Planning Commission. Further, submitting additional evidence at what is likely to be the only City Council hearing may prolong the City Council's consideration of the Application. It is unclear what additional evidence might be submitted but at this point in the proceeding, such evidence could have been easily provided to the Planning Commission and its failure not to have been provided to the Planning Commission reduces the role of the Planning Commission in this proceeding and suggests that the confidence, relevancy and materiality of the evidence that might be submitted

Mr. Stan Pulliam, Mayor
March 2, 2020
Page 2

to the City Council by opponents is not credible. Finally, the Planning Department has done an exemplary job of maintaining the submittals and responding to the issues and evidence. This makes the City Council's job of conducting an on-the-record hearing much easier.

The Applicant respectfully requests that the City Council conduct an on-the-record appeal hearing on March 16, 2020.

Very truly yours,



Michael C. Robinson

MCR:jmhi

Cc Mr. Cody Bjugan (*via email*)
Mr. Chris Goodell (*via email*)
Ms. Marie Holladay (*via email*)
Mr. Monty Hurley (*via email*)
Mr. David Doughman (*via email*)
Mr. Kelly O'Neill (*via email*)

PDX\133569\245146\MCR\27428566.1

**Exhibit RRRRRR**

Marisol Martinez <mmartinez@ci.sandy.or.us>

20-009 AP Bailey Meadows Subdivision Appeal

1 message

Sarah Bettey <sarahbettey2978@hotmail.com>

Wed, Mar 4, 2020 at 11:09 AM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>, "planning@ci.sandy.or.us" <planning@ci.sandy.or.us>

March 4, 2020

City of Sandy Planning Division
Attn: Kelly O'Neill Jr.

RE: 20-009 AP Bailey Meadows Subdivision Appeal

My name is Sarah Bettey and my husband and I are homeowners in the Nicholas Glen neighborhood off Melissa Ave and Dubarko Rd in Sandy, Oregon. As a member of the Sandy community, I am writing to you to express my apprehension about the potential planned project for the Bailey Meadows subdivision as it has been approved. We hope you will keep our concerns in mind when it comes time for you to review the appeal.

The City of Sandy Planning Commission has approved the plan to build the Bailey Meadows subdivision, despite their presently being only one street that could serve as access to this new neighborhood, Melissa Avenue. The developers of the subdivision, Allied Homes and Development, have applied to expand the UGB and if this is approved, plan to include a 2nd point of entry into the new subdivision via Hwy 211 by extending Gunderson Road, along with much needed park land dedication. It would give both Bailey Meadows and Nicholas Glen a 2nd access point, which is safer in case of emergencies and inclement winter weather. It will also drastically reduce the number of increased vehicle trips that are projected for Melissa Avenue daily.

We 100% support the UGB expansion due to this imminent safety issue. Our family and community want assurance that a second access point will be part of the future of this subdivision plan. Since the proposed expansion tax lot is already in the Urban Reserve Area, it has been anticipated that someday this section would be included in the Sandy UGB. We hope that this expansion can happen now so that the proposed Gunderson Road entrance to Bailey Meadows can be included in the development and reduce traffic through Nicholas Glen as soon as possible.

The approval states that even if the UGB expansion is not approved, the developer can continue with the project. Our family objects to this. We feel that if the 2nd entrance into the neighborhoods is unable to be built at this time that the subdivision application be denied. Secondly, the approval also states that if the UGB expansion is approved, the developer does not have to construct Gunderson Road until they want to get the certificate of occupancy for the 30th home. Therefore, all traffic for the construction of the subdivision up until this point would be directed right up Melissa Ave. This is unacceptable. As part of the appeal, we hope that these two points are modified so that the Gunderson Road expansion must be built prior to any part of the subdivision construction.

Without the approval of the UGB expansion and road connection via Gunderson Road to Hwy 211, I truly fear for the safety of my family and our neighbors. I hope you will hear my concerns and take

3/4/2020

City of Sandy Mail - 20-009 AP Bailey Meadows Subdivision Appeal

them into consideration as you make decisions on this matter.

Thank you for your time,

Sarah Bettey
18195 Melissa Ave
Sandy OR 97055
Sarahbettey2978@hotmail.com
971-246-2974

theBetteyfamily | [18195 Melissa Avenue Sandy, OR 97055](#) | S 971.246.2974 | R 503.953.3366 |
sarahbettey2978@hotmail.com



Marie DeBatty Sandy Neighborhood Watch!

September 16, 2019 ·

On September 18th there will be a neighborhood informational meeting at the Sandy library at 6:00. It is regarding a planned resident subdivision located off ponder lane north of the 211.

Yes folks of Sandy another housing development. 91 plus homes to be built. This what I have heard from my neighbors that are going to be effected by this development.

My concern is.

1. How is are town going to accommodate more people?

Which includes already overcrowded class rooms. No room for more students. What kind of education are our children going to have when there are 35 to 40 children in a class room?????

Next what about water and sewage? That's a whopping 8.3 million dollar project. So much for our taxes!!!

And of course the already HUGE problem with traffic.

Please come to this meeting .

71

140 Comments

Like

Comment



Eric Blatter Well, that should do wonders to help find a bypass around downtown Sandy for HWY 26, huh?

Like · Reply · 24w

3



Laura Lutz Page Eric Blatter where will this by pass go now? I have lived here over 60 years and heard that story my whole life. No room now especially if they keep building!

Like · Reply · 24w

6



Eric Blatter Laura Lutz Page, ask the new mayor, he got ODOT to look into the situation.

Like · Reply · 24w

1



Lynn Maddox-Johnson You can't stop progress...

Like · Reply · 24w

5



Laura Lutz Page Lynn Maddox-Johnson no but you can PLAN for it!!

Like · Reply · 24w

9



Jordan Junker Lynn progress is improving the town we already have. A new/nother housing development isn't going to do anything but negativitly affect this town.

Like · Reply · 24w · Edited

10



Lynn Maddox-Johnson Im sure people said the same thing when your house was built. Nothing wrong with new housing and better opportunities for someone else

comments by mayor stan pulliam - Facebook Search
and better opportunities for someone else.

Like · Reply · 24w

7



Lynn Maddox-Johnson No matter what you say or do Sandy will grow, might as well get used to it.

Like · Reply · 24w

3



Sally DeVinney I'm on the same page. A lot of long time residents have been forced out due to lack of housing. Affordable housing would be nice. But people don't like that idea either because a lot of them see lower income people as undesirable.

Like · Reply · 24w

3



Dotty Pratt No matter what...expansion needs to be done responsibly. TOO much high density is not good. There needs to be balance. Yes, growth is inevitable...but the citizens should help with input.

Like · Reply · 24w

3



Laura Lutz Page Lynn Maddox-Johnson I doubt that, they helped start the town

Like · Reply · 24w



Sherry D Anderly Lynn that's not progress. I'm guessing your relatively new to our town or you wouldn't say it.

Like · Reply · 24w

2



Write a reply...

Press Enter to post.



Alan McGuire-Nash Sandy is growing. Hard to stop that. People need places to live.

Like · Reply · 24w

2



Donny Williams The taxes need to quit being lobbed on existing citizens from the City! These developments need to pay their way or fair share!

Like · Reply · 24w

8



Katie Knutson Nicholas Korbe

Like · Reply · 24w



Katie Knutson The school situation has me really worried and upset. Just this year they had a huge increase in kids enrolled for school. So much so my 5th grader is now in a 4/5 split this year. I hope they plan accordingly for this growth.

Like · Reply · 24w

3



Tonya Haywood Katie Knutson I'm not excited about these split classrooms at all!

Like · Reply · 24w

1



Katie Knutson [Tonya Haywood](#) me either! It was very upsetting to hear the Friday before school started.

Like · Reply · 24w



Courtney Fisher We need to go to school board meetings for the large class sizes. That falls under their jurisdiction, not the city's. Frustrating that everything is run separately and no one can tell the other what to do.

Like · Reply · 24w

3



Tonya Haywood [Katie Knutson](#) yeah I wouldn't be happy either! I heard that from more than one person

Like · Reply · 24w



Kelli Ewing More students equals more funding. School board needs to cap class sizes and use additional funds to hire teachers.

Like · Reply · 24w

5



Maria N Jim Platt Uuuuhhggg, the split. Last year my little ones school started this and we weren't told anything about it. My kid came home saying the "smart kids" in her kinder class got to move to a classroom with 1st graders. Because it wasn't explained to parents & was presented in a way that yes, eluded to "your children were chose based on maturity and competence" it appeared it was true. I outreached and got the real story, which was handled with grace and apologies for miscommunication but still felt crummy. They should all be with their grade and NEVER feel inferior.

Like · Reply · 24w



Write a reply...

Press Enter to post.



Sandy Leedham Frankus So the development pays for road improvements, sewage upgrades, water upgrades. It won't be dumped on Sandy tax payers right. The city and county won't allow the development to make their millions and leave right?

Like · Reply · 24w

4



Channah Polis [Sandy Leedham Frankus](#) you're absolutely right. The builder and developer pay for those costs. Not the people of Sandy.

Like · Reply · 24w

1



Colin Hatfield [Channah Polis](#) nah they will donate to the city hall and get deferred.

Like · Reply · 24w



Channah Polis [Colin Hatfield](#) HAahaha mmmkay

Like · Reply · 24w



Write a reply...

Press Enter to post.



Colin Hatfield Stan Pulliam has been pretty quiet about this development. I've asked him about it on several different posts and he has yet to chime in.

Like · Reply · 24w

4



Stan Pulliam Colin. As someone who who could eventually be sitting on a hearing body for this application, I'm legally not supposed to engage in dialogue on active land use applications.

I would suggest to interested citizens to both go to the informational meeting the developer is hosting on September 18th as well as the planning commission hearing that's tentatively scheduled on October 28th. If this gets appealed to City Council, I would hope to see interested citizens at that meeting as well.

My understanding is that public notices have been sent to residents of the Nicholas Glen neighborhood on September 12th. Hope this helps. Thanks!

Like · Reply · 24w

3



Emily Sheldon Stan Pulliam only the neighbors on the development side of Rachael received information re: September 18th meeting...the rest of the Nicholas Glen neighborhood did not.

Like · Reply · 24w



Stan Pulliam Emily Sheldon ok thank you. I'll look into that. One of my priorities this next year is to make sure we are widening the scope of our notices and going beyond what we legally have to do and get closer to what I feel and think the public feels we should be doing. Thanks again for the information.

Like · Reply · 24w



Emily Sheldon Stan Pulliam thanks! This had been handled very badly & the surveyors & developers have given us the complete runaround on where the property boundaries even are...affecting each neighbors fence...we are very disappointed.

Like · Reply · 24w



Write a reply...

Press Enter to post.



Tonya Haywood The schools are so overwhelmed already it's crazy! The classes keep getting bigger and bigger.

Like · Reply · 24w

1



Nicole Renee Sellin I am curious about the plan... I keep hearing about the new housing development with close to 100 homes, because it is next to my current neighborhood, but everything is

hush hush. Where is the talk/information about adding a new school, improving or expanding the already overcrowded ones? Traffic is already tricky and crowded; this is just adding another 180ish cars to our town (if each house has two cars.) I understand growth, progress, and development, but it is not progress when we are creating bigger problems and are not sharing the plan with remedies.

Like · Reply · 24w

5



Nina Eleanor Alter 91+ homes, built at what rate? Like... 91+ homes over 5 years, or 91+ homes w/in 1 year? That's kind of a big kicker to me, it seems like.

Like · Reply · 24w

1



Tonya Haywood Nina Eleanor Alter as fast as these houses are coming up I'm betting within a year.

Like · Reply · 24w

1



Nina Eleanor Alter Tonya Haywood well, no, a responsible planning department wd force some staggering so infrastructure & traffic studies can keep up. Growth is inevitable, it just needs to be managed well.

Like · Reply · 24w



Tonya Haywood Nina Eleanor Alter we could only hope

Like · Reply · 24w



Write a reply...

Press Enter to post.



Vikki L Opperman-Ballou The biggest problem with this is the TRAFFIC. I have lived here over 60 years and it's the SAME roads. Utterly, ridiculous. With more and more people moving to Estacada and coming here to Sandy to shop, and with all the new people in the Portland, Gresham area going through town on the weekends.....it's a nightmare that's only going to get worse.

Like · Reply · 24w

11



Donna Pat Kearnes Martin This is nuts, don't we get to vote on No more people . We were so quiet and safe now the city has moved in, crime up the wazoo . We had very little crime 10 years ago compared to now. Since they are on a roll , they need to add some more jobs out here and fix traffic , which they will never get fixed is traffic. That's the one they can't figure out and probably folks aren't willing to sell their property for an overpass .

Like · Reply · 24w

4



Laura Lutz Page Donna Pat Kearnes Martin been going on all my life 60 + . After pushing 26 thru when I was in grade school NOTHING has been done but back up traffic from Gresham to Sandy

Like · Reply · 24w

1



Donna Pat Kearnes Martin Laura Lutz Page, yep , we've

been here 30 years or more , but it's the worst now. I get anxious just crossing some of our streets , many have no regard to people or kids walking .

Like · Reply · 24w

2



Laura Lutz Page Donna Pat Kearnes Martin I totally agree and lights that let 3 maybe 4 cars thru before changing for 26 traffic again!

Like · Reply · 24w

1



Write a reply...

Press Enter to post.



Brad Magden Hopefully Fred Meyers opens up more actual cashier operated checkout lanes....

Like · Reply · 24w

16



Travis A Riehl Brad Magden self scan lanes are open...

Like · Reply · 24w



Brad Magden Travis A Riehl because it's convenient when you have over 25 items in a cart to wait for them to unlock your machine? haha.

Like · Reply · 24w



Travis A Riehl I want that employee discount.

Like · Reply · 24w

1



Brad Magden Travis A Riehl if you have to do the ringing up and bagging of goods yourself, you should get a discount!

Like · Reply · 24w

2



Write a reply...

Press Enter to post.



Brittany Pugh Is the housing development off the sandy bluff neighborhood at a standstill? Why add another when the one they pushed through isn't doing anything?

Like · Reply · 24w



Channah Polis Brittany Pugh yup. That development is still going in. The contractor already has the homes listed for sale. You can view them on sites such as Redfin. Developments such as these, take years to finish.

Like · Reply · 24w · Edited



John V. Hager Brittany Pugh there planning 42 homes under the power lines

Like · Reply · 24w

View 1 more reply



Judy Perrodin O'Regan Seriously

The traffic is horrific
Let's work on infrastructure first then plan thoughtful growth

Like · Reply · 24w

2



Channah Polis Judy Perrodin O'Regan unfortunately, the city pursues additional road development after the homes are built, established and the property taxes on those homes have been recorded and collected.

Like · Reply · 24w · Edited



Laura Lutz Page Channah Polis in that case the bypass should have been done when freddy's went in and all the homes since!

Like · Reply · 24w

1

[View 1 more reply](#)



Dayna Brown The district is working on a plan to fix up the elementary schools. It will take time. They have had focus groups and surveys done. I am sure you will start hearing more information soon.

Like · Reply · 24w · Edited

1



Camille Gallegly Who is the developer? Has the underground been permitted yet?

Like · Reply · 24w



Marie DeBatty AKS engineering. From Tualatin.

Like · Reply · 24w



Colin Hatfield Marie DeBatty looks like it's allied homes out of Clackamas according to the city planning page active projects that hasn't been up dated in months....

Like · Reply · 24w



Beverly Leathers This is what happens when voting city residents vote to annex more property into the city unfortunately I don't get to vote because I did not live within the city limits but have to fight the traffic also

Like · Reply · 24w

5



Tim Harrell Beverly Leathers I have voted no on every one, and will continue to unless the city increases law enforcement presence and infrastructure development. I wish everyone else would too.

Like · Reply · 24w

5



Bill King Beverly Leathers the legislature took away the citizens ability to vote on annexations a while back. It was always voted on before that. Now the city council votes and they are pretty much mandated to pass all annexations that meet certain criteria !

Like · Reply · 24w · Edited

3



Beverly Leathers Bill King good to know

Like · Reply · 24w

1



Write a reply...

Press Enter to post.



Valerie Teeters- Moore The schools are my concern! They already have to leave boring and go to naas for lunch! There is still one cafeteria for to schools and the enrollment is way up!!!

Like · Reply · 24w

3



Laura Lutz Page Valerie Teeters- Moore been like that since Naas building was built. My kids are mid to late 40s and went to Boring all 8 years. Never changed! Actually I went to Boring also but Naas wasn't built back then.

Like · Reply · 24w



Valerie Teeters- Moore My kids also my grandkids go there know so it's about time it changes

Like · Reply · 24w



John V. Hager Valerie Teeters- Moore there were 123 new students enrolled this year

Like · Reply · 24w



Write a reply...

Press Enter to post.



Chris Parker It is already so hard to get Into Sandy from the South side with only two busy entry roads, 211 or the one by Fred Myers. Crazy

Like · Reply · 24w

2



Julie Snell Bill King the legislature mandates this?? What is their reason?

Like · Reply · 24w



Bill King Julie Snell couldn't say for sure what the reason the legislature did this. I suspect it was to generate more housing for the states homeless / housing shortage

Like · Reply · 24w



Julie Snell Bill King correct me if I am wrong but the # of homeless people has increased.

Like · Reply · 24w



Bill King Julie Snell like I said not sure what they were thinking !

Like · Reply · 24w



Prescott Vanderhoff Julie Snell what does Bill King have to


 do with anything?
Like · Reply · 24w 1

 **Beverly Leathers** Prescott Vanderhoff he's responding to my comment thank you
Like · Reply · 24w 1

 Write a reply...
Press Enter to post.

 **Erin Findlay** Melissa Suit
Like · Reply · 24w


 **Nic Dukes** Kris Liebelt
Like · Reply · 24w


 **Thomas Dunn** So what this is saying to me is the we don't want our community to expand yes we need another school but so does the entire country of Multnomah county let's make sandy a place people want to move to then our small business can thrive
Like · Reply · 24w 2


 **Laura Lutz Page** Thomas Dunn not on these roses with 200 more vehicles everyday!!
Like · Reply · 24w 1


 **Laura Lutz Page** Roads
Like · Reply · 24w

[View 1 more reply](#)


 **Laura Olsen** Hwy26 is insane to drive down these days.weve been in sandy 20 plus years and it's gotten to crowed. They must do something about the traffic problems and the school problems
Like · Reply · 24w 3

 **Christina Collier** The middle schools here already have 40 to 45 per class.
Like · Reply · 24w 3

 **Marie DeBatty** Christina Collier this is true I feel bad for my friends that are teachers
Like · Reply · 24w


 **Christina Collier** I feel bad for the kids who are not getting proper education due to understaffing at the schools and over populated. Last year my daughter was told on several occasions "sorry I don't have time to help you I have 40 kids per class and I have no time".
Like · Reply · 24w 1

 **Bob Stubbs** Christina Collier you can blame that on pers,


 not sustainable.
[Like](#) · [Reply](#) · 24w · Edited


Press Enter to post.

 **Chris Cohoon** Time to stop the building!
[Like](#) · [Reply](#) · 24w

 **John V. Hager** The city of Sandy is the 2nd fastest growing city in the state.
[Like](#) · [Reply](#) · 24w

2

 **Nicole Renee Sellin** Here are pictures of the notice we received today.



[Like](#) · [Reply](#) · 24w

 **Nicole Renee Sellin**



[Like](#) · [Reply](#) · 24w

 **Nicole Renee Sellin**





Like · Reply · 24w



Nicole Renee Sellin



Like · Reply · 24w



Nicole Renee Sellin



3

Like · Reply · 24w



Laura Lutz Page Nicole Renee Sellin thank you for sharing

Like · Reply · 24w



Nicole Renee Sellin No problem... it sounds like notices only went out to part of the neighborhood (those within a certain distance of the main road.) I figured I would put them on here for everyone, so that information was available to the community as a whole.

Like · Reply · 24w

2



Beverly Leathers Nicole Renee Sellin I'm sure I'll be corrected if I'm wrong so the landowner who is within a certain distance from the proposal is notified maybe 750 ft from the development this may have changed

Like · Reply · 24w



Nicole Renee Sellin One of the letters stated that notice

comments by mayor stan pulliam - Facebook Search

went to those with 500 ft. I am not sure about the second letter. I know that some who live in the Nicholas Glen neighborhood did not receive the letter. Melissa Ave is the only access into the neighborhood currently, so adding another 100 homes with only one access is pretty ridiculous in my opinion.

Like · Reply · 24w

1



Write a reply...

Press Enter to post.



Nicole Renee Sellin Here are pics of the letter we received last week.



Like · Reply · 24w



Nicole Renee Sellin



Like · Reply · 24w



Nicole Renee Sellin



Like · Reply · 24w


 **Beverly Leathers** [Nicole Renee Sellin](#) is this the one off Ponder or the new development off of Bornstedt Rd there is more houses being built next to Bornstedt Village and meets up on Arletha Ct

Like · Reply · 24w

 **Nicole Renee Sellin** [Beverly Leathers](#) this is off Ponder, though the builder proposed that the only access point is via Melissa Ave, which is off Dubarko.


Like · Reply · 24w

1

 **Anita Teaa Reese** Maybe move somewhere like Montana. 2 of my grand kids live there and only have 8-10 kids total per class. A new appreciation for teachers able to the extra time and help they need..coming from Oregon schools.


Like · Reply · 23w

2


 **Laura Lutz Page** [Anita Teaa Reese](#) my daughter moved to Helena and is a teacher. She took big pay cut but she said the kids are so much better behaved and polite. New world from Aberdeen Wa and Ore

Like · Reply · 23w

2

 **Anita Teaa Reese** Progress is enviable sometimes we have to make a change rather than try to stop change

Like · Reply · 23w

 **Laura Lutz Page** [Anita Teaa Reese](#) we need better planning for this growth!! Roads and schools need to be 1st! Before the homes and more people


Like · Reply · 23w

7

 **Barbara Coombs** [Laura Lutz Page](#) i totally agree sandy is a .mess


Like · Reply · 23w

3

 **Judy Evans** Our poor "little community" is bursting at the seams!

Like · Reply · 23w

5

 **Greg Meier** Doesnt seem like we have the infrastructure to support this growth.


Like · Reply · 23w

7


 **Prescott Vanderhoff** [Greg Meier](#) we dont

Like · Reply · 23w

3

 **Colin Hatfield** Was anyone able to attend the meeting last night? I wasn't able to get home from work early enough to go.

Like · Reply · 23w

 **Marie DeBatty** Yes I went. The only way out and in to the proposed development is through Melissa. We have about 1200 going in and

development is through melissa . we have about 1200 going in and out of our neighborhood now. Do the math if one hundred new homes are built. Lots of traffic. Plus if there allowed to build Melissa will be tore apart to put in pipes for water sewage, electricity. How we going to get through if it's tore apart. What a mess!!!!!!

Like · Reply · 23w

5



Nicole Renee Sellin I went to the meeting as well... definitely would be a mess. As expected, the developer and the rest of his crew show very little concern on how the building of the development would change our quiet neighborhood, increase traffic issues, further overpopulate our schools, etc.

Like · Reply · 23w

2



Donna Pat Kearnes Martin The developer doesn't care , he's already made a boat load of money out here and is still doing so .

Like · Reply · 23w

4



Mark Olsen Great!!!!

Like · Reply · 23w



Yana Melikzade You have a really good point about the schools. The classes are already over packed at times! I really don't know how they plan to do all this. Unless they are opening a new school also?

God I can only imagine the traffic that will come with all this

Like · Reply · 23w

3



Mary Wilson-Casey Wish this post would had shown up sooner on my feed, I sure whis that I was there.

Like · Reply · 23w



Emily Sheldon Mary Wilson-Casey there is another meeting Oct 28th at city hall

Like · Reply · 23w

1



Marie DeBatty Mary we will keep you in the loop.

Like · Reply · 23w

1

[View 1 more reply](#)



Erin Findlay Marie DeBatty I just sent you a PM.

Like · Reply · 23w



Heather Wendler Melissa Suit did you get notification of this development? Right behind your house

Like · Reply · 23w



Melissa Suit Yes, it's awful. I'm one house too far so they don't send us the notifications but the neighbors keep me in the loop.

Like · Reply · 23w



Heather Wendler Melissa Suit are house?? It's literally...



Heather Wendler **MELISSA SUIT** one house??? it's literally right behind your place! Where the heck are all those cars going to go?!

Like · Reply · 23w



Heather Wendler Will the entrance to the development be at the top of Melissa? Where the barricade is?

Like · Reply · 23w



Melissa Suit I know! That road is going to be so busy.

Like · Reply · 23w



Write a reply...

Press Enter to post.



Loni Buettner-Jones The traffic going through Boring & Damascus is already insane!!! We need more/other routes to take or larger/wider Hwy through town, into Clackamas/Milwaukie area's asap!!!

Like · Reply · 23w

2



Emily Sheldon Please come & testify at the city council meeting on October 28th. Make your voices known! You can also submit your concerns via email or letter to the city planning department...please do so asap so they can include them!

Like · Reply · 23w

4



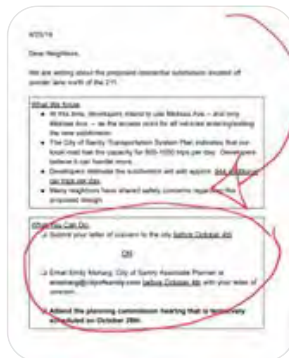
Trisha Lynn What we really need is a moratorium on building until they figure out new avenues, water and energy resources, stop the growth until the rest is figured out. But we the people don't have the cash to stop them and government to greedy to stop them!!

Like · Reply · 23w

1



Emily Sheldon



Like · Reply · 22w



Emily Sheldon The City of Sandy needs to hear from you! Email the city with your concerns ASAP!

Like · Reply · 22w

1



Damon Lehr I enjoy the security of this pocket neighborhood. I live

5 houses from Melissa and really wish the newer neighborhood wasn't connected and had its own access from a different location other than Melissa. Smaller pocket neighborhoods also seem to create a closer relationship with the other neighbors around I have noticed. We don't need to copy other cities street developments in all connected housing. I vote no.

Like · Reply · 22w · Edited

1



Nicole Renee Sellin Damon Lehr please send in a letter of concern to the city! If you would like more info, let me know!

Like · Reply · 21w

1



David Hickey Not to say anything about the traffic thats already jams up sandy everyday.

Like · Reply · 22w

1



Marcus Walters As a resident, I was not informed of any such meeting, nor did there seem to be any effort by the city to ensure citizens were informed, I did not see this post and if I had I would have been there. This city is not prepared for more growth and does NOT have the infrastructure in place to support it. The people allowing the growth are clearly not thinking of the long term cost and effect of their haphazard and irresponsible decisions that will decimate this city's financial well being, and overtax every existing utility and public sector support network in and around the city.

Like · Reply · 21w · Edited

4



Mary Wilson-Casey [Marcus Walters](#) I did not see this notice in time either, I am going to the Oct 28th meeting at city hall, come join us.

Like · Reply · 21w



Nicole Renee Sellin [Marcus Walters](#) and [Mary Wilson-Casey](#), are you residents of Nicholas Glen?

Like · Reply · 21w



Mary Wilson-Casey [Nicole Renee Sellin](#) I am not but affected by all of the new communities south of 211.

Like · Reply · 21w



Marcus Walters [Nicole Renee Sellin](#) I live just off the 211, where traffic has increased massively without any care or planning, no consideration given to traffic in any way, creating dangers to residents and children, increasing noise levels to the point of nearly intolerable.. its like living next to a freeway...

Like · Reply · 21w



Marcus Walters (FYI: If those council members or the mayor lived here, trust me they would have already done something to fix it, but they are unaffected so they do not seem to care one bit...)

Like · Reply · 21w

3/3/2020

comments by mayor stan pulliam - Facebook Search



Nicole Renee Sellin Oh no worries... just trying to see who lives in my neighborhood! I do not know everyone, so it has been nice meeting people.

Like · Reply · 21w



Write a reply...

Press Enter to post.



Write a comment...

Press Enter to post.

;



Stephen Alder

September 28, 2019

Mayor Stan Pulliam, what's your plan for the incoming housing developments?

10

68 Comments

Like

Comment



Stan Pulliam Hi Stephen,

As someone who could eventually be sitting on a hearing body for development applications, I'm legally not supposed to engage in dialogue on active land use applications.

I would suggest to interested citizens to go to the Planning Commission hearings. If the development gets appealed to City Council, I would hope to see interested citizens at that meeting as well.

Otherwise we have several master plans dealing with infrastructure in regards to streets, transit, water and parks. We'll be beginning our process for a master plan for growth early in 2020.

You can always email me at spulliam@ci.sandy.or.us

I hope this helps. Thanks!

Like · Reply · 22w · Edited

20

[Hide 17 Replies](#)



Stan Pulliam [Debbie Speck](#) School Board is in charge of that.

Like · Reply · 22w

1



Suzanne Perkins-Pope [Debbie Speck](#) Are we still paying on the Bond that built the New School? I remember when they were building and they said how many students it would accommodate and I was thinking at that time that it was not going to be big enough by the time the Bond was paid off and we would end up paying for additions and what not.

Like · Reply · 22w · Edited



Maureen Collins [Suzanne Perkins-Pope](#) the bond repayment is a 30 year bond.

Like · Reply · 22w



Suzanne Perkins-Pope [Maureen Collins](#) Thanks, couldn't remember if it was 20 or 25 but 30, yikes. So were still paying for the new School that is now to small. I knew this was gonna happen...

Like · Reply · 22w

3



Stephanie Bush [Suzanne Perkins-Pope](#) the high school is



Stephanie Burch Suzanne Perkins-Pope the high school is too small?!?! Says who?

Like · Reply · 22w



Maureen Collins Suzanne Perkins-Pope we did a bond for the improvements to the old high school, that bought us duct tape. When we voted in the new high school, we were still paying on that one. Not sure if we still are now or not.

Like · Reply · 22w



Suzanne Perkins-Pope Stephanie Burch That is what I have been hearing from friends that have kids in School. My Kids were out just before the New School was built, which was built because it was way overcrowded and that was like in 2006. Our town has grown quite substantially in the past 13 years.

Like · Reply · 22w



Suzanne Perkins-Pope Maureen Collins I see, gosh it was so long ago I thought the bond was for the New High School.

Like · Reply · 22w



Stephanie Burch Suzanne Perkins-Pope as far as I know there are classrooms still not being used?!? That school is massive, I don't think they could have built it any bigger. It's like a legit college campus size. Have you been in it?

Like · Reply · 22w

2



Suzanne Perkins-Pope Nope, My kids were out of High School when that one was built. I have gone past it and yes it does look huge for sure and I hope that is the case so that it will accommodate the Kids that will be moving into the new developments with their parents.

Like · Reply · 22w

1



Stephanie Burch Suzanne Perkins-Pope yeah for sure. Now the grade schools on the other hand... what a joke! I can't believe the district/school board whoever is letting them just burst (literally) at the seam.

Like · Reply · 22w

1



Emily Sheldon Stephanie Burch just wait, they are requesting another bond very soon! Taxpayers can pay to upgrade the schools & the sewer needs!

Like · Reply · 22w



Teresa Skogan Chamberlain Stephanie Burch when they first built the new school, there was a whole wing that they didnt even use, but now that wing is being used. I'm not sure how crowded is is.

Like · Reply · 22w

1



Stephanie Burch Teresa Skogan Chamberlain that's so crazy!! That school is huge. If we are already out growing

(1) Sandy Community Information

that, then the city needs to start doing something.

Like · Reply · 22w

1



Michelle 'Guse' Haislip The new high school accommodates 1600 according to what the district said when they built it. At the time it was put into use, I believe there were 1450 students.

Like · Reply · 22w · Edited



Stephanie Burch Debbie Speck I wasn't even replying to you...

Like · Reply · 22w



Christy Veselik Stan Pulliam on the school topic..is the high school still allowing kids from other districts to attend?

Like · Reply · 22w



Write a reply...

Press Enter to post.



Tamara Sedgwick More housing? Great. Sandy is not Sandy any more, time to start looking elsewhere.

Like · Reply · 22w

11



Mandie Dever Tamara Sedgwick yup, I agree. We are selling and going further up the mountain

Like · Reply · 22w



Tamara Sedgwick Mandie Dever nearing retirement here so timing is good.

Like · Reply · 22w

1



Mandie Dever Tamara Sedgwick just hit 40, still one child in the house. Somewhat child. I mean, she's 19 but lives at home

Like · Reply · 22w



Crystal Bacon If anyone needs help changing locations... <https://www.facebook.com/crystalbaconrealestate>

Crystal Bacon Real Estate

Like · Reply · 22w

14



Brian Rolan Crystal Bacon the best reply ever... Lol

Like · Reply · 22w

6



Crystal Bacon Brian Rolan always at your service

Like · Reply · 22w

2



Write a reply...

Press Enter to post.



Cory Harris Developers get richer. City of Sandy taxpayers get poorer.

Like · Reply · 22w

7

Hide 16 Replies



Michael Prata Cory Harris How do the tax payers get poorer?

Like · Reply · 22w

2



Cory Harris Michael oh for Christ sakes you want to argue about this too.

Like · Reply · 22w

2



Randy Olson Cory Harris ok so I don't want to argue but how does tax payers get poorer?

Like · Reply · 22w



Cory Harris Do I really have to explain how expansion of a city with already overwhelmed water and sewer systems works. Roads and schools among other things the taxpayers would have to foot the bill for expansion. Listen it's just my opinion I don't use Facebook to argue with people.

Like · Reply · 22w · Edited

8



Maureen Collins Michael Prata didn't we just get a utility tax increase to pay for an officer?

Like · Reply · 22w



Maureen Collins Randy Olson the cities infrastructure has to grow to accommodate the new homes. Those take taxes. Like the school bond for the increase in population. Don't know about you but that hit my pocket book pretty hard. The increased traffic will be harder on the roads requiring an increase in taxes, take more officers (as our crime rates have seen an increase and we will be seeing bonds soon for water and sewer improvements to handle the increased capacity as they were not built for the volume. Then... traffic is already ridiculous - they will do a bond to restructure our roads to accommodate said population increase. It is very expensive on a community to go over the population threshold that our structures were established for. And we are already pushing max capacity.

Like · Reply · 22w

2



Doug Ferber





6

Like · Reply · 22w



Cory Harris Doug I made the mistake of commenting on one of these posts again.

Like · Reply · 22w

1



Doug Ferber It happens. But that's what memes are for

Like · Reply · 22w

1



Doug Ferber



6

Like · Reply · 22w



Doug Ferber Those are my two favorite

Like · Reply · 22w

1



Michael Prata Holy shit it was just a question lol

Like · Reply · 22w

1



Michael Prata **Cory Harris** P.S. I think it's funny how you make it sound like the average layperson should know about water and sewage systems like we research boring nerd shit in our free time

Like · Reply · 22w



Cory Harris P.S. just common sense. Only nerds have it I guess. Definitely average laypersons don't. I get it you to cool to know about that shit. You spend your free time trolling people on Facebook like real cool people do.

Like · Reply · 22w



Michael Prata **Cory Harris** I don't think you know what "common sense" is.

But yes, I am very cool. And, trolling on Facebook is very cool.

Like · Reply · 22w



Corv Harris I used mv "common sense" to be able to tell

 how cool you are.

[Like](#) · [Reply](#) · 22w



Press Enter to post.



Krissy Swan Meadows As someone who grew up in Sandy and has moved, I cannot urge you enough to attend planning commission meetings.

Get to know the commissioners, meet them for coffee, express your thoughts in a respectful way, do your homework. I'm involved with an issue in my city and we citizens are being heard. The commissioners are usually appointed and not paid, they are citizens like you and I and in my experience I have found they care and listen.

Get a group together as a large number of citizens speaks volume. Be organized (get a leader to lead the march) and attend every meeting. I wish you luck as I know often times the citizens can see through the forest more so than the "powers that be" are able to.

[Like](#) · [Reply](#) · 22w

14



Emily Sheldon this!

[Like](#) · [Reply](#) · 22w

1



Press Enter to post.



Nicole Renee Sellin FYI: There is a proposed new development called Bailey Meadows that will be built just south of the Nicholas Glen neighborhood if approved. Their plan includes building an additional 100 homes right next to Nicholas Glen, which already has over 100 homes. The only access point for the new neighborhood being proposed is Melissa Ave, which meets up with Dubarko by Bluff Road. This would give Melissa Ave an extra 944 car trips per day (according to one study.) Not sure what it will do to Dubarko, 362nd, Bluff, 211, or other connecting streets. Students who live there will attend Kelso Elementary, which already has two classrooms in a portable and is over 100% capacity. There is an upcoming hearing on October 28th; letters of concern are due to the planning commission by October 4th. If you are interested in more details, feel free to message me or several members of the neighborhood. They might comment on here also.

[Like](#) · [Reply](#) · 22w

6



Krista Stone Nicole Renee Sellin I'm in that neighborhood and I'm mad as hell about that neighborhood going in there. If they want it, why can't they use 211? What is that traffic going to do to our home value? One reason why I bought our house is because of it being secluded and low traffic and low crime. I'll move if they put that neighborhood in and use Melissa.

[Like](#) · [Reply](#) · 22w



Emily Sheldon Krista Stone please send in a letter of concern. The city needs more testimony from our neighbors. Also attend the meeting.

Also, attend the meeting.

Like · Reply · 22w



Krista Stone Emily Sheldon tell me how to do that and I will. I don't know if I can attend the meeting. Depends on what time it is and what day.

Like · Reply · 22w



Nicole Renee Sellin Krista Stone I sent you a private message!

Like · Reply · 22w



Krista Stone Nicole Renee Sellin thanks

Like · Reply · 22w



Emily Sheldon Krista Stone please be sure to include your safety concerns re: Melissa as the only exit. What happens in case of a natural disaster? Or even a fire, when emergency vehicles block access/entrance. Furthermore, when the 22 ft trench is dug to put in the sewer, what does access to our homes look like? Yikes!

Like · Reply · 22w

1



Write a reply...

Press Enter to post.



Donna Pat Kearnes Martin Stop developing , we didn't ask for it and it has ruined our town. We are now a city with city people living here , the homeless count is high now , the robbing of homes and property has quadrupled, traffic is a night mare and people are getting killed by cars , you fear letting your kids walk to school or home. Not only because of traffic , we got either tweeks or mentally disabled beating kids up, and people litterally scoping out your property to steal from you. Your kids aren't safe in the park because of pervs . I'm sure I could go on but none of this was a issue till you started doing all this development , now we have all tebig city problems and that doesn't even count on the raise in water they want us to pay for because they have moved all these new people in. I don't know about the rest of ya but I was happy with knowing everybody in town cause we were small, and I worked in the local nursing home so I knew half the town , now everybody is a stranger and I personally don't feel like you can just let your kids go anywhere now . Didn't use to be that way .

Like · Reply · 22w

15



Christian Hayden I absolutely agree the over development of Sandy has done nothing but tarnish its appeal.

Like · Reply · 22w

6



Ben Hager Donna Pat Kearnes Martin put your money where your mouth is. Buy the land and leave it bare if you want to

Like · Reply · 22w

1



Donna Pat Kearnes Martin Ben Hager I'm already a home



Donna Pat Kearnes [Martin Ben Hager](#) , i'm already a home owner 20 years or more here and worked my butt off to to so cause I had 5 kids . And I have as much right to an opinion as any one . And I'm not alone in my thoughts about all this development. Since I've touched on your nerves you must be getting something out of this or your a newcomer . I spoke the truth , yeah some things those old geezers didn't take care of back in the day but they also didn't want Fed Meyers in here or any other business. I know this because they use to gather at Joe's donuts about 6 in the morning and would discuss city stuff , this was quite a few years back , but we'd go for coffee and you couldn't help but here them . So yes things were neglected years back and now the town has more than doubled and we are going to have to shoulder all the expense and that isn't right either. And if the town is going to grow this much , we now need more jobs out here to try to support the size we are becoming but regardless , everything I stayed is true and sorry if your feathers are ruffled . I live here to and pay my property tax same as everybody else.

Like · Reply · 22w



Ben Hager [Donna Pat Kearnes Martin](#) I've lived here since 1972 so far from newcomer and don't have anything to gain. you are just bitching to bitch, just like 90% of the people on here, not realizing that they are living in a home on what was once farm land too.

Like · Reply · 22w

1



Donna Pat Kearnes [Martin Ben Hager](#) , I'm not the only one bitching as you put it , but you focused on me , but I litterally stayed all the problems we now have that we did not have a few years back . And you do know what I'm talking about if you've been here that long , even all the wood mills weren't closed down yet , you could make a living picking berries for the people etc. In fact back then kids 16 and older had jobs and worked hard as well as go to school , not anywhere near the issues and you've had all the same time as me to watch this place change . There are a lot of us that was fine with a rural small town. I watched all these things disappear same as you and watch all this nonsense develop in reverent years , if you like it great , you have a good evening .

Like · Reply · 22w



Juli Ann Hager [Donna Pat Kearnes Martin](#) 20 years.?? So, are you in one of the first housing developements those of us in Sandy didn't want. Due to what our town has become today? If not, I apoligize. But it amazes me that those in the Sandy Bluff etc. feel they can bitch about another new development coming in. THAT WAS YOU 20 years ago!!

Like · Reply · 22w



Donna Pat Kearnes [Martin Juli Ann Hager](#) , nope wasn't me and this property was originally a farm . Split up long before me .And I knew nothing about a new development , all of a sudden new houses were here. But back then I was busy working lots of hours raising 5 kids and Didn't have time to pay attention. Wasn't thrilled about the new payments across the street . But they only have one way in and out . So far it hasn't been to bad , but it hasn't been going for long yet . So it

(1) Sandy Community Information

hasn't been to bad , but it hasn't been going for long yet. So it remains to be seen . I'm retired now , fixed income all that stuff . So no I don't want to pay extra , for more cops sure . Sadly it won't be enough cops for all that goes on around here. So no , I was busy raising a family and working at Bishops Nursing home that changed their name to Senic Point , here in town .

Like · Reply · 22w



Donna Pat Kearnes Martin Apartments

Like · Reply · 22w



Write a reply...

Press Enter to post.



Judah Crombie Main problem is that the population keeps growing and the land stays the same. Need to pass out more condoms imo

Like · Reply · 22w

3



Michael Prata Go for it. But buy them yourself

Like · Reply · 22w

2



Judah Crombie it's a joke guy calm your tits

Like · Reply · 22w

2



Joseph Durel Rodd More food for cougars

Like · Reply · 22w

2



Michael Prata [Judah Crombie](#) Oh, they're calm. And not trying to pay more in taxes

Like · Reply · 22w

2



Write a reply...

Press Enter to post.



Erin Findlay As a neighbor who is concerned about the Bailey Meadows development, I am writing a letter to city planning before 10/4. However, this link looks like a "how to contact ths city page". Bailey Meadows is up soon 10/28 meeting).

<https://www.ci.sandy.or.us/reportconcerns>



CI.SANDY.OR.US

Official Website for the City of Sandy, Oregon - Report A Concern

Like · Reply · 22w



Lori Pyles ⭐ The mayor is not the grand pupa of all decisions. We have a whole city council, planning division, city manager and meetings for people to attend. Please remember that while this and other sites are tools to get information out to the public and that sometimes answers can be made the best way is still to attend the meetings and make sure to voice your concerns during the

3/3/2020

(1) Sandy Community Information
meetings and make sure to voice your concerns during the
community input time. It won't always get the results you want, IE
the pool, but it does help.

Like · Reply · 22w

8



Ben Hager Oh the irony, someone complaining about people
moving to Sandy, from someone who moved to Sandy from Ogden
Utah. Hypocrisy at its finest

Like · Reply · 22w

7



Write a comment...

Press Enter to post.

;



Jennifer Hart Sandy Neighborhood Watch!

February 17 at 10:15 PM ·

In regards to the below post-
What about Bailey Meadows?! 900+ cars going down Melissa, no other outlet? Who screwed that Plan up for Nicholas Glen?! Talk about safety issues?! I would be outraged if I still lived in Nicholas Glen. The City needs to be accountable!

10:05



Sandy Neighborhoo...



Stan Pulliam shared a post.

6 hrs ·



FYI



Mayor Stan Pulliam

6 hrs ·



I'm excited to announce that the City of Sandy has been successful in our efforts to secure nearly \$900k in funding fr... See More



8

30 Comments

Like

Comment



Brian Rolen This is just proof you cAnnot make everyone happy.... I mean seriously you have nothing better to bitch about than the city trying to make road improvements? Taco Bell? DMV? Bad driver? Cougars? Coyotes?

Like · Reply · 2w

7



Sandy Leedham Frankus Don't we need a sidewalk from bornstedt and town more? That's where all the housing developments are

Like · Reply · 2w



Patrick Dunford read the comments of his post. He addresses that the best he can....

Like · Reply · 2w



Sandy Leedham Frankus Patrick Dunford no he doesn't. We have 1 development on 362 ND and there is a sidewalk there. On Hwy 211 nothing and several housing developments. What are hard side shoulders supposed to do on 362?

Like · Reply · 1w



Patrick Dunford Sandy Leedham Frankus



Like · Reply · 1w



Write a reply...

Press Enter to post.



Emily Sheldon Who cares about safety, keep slamming in homes with no infrastructure! Since one of the city planning commissioners is also the TRAFFIC ENGINEER, it must be ok!

Like · Reply · 2w

9



Stan Pulliam Not one single time since being elected Mayor a year ago have I voted on any housing development. If fact, the land application you reference will be my very first of this nature since being elected!

Since it's an active application I cannot comment on it at this time. We'll all just have to wait and see how that development application goes but let's not start saying things that we're clearly not educated

goes but lets not start saying things that we're clearly not educated on. Thanks.

Like · Reply · 2w

13



Leah Benson Stan Pulliam Well then just so you're aware, I don't know a single Oregon born person who wants more development. WE ARE FULL. I'm hopeful we will stop this craziness of building up Sandy without first addressing the schools and roads, or just not don't do it at all.

Like · Reply · 2w · Edited

12



Trisha Jenkins Leah Benson amen

Like · Reply · 2w



Brian Fletcher Sandy is FULL, until upgrades are made to infrastructure, this includes SEWER which for some reason we are all paying for this neglect, along with Roads, Roads, Roads (Stan Pulliam is doing his best with what he was given, but i know him and I are at odds with growth.) Drive down Kelso road now and attempt not to dodge Holes everywhere, yet lets put more developments in place that require this road we cant Maintain. I know other roads in our city are in the same condition. At the same time keeping our city Green and Livable and keeping our tree canopy, which most of us originally moved here for is diminishing. I predict you will see Tractor Supply close, I never understood why they attempted a business here.

Like · Reply · 2w

6



Blayne Yates Stan, I think most people are aware that an application is in but don't have access to any more information. I moved from Nicholas Glen, so I'm very aware of the area and the proposed new building. Seeing as it's an active application and you can't comment on it, I think it would be more wise to state that you are as concerned about traffic flow as everyone else may be instead of saying "let's not start saying things that we're clearly not educated on", when there is really no way for our general public to be educated on it at this moment.

One of your main platforms for running was traffic. Because of this, it seems to open you up to a lot about traffic. The concerns are all very real and justified. Our city can only grow so many directions, and traffic is worse by the day. Securing County funds is great for us, Clackamas county is huge and covers a lot of cities. Thanks for that. That being said, it is county funds that's covering that project and not city funds from what you've said. Another look at this could be that people who live outside of the city limits are now going to be affected, as part of their property will be taken for "easement for sidewalks", taking away their lands and increasing street traffic, possibly increasing looting traffic, ultimately costing county funds but really mostly benefiting city dwellers, a city that really doesn't have the room to grow.

More people means more taxes. More taxes should mean more money for schools and roads. We should be better funded than ever before for these projects. There is a lot to consider. Simply some food for thought. I do like the idea of

comments by Mayor Stan Pulliam - Facebook Search
pushing sound to the high school. Traffic in the morning is out of hand going down bluff. Timing of lights is a huge issue there as well.

Like · Reply · 2w

6



Write a reply...

Press Enter to post.



Summer English-Paul Really wish they would widen hwy 212 and/or make a bypass somehow.

Like · Reply · 2w

1



Tim Burch I think small improvements like this are great. We can't let perfect be the enemy of the good. Sandy is changing whether we like it or not, and prioritizing these projects by securing grants to the city are exactly the right approach. I'd like to thank Stan and the current city council for that thoughtful approach. Also, every post should not be a "rap session" on what isn't getting done. We should acknowledge the positive steps and make our voices heard on the others. I'd suggest a more appropriate venue for expressing continued feedback for other changes would be attending sessions of the city council and reading up on the proposals it is facing.

Like · Reply · 2w

11



Shani Thompson 100% agree...

Like · Reply · 2w

2



Emily Sheldon This is great advice, if it actually worked. The room was packed for every single planning commission meeting regarding the proposed development...& there was tons of testimony from neighbors. But it was all disregarded in favor of the developer & his \$500 per hour attorney. The planning commission violated their own traffic safety plan...likely because they didn't want to be sued. It was icing on the cake when one of the commissioners recused himself because he was the traffic engineer for the development...and he went and sat with the developer. Who is looking out for the safety of the Nicholas Glen neighborhood? Certainly not him!!!

Like · Reply · 2w · Edited

2



Hannah Blanchard This should have been a comment on his post. Not a post alone like you did.

Like · Reply · 2w

2



Lori Pyles Honestly it's not a feasible idea to tell someone who has bought their land that they cannot build on it as long as they get all the right documents and fees paid/approved. I'm not happy with the changes but it's inevitable. It's like saying ok I got my house here now no one else can move in. Creating infrastructure for the future isn't a snap of the fingers either. Attend the city hall meetings and not just those but also the planning meetings. Those are the ones where things are decided well before it goes for council vote. Be involved not just to post complaints.

Like · Reply · 2w

2



Emily Sheldon **Lori Pyles** no one from Nicholas Glen is telling them not to develop...they are concerned about the safety of the current neighborhood when there is only one entrance & exit. Hopefully the ugb expansion is approved...but it is definitely disappointing that they approved this upcoming development prior to ensuring there was a second entrance...

[Like](#) · [Reply](#) · 2w · Edited



Lori Pyles **Emily Sheldon** I'm referring to the comments of we are full and no one wants more development

[Like](#) · [Reply](#) · 2w

[View 4 more replies](#)



Toni Syring so much for living in the country

[Like](#) · [Reply](#) · 2w



Mark G. LaFleur Sidewalks are absolutely pointless and useless unless that's going to be a four-lane road in each Direction with sidewalks !

[Like](#) · [Reply](#) · 2w



Myriam Macleod-allard its for bicycles???

[Like](#) · [Reply](#) · 2w



Merrilee Murphy So Stan what happened to the money allocated to fix the pool that was sold right after you got the money coming in?

[Like](#) · [Reply](#) · 2w

1



Stan Pulliam **Merrilee Murphy** police. Just like I said at the time.

[Like](#) · [Reply](#) · 2w

1



Merrilee Murphy Police what ?

[Like](#) · [Reply](#) · 2w



Lori Pyles **Merrilee Murphy** we needed more police

[Like](#) · [Reply](#) · 1w



Write a reply...

Press Enter to post.



Write a comment...

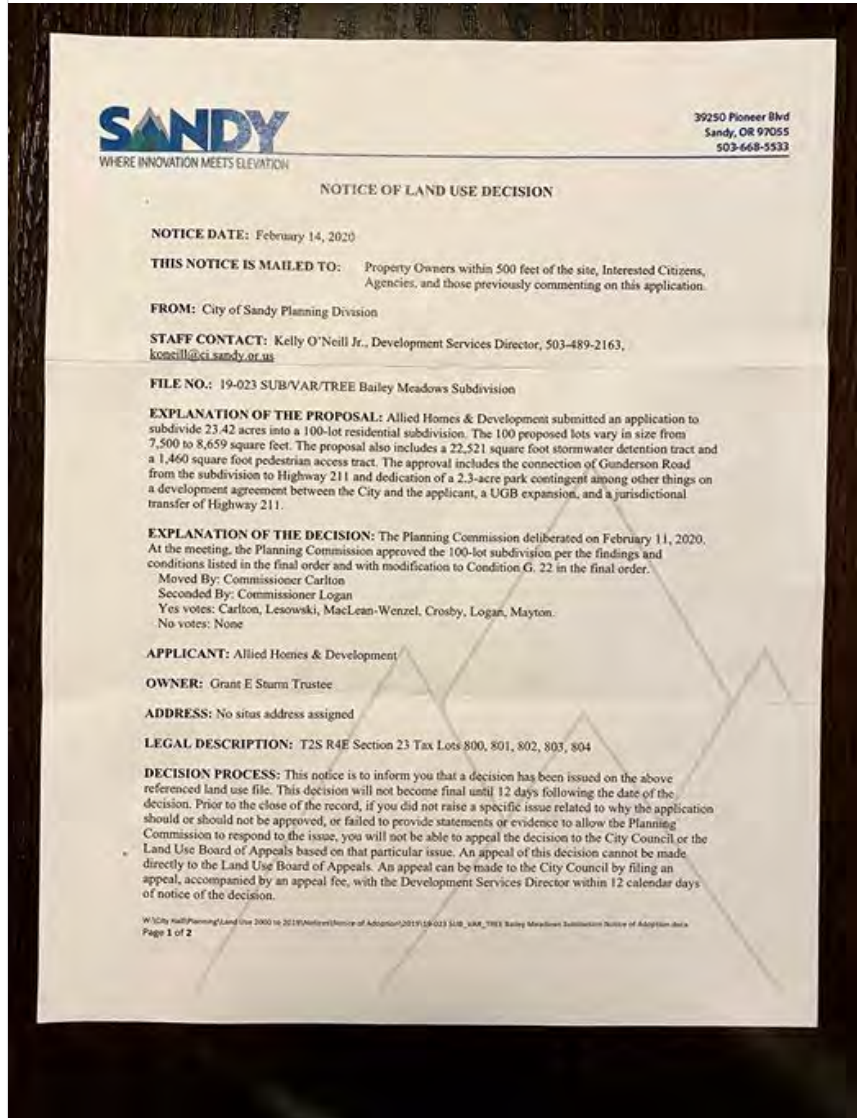
Press Enter to post.



Colin Hatfield

February 19 at 6:48 PM

In case you were wondering how much the city planning division values public input....



40

122 Comments

Like


Comment





Chris Cohoon They need to stop building out here. Leave farm land as farm land. Let people move to Portland and keep the excess out of our little town


Like · Reply · 1w

8


 **Joe Mizner** [Chris Cohoon](#) yeah but they see money signs with all those people paying \$5,000 a year in property tax
 Like · Reply · 1w · Edited 1

 **Chris Cohoon** [Joe Mizner](#) it's true. And in the mean time theyve ruined the town of Sandy
 Like · Reply · 1w 6


 **Kyle Sorensen** Sandy will be gresham in 15 years
 Like · Reply · 1w


 **Greg Vanderhoff** Gresham became what SE Portland used to be before gentrification...
 Like · Reply · 1w

 Write a reply...
 Press Enter to post.


 **Brian Fletcher** Its very obvious that our Planning Commission is not in line with the citizens of the City of Sandy. Not ONE no vote, and we know there were objections. These land use notices also only go to property owners within 500ft. of others, you and I know that this would be objected to by a majority of our citizens. Something needs to be done about this uncontrolled growth before infrastructure upgrades. This affects everyone's livability in this City.
 Like · Reply · 1w 8

Hide 14 Replies

 **Emily Sheldon** [Brian](#) seriously! I have said this before, but I will say it again...it is horrifying & horribly unethical that the traffic engineer who prepares the traffic study sits on the planning commission. Nuts!!! The City Council appoints the planning commission. So that tells you something. And what does it tell you when Mr. Mayor was at the East Metro Association of Realtors. Hopefully he can help them get those 100 homes sold!
 Like · Reply · 1w 4

 **Richard Coonrod** [Brian Fletcher](#) Stan is upgrading the infrastructure at our expense- he's doubling our water bill to cover it! I don't know about anyone else but the infrastructure was just fine when my neighborhood was done about 15 years ago- now we have to pay for all the new people moving out here.
 Like · Reply · 1w 2

 **Kristina Zavalas** [Brian Fletcher](#) can we petition to have that person removed?
 Like · Reply · 1w 2

 **Brian Fletcher** What say you [Stan Pulliam](#) on this subject?
 Like · Reply · 1w 1



Stan Pulliam Brian Fletcher Hi everyone,

Please consider reading the information on this link.

<https://www.facebook.com/247565365737834/posts/663034667524233?d=n&sfns=mo>

May find this link useful too. Thanks.

<https://www.facebook.com/247565365737834/posts/768870386940660?d=n&sfns=mo>

Like · Reply · 1w · Edited

2



Stan Pulliam Brian Fletcher Additionally, I have not once had a housing development come in front of me to vote on yet since I've become Mayor. Meaning all others to this point have been previous to me.

Second, only development i have had to vote on was a proposed triplex and I voted no.

Like · Reply · 1w

4



Brian Fletcher Stan Pulliam, I have always appreciated your interactions. I already know how you feel on the subject, and i know you know mine. I just believe more can be done to curtail this growth in our city. We as a city are not prepared for more growth, and that needs to be addressed FIRST. These current decisions are affecting Livability in our city/area, and us long term citizens have seen our city degrade over the past few years.

Like · Reply · 1w

1



Kristina Zavalas Stan Pulliam that didn't answer my question. Can we petition to have our city planner removed?

Like · Reply · 1w

2



Stan Pulliam Kristina Zavalas honestly I don't know. You'll need to call the office.

Like · Reply · 1w



Brian Fletcher Stan Pulliam does the council vote on approvals? The way I see it that is left up to planning?

Like · Reply · 1w



Stan Pulliam Brian Fletcher appeals go all the way to Council

Like · Reply · 1w



Brian Fletcher Appeals, but not approvals correct? So if planning said yes to a development, and someone appealed this decision, then council would then be the decision maker?

Like · Reply · 1w


2



Stan Pulliam Brian Fletcher correct.

Like · Reply · 1w


1

 **Makoto Lane** Kristina - commissioner Todd Mobley's ethics and conflicts of interest are suspect at best. He had to recuse himself for the Baily Meadows vote as he is working for the developer. It's questionable whether he was the one that tipped off the developer to the loopholes or not at this point. Which also begs the question of whether the loopholes could have been closed or he specifically didn't address it in commission before the proposed development used it to extort the city.


Like · Reply · 1w · Edited

 Write a reply...

Press Enter to post.


 **Khris Alexander** Yep dubarko is gonna be crazy traffic, even harder for me to back out of my driveway and more vehicles running the stop signs on sandy heights and dubarko....lovely

Like · Reply · 1w

 **Tamara Sedgwick** Now we know. They clearly do not have this town's best interests in mind. This is bad. Very bad. Love the decision process paragraph. They could of just wrote "Fuck you all and what you think."

Like · Reply · 1w


7

 **Joe Mizner** Just think how much more property tax the County collects.

Like · Reply · 1w


 **Heidi Sweeney Burns** Jonathan Burns

Like · Reply · 1w

 **Joe Mizner** With those tiny lots that will be the next ghetto when my kids are my age. At least homes on 130th and powell have nice yards


Like · Reply · 1w · Edited

1


 **Colin Hatfield** **Joe Mizner** the lot size is actually not horrible... bigger than any of the other developments in town. That part isn't what bothers me. It's the disregard for community input and public infrastructure. Just goes to show that we should pay more attention to those we appoint to represent us.

Like · Reply · 1w

8

 **Karyn Sare** **Colin Hatfield** but are the lot sizes for single family homes or for duplexes, triplexes and 6 plexes?? The Lot sizes sound awfully big compared to what they has been built in the new housing areas here.

Like · Reply · 1w

 **Colin Hatfield** according to the plat map they sent out they are single family homes zoned low density residential

Like · Reply · 1w



Joe Mizner I couldn't imagine shelling out two to three hundred thousand and not have enough room to clean the gutters or even build a nice shop

Like · Reply · 1w · Edited



Mitch Dunn **Joe Mizner** let me know if you find a lot in sandy for with nice enough home worth cleaning the gutters that has a lot big enough to build a shop for under \$300k

Like · Reply · 1w

1



Write a reply...

Press Enter to post.



Brian Fletcher All Volunteers on the planning commission, , most are tied in with Businesses, and or Real Estate, OLCC, Engineering Group with specialization in Consultation in City Planning and Operations. Are some of these possibly a conflict of interest in the planning of our community? More people mean more money in there pockets, screwing up our traffic, and infrastructure demands along with resources may need some Consultation on how to make better? How do we nip this in the butt ?

Like · Reply · 1w

4



Tamara Sedgwick **Brian Fletcher** one hand wishes the other. It is painfully obvious. It's been like this for years out here. Good Ole boys network.

Like · Reply · 1w



Write a reply...

Press Enter to post.



Vickie Kissell Boyle More traffic on 362 and Gunderson

Like · Reply · 1w

1



Kathy Fish **Vickie Kissell Boyle** Gunderson Road can't handle more vehicles.

Like · Reply · 1w



Joe Mizner **Kathy Fish** does gunderson still go threw to tickle creek? be good to re-open that- was a fund wheeling route back in the 90's

Like · Reply · 1w



Kathy Fish **Joe Mizner** no it's blocked off.

Like · Reply · 1w

1



Write a reply...

Press Enter to post.



Rob Fritsch Is this even in sandy city limits??



Like · Reply · 1w



Colin Hatfield Yes inside the ugb expansion that took place last year according to records.

Like · Reply · 1w



Rob Fritsch Where on gunderson?

Like · Reply · 1w

1



Colin Hatfield **Rob Fritsch** not current gunderson. It's planned as part of the city's plan to expand gunderson due East all the way to highway 211. The development is going in behind rachael dr.

Like · Reply · 1w

1



Rob Fritsch **Colin Hatfield** thankful I'm out the growth boundary, sure it's only a matter of time though

Like · Reply · 1w



Write a reply...

Press Enter to post.



John Peterson The city council should be running scared from it's own residents, no more development.

Like · Reply · 1w

6



Stan Pulliam **John Peterson** Again, 3 of the seven (including me) City Councilors have yet to have an opportunity to ever vote on a housing development.

Like · Reply · 1w

1



John Peterson **Stan Pulliam** why?

Like · Reply · 1w



Stan Pulliam **John Peterson** Been elected only a year and have yet to have had a development appealed to us. Additionally, we've only had the opportunity to appoint 1 Planning Commissioner and we only had 2 applicants!! Lots of people like to complain. Very few roll up their sleeves in an effort to make a difference.

Like · Reply · 1w · Edited

6




Tamara Sedgwick **Stan Pulliam** so what CAN we do to make a difference. Does this decision need to be appealed so the city council can look into It?

Like · Reply · 1w




Stan Pulliam **Tamara** I've got a legal a judicial reason that I have to stay out of this specific issue as I'd be sitting in judgement if it's appealed. Appealing is always a recourse for the community.

Like · Reply · 1w

 **Tamara Sedgwick** Stan Pulliam Thank you for your prompt feedback. I understand and respect your position on this. I hope you understand our city is in trouble if things like this situation are not addressed and dealt with in a manner that is acceptable to the community. I think you will find there are many more of those who are willing to roll up their sleeves and get things done than any of city government thinks.


Like · Reply · 1w · Edited

1


 **Stan Pulliam** Tamara Sedgwick Awesome! Show us. Next time there's an opening for Planning Commission that's heavily advertised maybe we'll get more than 2 applicants to choose out of.

Like · Reply · 1w

1

 **Tamara Sedgwick** Where can one find information on when the positions are up? Does the city council appoint the planning commissioners?


Like · Reply · 1w

 **Stan Pulliam** Tamara Sedgwick we do. We post the openings on our website, post announcements on our social media channels and the local paper. I spent over a \$100 out of my own pocket promoting it on my own page the last time too.

Like · Reply · 1w


 Write a reply...

Press Enter to post.

 **Denise Foss** What happened to the 5 acre limit?


Like · Reply · 1w

5

 **Angie Tjaden** They wait 3 days to mail the letter and send it on a Friday and no mail on Monday. And the 12th day is on a Sunday.

Like · Reply · 1w · Edited

3

 **Brian Fletcher** Remember this ! This should be a primary issue on our next election.

Like · Reply · 1w

5

 **Brian Fletcher** <https://www.ci.sandy.or.us/meet-your-planning-commission>



CI.SANDY.OR.US

Official Website for the City of Sandy, Oregon - Planning Commission...

Like · Reply · 1w

 **Brian Fletcher** <https://sandy.civicweb.net/portal/members.aspx?id=40>



SANDY.CIVICWEB.NET
City of Sandy - Members

Like · Reply · 1w



Brian Fletcher The Council is composed of the Mayor and six City Council members. They are all elected at-large (i.e., by all city voters); the Mayor serves a two-year term and the Council members serve four-year terms, with half the positions elected in the November general election of even-numbered years.

Like · Reply · 1w

1



Write a reply...

Press Enter to post.



Sarah Weaver Usually council has no say in a property owner selling their land to a developer they can ONLY limit the size of the lots.

Like · Reply · 1w

4



Mary Ottwell Big government or little government.....doesn't make any difference...they are all the same, they will do what they want.

Like · Reply · 1w

3



Brian Fletcher And like Sarah mentioned above and unfortunate as it may be, people do and can sell there land. But what that land can be used for can be controlled. Farmers have been taxed and regulated to where it's not a business to be involved in any longer. That needs to change. Resources and that includes food is needed and should treated as such.

Like · Reply · 1w

2



Colin Hatfield Brian Fletcher this land wasn't sold. He's developing it. That's besides the point. The city needs to be more mindful of how they develop it and the resources required to do so. Not develop first and react. It hasn't worked so far and being reactive vs proactive is a poor way to run a business or a city.

Like · Reply · 1w

2



Write a reply...

Press Enter to post.



Terry Potter Something needs to be done about our roads and new traffic signals need to be put in and or updated, (just to name a few) before all these new homes are built. Seriously. 382nd/211 and Dubarko/211 have too many accidents as it is. Its getting more dangerous by the day to drive in this town. They can't keep building, building, building and do not address traffic issues caused by an exploding population.

Like · Reply · 1w · Edited

6

Like · Reply · 1w · Edited

Hide 15 Replies



David Eugene Breames Terry Potter it's not the city's job to address the traffic issue at hand. when over half the accidents could have been avoided if people would pay attention to what there doing. stop pulling out in front of large trucks and on coming autos.

Like · Reply · 1w

2



Stephanie Mullins David Eugene Breames it is the city's job to make the roads safer, less congested and traffic lights more reasonable for timing. That is why we all pay taxes. Accidents will happen and you can't change that unfortunately. Not all accidents are caused from people pulling out of big trucks.

Like · Reply · 1w

2



David Eugene Breames Stephanie Mullins the ones you are referring too on Dubarko and 211 and 382/211 are all caused because people pull out into traffic with out watching the on coming cars

Like · Reply · 1w



Emily Sheldon David they didn't include the 211/Dubarko intersection in the original traffic study for this development...I am pretty sure they never did later either? Weird, right? Also, the traffic analyses only include dmv reported crashes. None of the fender benders or smaller crashes are included...

Like · Reply · 1w



David Eugene Breames Emily Sheldon when an accident happens at the dubarko and 211 intersection it is and never will be considered a fender bender. I have lived in that area for 6 years now and you here the same report time after time the car came out of nowhere, I did not see it. 2 ton and plus cars and trucks don't just come out of nowhere. You can see in both directions on 211 for a good distance the accidents are caused because people don't pay attention, or they miss judge the speed and gap of the oncoming cars. The city has a lot of work todo but they are not responsible for the bad drivers on the road nor can they make a plan to fix them.

Like · Reply · 1w



Emily Sheldon David I wholeheartedly agree. I wish more people would get off their phones & pay attention. Still, it is suspect that this dangerous intersection was not included in the analysis. But, they included 362 & Dubarko.

Like · Reply · 1w



David Eugene Breames Emily Sheldon 362 and dubarko are city roads 211 is a county road

Like · Reply · 1w



Emily Sheldon David no kidding. But, 211 & Dubarko is still



Sandy

Like · Reply · 1w



Emily Sheldon Hopefully when the hwy jurisdiction changes with the proposed ugb expansion this intersection can be dealt with.

Like · Reply · 1w



David Eugene Breames [Emily Sheldon](#) the intersection is controlled by the county

Like · Reply · 1w



Stephanie Mullins [David Eugene Breames](#) I'm actually talking about the entire main drag in and out from Freddy's to the arch on the other end. But yes I absolutely agree people need to pay attention and stay off their phones.

Like · Reply · 1w · Edited



David Eugene Breames [Stephanie Mullins](#) the city will not do any study on a road that is controlled by the county unless the county pays for it. 362nd all the way to 211 is the city's responsible. Once you pull out on too Hwy 26 or Hwy 211 the county is responsible. same with Meinig and Dubarko once you pull out onto Hwy 211 it is no longer the city, and becomes the county's problem.

Like · Reply · 1w



David Eugene Breames And and actually I do believe I'm wrong about it being a county problem I believe because it is a highway it is actually Oregon Department of transportation's (ODOT) problem.

Like · Reply · 1w



Emily Sheldon The study was paid for by the developer & it ABSOLUTELY should be included.

Like · Reply · 1w

1



Stephanie Mullins Exactly right. It should be but they won't because that would equal more money work and time

Like · Reply · 1w



Write a reply...

Press Enter to post.



Jesse Guiher Not to mention water, and sewer... they are using this stuff as excuses to do whatever they want they really don't give a crap about input, just going where the money is, future consequences be damned.

Like · Reply · 1w

1



Kevin N Andrea Russell Make public so it can be shared please.

Like · Reply · 1w

1

 **Colin Hatfield** [Kevin N Andrea Russell](#) it's in a closed group you'll have to copy and paste.


Like · Reply · 1w

 **Kevin N Andrea Russell** [Colin Hatfield](#) i can do that.

Like · Reply · 1w


 Write a reply...

Press Enter to post.

 **Stephanie Johanesen** Another developer cramming as many houses per acre they can muster, and doing Jack squat to remediate the increased burden on the town's infrastructure.

Like · Reply · 1w

2


 **Emily Sheldon** [Stephanie](#) the developer doesn't live in Sandy, he doesn't care. And his attorney is better than the city's...watching these meetings was alarming. If I wasn't personally affected, it would have been comical.

Like · Reply · 1w

1

 Write a reply...

Press Enter to post.

 **Kathy Fish** Are you kidding me! This is BS. We live on Gunderson and the traffic is bad now. This makes me Sick.... [See More](#)

Like · Reply · 1w

 **Brian Fletcher** March 2, I believe at 7:00.



Like · Reply · 1w

 **Carol Cohen** [Brian Fletcher](#) yes!

Like · Reply · 1w

 Write a reply...

Press Enter to post.

 **Community Watch Admin**  This is an old article and not from here but has some interesting tips.


<https://www.charlotteobserver.com/.../article153640229.html>



CHARLOTTEOBSERVER.COM

Fighting a development in your neighborhood? Here are five tips from...

Like · Reply · 1w

 **Ashlie Cecchi** We got this letter too! Who is going to the public hearing on the 24th?!

Like · Reply · 1w

1



Alisha Rusher Ashlie Cecchi is this the field that you guys sled down?

Like · Reply · 1w



Ashlie Cecchi Alisha Rusher no it's the one with all the trees. So right next to where we sled

Like · Reply · 1w

1



Alisha Rusher Ashlie Cecchi sad

Like · Reply · 1w

1



Ashlie Cecchi Alisha Rusher I know!

Like · Reply · 1w



Dom Cecchi Ashlie Cecchi this isn't the same thing.

Like · Reply · 1w



Write a reply...

Press Enter to post.



Barb Estes Some of these issues need to be directed to ODOT, who maintain and make changes on the hiway. I have vacant property inside the city limits and I consider it as an investment. No I'm not interested in selling or developing it. Maybe in 10 years.

Like · Reply · 1w



Vicky James If this is the choice, going against what the citizens want and what our infrastructure can handle...I'll expect to hear about proposals to separate from PORTLAND WATER and invest in our OWN water system. Apparently none of these city development people... [See More](#)

Like · Reply · 1w · Edited

7



Terry Potter Vicky James agreed!

Like · Reply · 1w

2



Ashlie Cecchi Vicky James AGREED

Like · Reply · 1w

2



Barb Estes Vicky James \$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$

Like · Reply · 1w

1



Vicky James Barb Estes Oh absolutely \$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$, that conti uing on this path are going to aid Portland in paying for their unnecessary water treatment facility! Or lets do nothing and wait to be renamed East Portland!

Like · Reply · 1w



Write a reply...

Press Enter to post.



David Campbell I would love it if we could better the schools and current infrastructure to support more people before building more homes to bring them in. There seems to be a huge miscommunication with developers and city personnel. The traffic in this city is pret... [See More](#)

Like · Reply · 1w

5



Emily Sheldon David I feel that is partly a problem created by the school district...they are pro growth and do not officially communicate with the city that they are over capacity. Which in turn causes our current kids to suffer. Attending school board meetings & city planning & council's meetings are rather eye opening!!!

Like · Reply · 1w

2



Write a reply...

Press Enter to post.



Barb Estes Many moons ago, we had issues with the previous city planner. Tough to get rid of them. That person is in another suburb of PDX.

Like · Reply · 1w

1



Vicky James Barb Estes Well doesn't that figure! Probably much happier there! Lol

Like · Reply · 1w



Barb Estes Vicky James , Did hear that nothing has changed and is still difficult to work with.

Like · Reply · 1w

1



Write a reply...

Press Enter to post.



Krista Stone So it's going to 211 right and not Melissa? Or am I going to need to move?

Like · Reply · 1w



Emily Sheldon Krista Melissa! Unless the ugb expansion is approved...then, both

Like · Reply · 1w



Krista Stone Emily Sheldon ok time to move. That paper wasn't clear on what was approved. Above it says to 211 but didn't mention Melissa. I moved to that neighborhood years ago because it was secluded... so I'm going to sell it ASAP.

Like · Reply · 1w



Emily Sheldon Krista Stone I am so sorry! It really sucks. I

 **Emily Shotton** [Kia](#) [Sandy](#) [I am going to pm you](#)

Like · Reply · 1w · Edited

1

 Write a reply...

Press Enter to post.



Michelle M. Winner Yikes!

Like · Reply · 1w



Terry Potter Time to move to Eastern Oregon. Sad, my family has been here since 1969. It's bad enough things are expanding, but the way they're going about things makes for a much harder pill to swallow.

Like · Reply · 1w · Edited

2



Vicky James [Terry Potter](#) I hear ya! But please...before you give up and move east...make sure you aren't moving to the same thing happening at a slower rate. My brother moved over there and dealt with more drama then he thought he was leaving behind. That on top of his depression led him to taking his own life. We always think the grass is greener on the other side...unless you're fleeing Portland, that's rarely true. Same crap, different day.

Like · Reply · 1w

1



Write a reply...

Press Enter to post.



Nancy Raschke More developing!!!

Like · Reply · 1w

1



Bev Schook [Witherite](#) I received one in the mail also. I am on the backside of 211. Sad to see Sandy growing so fast.

Like · Reply · 1w · Edited

2



Brian Fletcher If we can fill the next council meeting with People that dislike the direction of this city BE THERE, it will send a message. March 2, I believe at 7:00.

Like · Reply · 1w

5



Vicky James [Brian Fletcher](#) I'LL BE THERE!!

Like · Reply · 1w

1



Write a reply...

Press Enter to post.



Tamara Sedgwick Keep bumping this up folks. If you are as sick and tired as I am off it ALL here in Sandy now is the time for us to do something. It is only going to get worse.

Like · Reply · 1w

2



Jesse Guiner I ney'll keep trying to get crap past us that clearly is not wanted until we are forced to be like angry villagers with torches and pitchforks and storm city hall. Sandy is a small town with its own inherent framework, don't try to apply Gresham or Portland logistics where it does not work.

Like · Reply · 1w

1



Hannah Elliott Where exactly is this going in? Gunderson? Near 362nd and 211? The location is confusing.

Like · Reply · 1w



Vicky James Hannah Elliott from what Ive seen 211. Ive seen no current mention of Melissa.

Like · Reply · 1w · Edited



Hannah Elliott What is melissa
And where on gunderson? I'm near 362nd and gunderson. I didnt get a letter

Like · Reply · 1w



Tamara Sedgwick Hannah, do a search in the group for Bailey Meadows. There is a lot to know.

Like · Reply · 1w



Write a reply...

Press Enter to post.



Write a comment...

Press Enter to post.



EXHIBIT TTTTTT

Marisol Martinez <mmartinez@ci.sandy.or.us>

Notice for 20-009 AP Bailey Meadows Subdivision Appeal

Marie Debatty <debattym@yahoo.com>
 To: Marisol Martinez <mmartinez@ci.sandy.or.us>

Mon, Mar 9, 2020 at 2:26 PM

Kelly,

I am requesting that you clarify on the next meeting to us in the issues concerning of the Baily Meadows development . There is lots of confusing issues which we lay people do not understand since everything is changing and we are not clear on many matters.

Can you clarify where the park is going to be and who is going to develop it? what the land is made up of. Is it wet land or not?

Also can you clarify to us how the traffic flows? Concerning the traffic on Mellisa when they start the building the Baily Meadows development with as trucks bring in excavators ,backhoes ,bulldozers , graders, loaders, trenchers, pavers compactors, dump trucks, trucks bring in building supplies, steam rollers,cement trucks plus all the traffic for the construction workers. Can Mellisa with stand this amount of traffic of heavy equipment ? A long with the traffic from our neighborhood . Can the city of Sandy make our community safe for our children? What are we to do in during the months and months of this type of traffic? Which includes the traffic of our neighborhoods trucks, cars, motorcycles, school buses, children getting on and off the school buses ,are we going to be able to walk our dogs, are we going to able to walk to tickle creek trails, what about bikes, mothers and fathers taking there babies and children on walks. What say you?

How defeated, frustrated, disappointed and angry I was when the planning commissioners approved the Baily Meadows could go through with building there development with no regard to us and our concerns.

We were told by you to gather together as many people to oppose the use of Millisa . You told us it would speak volumes to the planning commissioners .Many of us including myself have spent a lot of our time and effort to inform our community of the issues at hand. You told us to show up to meetings the more people the better, so we all showed . Well that was a bomb!!!!!! They did not consider how we felt about this at all.

How many of those members really new the facts since it was 1000 pages and it was very confusing to them also. As a few of them admitted to.

So here is what I am asking to happen, That Gunderson be built first and for most. For our safety . I also ask for speed bumps and round abouts to be put on the south side of Mellisa,

Thank you ,

Marie DeBatty
 37176 Rachael

[Quoted text hidden]

[Quoted text hidden]

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March 10, 2020

Michael C. Robinson
Admitted in Oregon
T: 503-796-3756
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mrobinson@schwabe.com

VIA E-MAIL

Mr. Stan Pulliam, Mayor
City of Sandy City Council
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: Appeal of Planning Commission Decision Approving Bailey Meadows Tentative Subdivision Application; Applicant's Partial Response to Certain Issues Raised by Appellant

Dear Mayor Pulliam and Members of the Sandy City Council:

This office represents Allied Homes & Development, the applicant for approval of the 100 Lot Bailey Meadows Tentative Subdivision Application.

This is the first of two letters on behalf of the Applicant. This letter addresses a number of the issues that are completely or partly outside of the approval criteria that the City Council must consider for this quasi-judicial application. This letter omits legal citations in favor of simple responses to the issues raised by our neighbors. The second letter will respond to the appeal of the Sandy Planning Commission's (the "Planning Commission") unanimous approval of the tentative subdivision application.

I. What facts are most relevant to this Application and what is this Application about?

There are two sets of facts that are relevant to the City Council's consideration of this Application and another fact that describes what the Application is about.

First, the two sets of facts. The first important set of facts is the property for which the tentative subdivision is proposed. This property is within the City's Urban Growth Boundary (the "UGB"), having been included in the City's 2017 UGB expansion in order to meet an identified need for additional housing. The property was subsequently annexed to the City and properly zoned Single Family Residential ("SFR"). In other words, the City found there was a need to provide additional land for single family homes, included the land in the UGB that is the subject of this Application in order to meet this need and subsequent to including the property in the UGB, annexed and properly zoned the property for single family lots with single family homes.

Please keep in mind that the proposed single family lots and single family homes are the same kind of use established in the Nicholas Hills Subdivision. There is only one difference and that is the SFR zoning district provides for larger lots and less density than the zoning of the Nicholas

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Hills Subdivision.

The second important set of facts are the relevant laws. Because this is a quasi-judicial application, the City Council, like the Planning Commission, is required to apply relevant approval criteria to the Application. The decision is not able to be made on emotion or criteria not relevant to the Application. That may be true for legislative applications but this is not a legislative application.

There are two important State laws that reflect how the Planning Commission judged, and how the City Council must judge, this Application which, in turn, affect how both decision making bodies judge the relevant approval criteria found in the Sandy Development Code (“SDC”).

First, this Application is a “limited land use” application as defined in ORS 197.015(12) and governed by ORS 197.195(1). Being a limited land use application means that only those approval criteria in the SDC, the City’s acknowledged land use regulations, may be applied to the Application. Criteria found in the City’s Comprehensive Plan (the “Plan”), or the Transportation System Plan (the “TSP”), are not approval criterial that may be considered unless they are expressly incorporated into the SDC. As explained below, the single most important issue to the neighbors is local street capacity but unfortunately the TSP provision that staff identified and the neighbors relied upon has not been incorporated into the SDC, so it cannot be applied to the Application.

The Planning Commission listened to the various arguments regarding this issue and ultimately concluded, assisted in part by the legal analysis provided by your City Attorney, that the number of vehicle trips for local streets found in the TSP is not an approval standard. Both the Oregon Court of Appeals and the Oregon Land Use Board of Appeals (“LUBA”) have looked carefully at the issue of including Plan or TSP standards not incorporated into zoning ordinances and have remanded or reversed a cities’ decision that did so (in the Court of Appeals’ case, the City of Bend, and in LUBA’s case, among several cases, the City of Silverton).

What this means for the Applicant, the neighbors, and the City Council is that only those relevant appeal criteria in the SDC may be applied to this Application. For those witnesses that urge the City Council to ignore State law, that makes no sense because it results in a City Council decision that does not follow State law. Whether we like it or not, the Oregon legislature often creates laws that cities must follow and this is one of them.

The second relevant fact is the characterization of this Application as a “Needed Housing” application subject to various State law standards. Ms. Walker told the City Council on March 2, 2020 that Needed Housing is nothing new; she is absolutely correct. What is not new is that the Court of Appeals and LUBA strictly apply the Needed Housing standards. This means that for applications such as this where there is no debate that this Application is subject to the Needed Housing standards, the City is required to apply those statutes, which means it may not apply subjective standards, procedures, and conditions to the Application.

Notwithstanding the above, the Applicant’s approach has been to do two things. First, to address

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all approval criteria and, second, to seek an expansion of the City's UGB to first accommodate the extension of Gunderson Road, an arterial street shown in the City's TSP, and, second, to provide an area for a future park, which the neighbors have said they wanted. As explained below, the Applicant's approach has been consistent and, contrary to what the neighbors told the City Council on March 2, has not changed at all.

The third fact is that this Application is about providing homes for families that Sandy decided it needed when it adopted its Housing Needs Analysis and expanded the UGB. If this Application were only about money, the Applicant would not have spent the time and money to help find a solution to Gunderson Road and the park by applying for an expansion of the UGB to provide for those two public facilities.

2. The role that approval criteria play in this Application.

As noted above, approval criteria are the guideposts that provide the Applicant with instructions about what its Application must include and how it meets its legal burden of proof, what neighbors may and may not properly raise before the decision maker, and what the City Council's decision must include. In the case of this Application, there is no doubt that this Application is both a limited land use application and a Needed Housing Application, which means that the approval criteria are constrained; in other words, many of the things that the neighbors want the City Council to decide the Application on may not be decided on that basis. As explained in more detail below, for example, the drawing in the SDC concerning parks is subjective, so it cannot be an approval standard and, in any event, the choice of whether the Applicant is required to make a fee in lieu payment for a park or dedicate park land is subjective and, therefore, may not be applied.

3. Citizen participation.

The Applicant agrees that all citizens should be accorded the maximum opportunity to be heard and to make their case. This is consistent with the City's obligations under Statewide Planning Goal 1, "Citizen Participation". Even though the Statewide Planning Goals are not directly applicable to this Application, Goal 1 underpins the City's land use regulations. The Applicant's commitment to citizen participation extended to holding a neighborhood meeting last September that is not required under the SDC. The Applicant did so to hear what the neighbors had to say about the Application.

Additionally, as explained below, although the Applicant is not required to do so, it has expended its own time and money (about \$200,000 at this point) in seeking an expansion of the City's UGB to accommodate, as noted above, the extension of Gunderson Road and provide park land.

The Applicant has done all of this in order to seek a collaborative resolution of the issues that separate the neighbors from the Applicant. The Planning Commission appreciated this response and that is why, in part, the Planning Commission unanimously approved the Application.

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The only reason the Applicant objected to a “de novo” City Council appeal hearing is that the neighbors had between December and February to submit evidence into the record. Because the Applicant has the burden of proof, the Applicant must be concerned about undue surprise in the form of new evidence. However, the Applicant respects the City Council’s decision to grant a de novo hearing and will respond accordingly.

4. Other issues raised by the neighbors.

This is not an exhaustive list of issues raised but it does reflect some of the issues heard by the City Council at the March 2, 2020 public hearing on the UGB Expansion.

A. Vehicle trips on local street.

The neighbors believe that the TSP is an approval standard and that the TSP limits the number of vehicle trips on a local street. Unfortunately, that is not the case. The TSP provision is not incorporated into the SDC and, even if it were, it is subjective (it uses the word “typical” in describing the amount of vehicle trips on a local street) and may not be a basis for a decision on a limited land use and Needed Housing Application.

The other issue that the neighbors are concerned about is safety after the Bailey Meadows Subdivision is developed. However, the City commissioned two separate studies, the first by Curran-McLeod, the City’s outside civil engineering firm, and the second by John Replinger, the City’s outside transportation engineer. Neither study concluded that the applicant’s Traffic Impact Study was either inaccurate, or that the additional vehicle trips would result in unsafe roadways. Even if that were the case, no relevant approval standard uses the word “safety”, which is an inherently subjective word.

The reality is that the numbers of vehicle trips and vehicle safety cannot be a basis for the decision under the approval criteria that the City Council must apply. However, the Applicant has agreed to all of the recommended conditions of approval contained in the Planning Commission Decision and pledges to abide by them.

B. Park.

The City first began discussing the park in the subdivision in an October, 2018 Parks and Trails Advisory Board (the “Board”) meeting that the Applicant was not invited to attend but did attend. That meeting occurred after the Board had already voted to ask the City Council to require park land dedication, a meeting at which the Applicant was not invited to attend. At the second meeting, the Board did not vote on the Application again. Thereafter, the City Council and the Board held a joint meeting and discussed this topic. The consensus of the City Council at that meeting was to require the fee in lieu payment as opposed to park land dedication. Thereafter, the Board held another meeting in October, 2019, again without notice to the Applicant, and voted to ask for park land dedication.

As noted above, the SDC provisions regarding the choice between fee in lieu and park land

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dedication are subjective and may not be applied to a Needed Housing Application. Further, the City Attorney advised the joint meeting of the City Council and the Board of the legal issues associated with requiring park land dedication.

Following the Planning Commission's first full public hearing (and the second opportunity for the public to provide testimony), the Applicant determined that it would expand its UGB application to include an area that would have been surrounded by the City's UGB for future park land dedication. The Applicant did so in response to the neighbors' desire to have a park in the area. The Applicant also agreed with the conditions of approval adopted by the Planning Commission that in the event the UGB is expanded to include the park land, a fee in lieu payment is not required but if the UGB is not expanded to include park land dedication, the Applicant will make a fee in lieu payment. Nothing has changed and the Applicant has not changed its position. The Applicant is simply trying to respond to its neighbors and provide park land for a future park. Alternatively, if that is unsuccessful, the Applicant will make a fee in lieu payment.

C. UGB expansion.

The Applicant at its own time and expense has sought to expand the City's UGB to allow the extension of Gunderson Road so there is a second non-emergency way in and out of the Subdivision and to provide for land for a future park. As the Applicant told City staff and the neighbors at the September, 2019 neighborhood meeting, it determined not to apply for an "exception" to Statewide Planning Goals to allow the extension of Gunderson Road to occur for two reasons. First, the exception process is extremely difficult to achieve and, second, Clackamas County Transportation and Planning Department staff told the Applicant's representatives that they would not support an exception. It is true that the Applicant elected not to make an exception application but it did so after diligently exploring the chance of success and eventually applied for an UGB expansion, accomplishing the same thing as would an exception application.

So far, the UGB exception application has been successful with the City Planning Commission recommending approval of, the City Council approving the UGB application, and the Clackamas County Planning Commission unanimously recommending approval of the UGB application. The fact that the Applicant did not seek an exception has no bearing on its commitment to a collaborative approach to address the deficiencies in the SDC that prevent the City from requiring the extension of Gunderson Road or a park land dedication.

D. Threat to sue the City.

The Applicant has never threatened to sue the City. It is certainly true that any person disappointed with the outcome of this public hearing can file an appeal with LUBA and that includes not just the neighbors but the Applicant. When the Planning Commission asked the City Attorney that same question, the City Attorney said that he was unaware of the Applicant threatening to sue the City.

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E. Todd Mobley.

At least two opponents chastised Mr. Mobley for sitting with the Applicant at the Planning Commission hearing. Mr. Mobley, a member of the Planning Commission, did everything that State law required: he announced that he would recuse himself because of his legal conflict of interest and did so. He has not participated in any of the Planning Commission meetings concerning this Application and did not participate in the Planning Commission decision. Just because Mr. Mobley recused himself as he was required to do by law does not mean that he may not work for the Applicant or sit with the Applicant. None of Mr. Mobley's actions have been outside what State law requires or what a Planning Commission member should be expected to do.

F. Variances.

Ms. Walker suggested that the Applicant was required to seek a variance to the park map "drawing" in SDC 17.86.20 but neither the City Attorney nor the Planning Director agreed with Ms. Walker when that issue was raised before the Planning Commission and the City Council may find that it is not relevant. First, the drawing is not an approval standard because it uses subjective terms and does not apply where a fee in lieu is being provided, as is the case here. Second, variances are easy to overturn on appeal and the standards are intentionally difficult to meet. Notwithstanding that the Planning Department staff said it would support the variance, that said nothing about whether the Planning Commission would find the approval standards met or that the neighbors wouldn't appeal the variance decision. However, all of this discussion is irrelevant because the Applicant has agreed to either provide park land through the UGB expansion or, if that fails, make a fee in lieu payment. However, the Applicant was not required to apply for an unnecessary variance that might or might not have been able to be met through the applicable approval criteria.

6. Conclusion.

The second letter to the City Council will address the legal reasons why the Planning Commission's unanimous decision should not be reversed and why the City Council should make the same decision that the Planning Commission made. However, this letter explains some of the issues that the City Council has heard. I hope that the City Council appreciates the information in this letter and, as it should do, judge the Application according to the facts and the law and not according to things that are irrelevant to the Application and the City Council's decision.

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On behalf of the Applicant, I ask you to approve the Application at the conclusion of your public hearing on March 16.

Very truly yours,



Michael C. Robinson

MCR:tmk

cc: Mr. Cody Bjugan *(via email)*
Mr. Monty Hurley *(via email)*
Mr. Chris Goodell *(via email)*
Ms. Marie Holladay *(via email)*
Mr. Vu Nguyen *(via email)*
Mr. Rand Waltz *(via email)*
Mr. Todd Mobley *(via email)*
Mr. Daniel Stumpf *(via email)*
Mr. Jordan Wheeler *(via email)*
Mr. David Doughman *(via email)*
Mr. Kelly O'Neill *(via email)*

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**STAFF REPORT
CITY COUNCIL
TYPE IV APPEAL**

DATE: March 9, 2020

FILE NO.: 20-009 AP

PROJECT NAME: Bailey Meadows Subdivision Appeal

APPELLANTS: Erin Findlay, Cary Mallon, Kathleen Walker, Emily and Richard Sheldon, and Midge Wadkins

PROPERTY OWNER: Grant & Myrtle Sturm

SUBDIVISION APPLICANT: Allied Homes & Development

LEGAL DESCRIPTION: T2S R4E Section 23 Tax Lots 800, 801, 802, 803, 804

This Type IV Appeal is of the Planning Commission's approval for 19-023 SUB/VAR/TREE Bailey Meadows Subdivision.

EXHIBITS:

Exhibits from File No. 19-023 SUB/VAR/TREE:

A. through JJJJJ. (detailed in the February 7, 2020 staff report)

KKKKKK. Staff Report to Planning Commission (February 7, 2020)

LLLLLL. Final Order and Findings of Fact (February 14, 2020)

Appellant Submittals:

MMMMMM. Appellants Notice of Intent to Appeal Form (received February 26, 2020)

NNNNNN. Appellants Notice of Intent to Appeal Letter (received February 26, 2020)

Other Documents from Staff:

OOOOOO. Email from Kelly O'Neill Jr. to Appellants and Subdivision Applicant (February 28, 2020)

PPPPPP. Scope of Review Memorandum from David Doughman (February 28, 2020)

Letter from Attorney Michael Robinson:

QQQQQQ. Letter from Michael Robinson (March 2, 2020)

Public Comment:

RRRRRR. Sarah Bettey at 18195 Melissa Avenue (March 4, 2020)

Social Media Comments from Hearing Body:

SSSSSS. Mayor Pulliam Facebook Correspondence (March 6, 2020)

FINDINGS OF FACT

General

1. The Planning Commission deliberated on February 11, 2020. At the meeting, the Planning Commission approved the 100-lot subdivision per the findings and conditions listed in the final order and with modification to Condition G. 22 in the final order.
Moved By: Commissioner Carlton
Seconded By: Commissioner Logan
Yes votes: Carlton, Lesowski, MacLean-Wenzel, Crosby, Logan, Mayton.
No votes: None
2. The Planning Commission issued the final order and findings of fact for 19-023 SUB/VAR/TREE Bailey Meadows Subdivision (Exhibit LLLLLL) on February 14, 2020. The appeal deadline was set 12 calendar days after the final order and findings of fact, otherwise identified as February 26, 2020.
3. The appellant submitted an appeal of the decision for 19-023 SUB/VAR on February 26, 2020 at 9:30 a.m. The appellant submitted Exhibits MMMMMM and NNNNNN, along with the associated appeal fee.
4. The approval of Bailey Meadows subdivision includes the subdivision of 100 single family home lots with access to Nicolas Glen via Melissa Avenue, and with potential access to Highway 211 via Gunderson Road. The subject site consists of five lots with a total area of approximately 23.42 acres. The site is located north of Highway 211, south of Rachael Drive, and west of Ponder Lane. The parcel has a Plan Map designation of Low Density Residential and Zoning Map designation of SFR, Single Family Residential.
5. The City Council may limit the appeal to the evidence and testimony contained in the record of the Planning Commission's hearing, or the Council may choose to hear the appeal "de novo" which would allow for the introduction of additional evidence and testimony. On March 2, 2020 the Council decided to hold the hearing de novo.
6. On March 3, 2020, notice of this appeal was sent to all neighbors within 500 feet of the subject site, the appellant, and others that spoke at the hearings or submitted written testimony. A legal notice was placed in the Sandy Post on March 4, 2020.
7. The appellants raise numerous issues on appeal, as described in the letter submitted on February 26, 2020, including but not limited to the following:
 - #1 The City did not follow the recommendations of the City Engineer.
 - #2 The City used too many 'if' statements in the final order.

- #3 Issue with the City paying for a portion of the Gunderson Road improvement costs.
- #4 Thinks the word 'typical' is clear and objective as it is commonly used on engineer illustrations.
- #5 The Traffic Impact Analysis (TIA) was completed by Lancaster Mobley Engineering and because Mr. Mobley is a Planning Commissioner the optics are sketchy at best.
- #6 Pipe diameters are not listed in the City code so therefore there should not have to be Average Daily Trip (ADT) standards in the City code.
- #7 The City should have conditioned approval only with approval of the Urban Growth Boundary (UGB) expansion and construction of Gunderson Road at no expense to the City of Sandy.
- #8 The City is foolhardy for approving the subdivision prior to the cost sharing of Gunderson Road being determined.
- #9 The Development Agreement should be completed as a land use decision.
- #10 The developer should pay the fee in-lieu of parkland and donate the additional land outside the UGB to the city.
- #11 The City should condition the 30th house to building permit, not occupancy.

City staff will address the appellants' primary assertions below. With respect to staff's evaluation of the application relative to the standards and criteria in the City's Code, staff directs the City Council to the February 7, 2020 staff report to the Planning Commission (Exhibit KKKKKK).

- 8. Assertion #1: The City did not follow the recommendations of the City Engineer. *City of Sandy staff did follow the recommendations of the City Engineer on items that were germane to the subject land use application and could be applied as conditions of approval. The City Engineer is not an attorney and does not typically consider legal issues when making comments and recommendations on development proposals. As explained by the City Attorney in Exhibit ZZZZZ, the applicant asserts the city cannot apply certain Code criteria or certain standards in the city's transportation system plan (TSP). If the city were to find, for example, that public facilities are inadequate to serve the subdivision pursuant to Sandy Municipal Code 17.100.60(E)(4), and deny the application there is risk that denial would be overturned and could result in LUBA ordering approval of the subdivision. That would mean there would be no opportunity for a second access into the subdivision at this time, and presumably for the foreseeable future. This possibility resulted in the recommendation before the Planning Commission. City staff and the Planning Commission wanted to preserve the possibility that a second access would be provided (i.e. Gunderson Road).*
- 9. Assertion #2: The City used too many 'if' statements in the final order. *City of Sandy staff feels that conditioning the Urban Growth Boundary (UGB) expansion and subsequent development of Gunderson Road is most feasible using 'if' statements. While the use of 'if' statements may make some people uncomfortable it is the best course forward given time constraints with statutory requirements related to the 120-day rule and without knowing the outcome of the UGB expansion proposal.*
- 10. Assertion #3: Issue with the City paying for a portion of the Gunderson Road improvement costs. *The cost share of Gunderson Road is not a decision made by staff or the Planning Commission and is not, itself, a land use consideration. If the City and the applicant can reach an agreement*

about how to pay for the cost to construct Gunderson Road, the Council will approve that agreement in a separate proceeding.

11. Assertion #4: Thinks the word 'typical' is clear and objective as it is commonly used on engineer illustrations. *The word "typical" is used in a standard from Chapter 3 of the City's TSP that relates to how many average daily vehicle trips (or "ADTs") will occur on local streets such as Melissa Avenue. It states that local streets "have a 'typical' capacity between 800 and 1,000 ADT." Staff directs the City Council to two memos from the City Attorney on this issue (Exhibits ZZZZZ and EEEEE). In those memos, the City Attorney discussed his concerns regarding the applicability of that standard, based on the fact that it may not be adequately incorporated into the City's development code and because the word typical may not be "clear and objective" for the purposes of state statute, specifically ORS 197.307(4).*
12. Assertion #5: The Traffic Impact Analysis (TIA) was completed by Lancaster Mobley Engineering and because Mr. Mobley is a Planning Commissioner the optics are sketchy at best. *As required by Oregon law, Commissioner Mobley recused himself at all applicable Planning Commission hearings. Staff finds there is no evidence that Mr. Mobley's position on the Planning Commission had any bearing on the decision by the Planning Commission.*
13. Assertion #6: Pipe diameters are not listed in the City code so therefore there should not have to be Average Daily Trip (ADT) standards in the City code. *As explained by the City Attorney in Exhibits ZZZZZ and EEEEE, the applicant asserts the city cannot apply certain Code criteria or certain standards in the city's transportation system plan (TSP). The applicant has not asserted that it may rely solely on existing water or sewer infrastructure to serve the subdivision, as it has with respect to road infrastructure and traffic issues.*
14. Assertion #7: The City should have conditioned approval only with approval of the Urban Growth Boundary (UGB) expansion and construction of Gunderson Road at no expense to the City of Sandy. *Again, as explained by the City Attorney in Exhibits ZZZZZ and EEEEE, the applicant asserts the city cannot apply certain Code criteria or certain standards in the city's transportation system plan (TSP). If the applicant is correct, the City would likewise not be able to condition approval in this manner. With approval of the subdivision, City staff and the Planning Commission wanted to preserve the possibility that a second access would be provided (i.e. Gunderson Road). Expenses related to Gunderson Road are not a matter to be considered by the Planning Commission.*
15. Assertion #8: The City is foolhardy for approving the subdivision prior to the cost sharing of Gunderson Road being determined. *As stated above in paragraph 10 and below in paragraph 16, issues regarding the costs associated with Gunderson Road continue to be negotiated between the applicant and the City. If an agreement is reached, it is anticipated that the Council would consider the agreement on March 16 separately from the appeal.*
16. Assertion #9: The Development Agreement should be completed as a land use decision. *As explained by the City Attorney in Exhibit EEEEE, the development agreement being considered in this instance is a non-statutory development agreement, which is not subject to ORS 94.504 and will not apply any provisions in the city's development code or other land use regulations.*

LUBA and Oregon's appellate courts have recognized that development agreements under ORS 94.504 are one option, but not the only option, local governments may use to address issues related to costs and timing of the construction of infrastructure. In addition, while a jurisdiction may approve a development agreement prior to considering a land use application, or during the review process itself, it is not required.

17. Assertion #10: The developer should pay the fee in-lieu of parkland and donate the additional land outside the UGB to the city. *Chapter 17.86 of the Sandy Development Code governs parkland relative to land use applications. In accordance with the terms of that chapter, the City has the option of either requiring a dedication or requiring a fee-in-lieu of dedication. The options are mutually exclusive, as the term "fee-in-lieu of dedication" indicates. In this instance, the Council previously provided direction to staff to accept a fee-in-lieu of dedication. The applicant decided after the December 17 Planning Commission hearing to propose the dedication, which the Planning Commission approved subject to the UGB expansion. If the UGB is not expanded, then the Planning Commission's decision has a condition requiring the applicant to pay the fee-in-lieu of dedication. While the applicant could choose to dedicate the land and pay a fee, the City cannot compel the applicant to do both. There have also been comments regarding the Parks Master Plan conceptually identifying a community park in the vicinity of the proposed subdivision. According to the City Attorney, simply because a park may be conceptually identified in a certain location does not mean a jurisdiction is fully empowered to require a private landowner to dedicate land for such a park. Whenever a jurisdiction requires an applicant to dedicate property for public use, the U.S. Supreme Court has held that the government must satisfy certain tests before it may do so. The City Attorney has discussed these issues previously and will be happy to discuss it further at the hearing on March 16.*
18. Assertion #11: The City should condition the 30th house to building permit, not occupancy. *Staff agrees with the appellant that holding up occupancy is sometimes problematic especially when new home buyers or the general contractor tries to pressure staff into issuing the certificate of occupancy. Staff is open to the option approved by the Planning Commission relating to occupancy or the option proposed by the appellant relating to building permit and does not have a strong feeling on this.*
19. If City staff missed any of the primary assertions from Exhibit NNNNNN it was not done intentionally, but in error.

DECISION

Staff recommends City Council consider this appeal by reviewing the decision of the Planning Commission and weigh it against the merits as brought forth by the appellant and the subdivision applicant. While staff acknowledges the difficulties that are present with this application, based on advice from the City Attorney's office, staff continues to believe that the Planning Commission made the best decision it could, which preserves the best opportunity for the neighborhood to have a second access into the subdivision and for the City to complete the Gunderson Road connection to Highway 211, as identified in the TSP.

**EXHIBIT WWWWWW**

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows Tentative Subdivision Application; City Request for Extension of 120-day Period in Order to Allow Continuance of the March 16, 2020 City Council Appeal Hearing

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>
To: Marisol Martinez <mmartinez@ci.sandy.or.us>

Fri, Mar 27, 2020 at 10:29 AM

----- Forwarded message -----

From: **Robinson, Michael C.** <MRobinson@schwabe.com>
Date: Fri, Mar 13, 2020 at 12:24 PM
Subject: Bailey Meadows Tentative Subdivision Application; City Request for Extension of 120-day Period in Order to Allow Continuance of the March 16, 2020 City Council Appeal Hearing
To: David Doughman <david@gov-law.com>
Cc: Jordan Wheeler <jwheeler@ci.sandy.or.us>, Kelly O'Neill Jr. <koneill@ci.sandy.or.us>, Cody Bjugan <cody@investpdx.com>, Robinson, Michael C. <MRobinson@schwabe.com>

David, you have asked in an email dated March 13, 2020 if the applicant would grant an additional extension of the 120-day period in ORS 227.178(1) in order to accommodate a postponement of the City Council appeal hearing now scheduled for March 16, 2020 due to Covid-19. My client will agree to extend the 120-day period which now ends on April 14, 2020 to April 21, 2020, an extension of seven days. This extension is contingent upon the City providing seven days mailed notice of the continued hearing date. An extension through April 21, 2020 is sufficient at the present time to allow the City to render the final decision within the 120-day period, as extended. I understand that the City Council desires to reschedule the March 16, 2020 hearing date as soon as is reasonable under the circumstances. If the City requests additional extensions, the applicant will consider each extension in good faith.

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Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2163
koneill@ci.sandy.or.us

EXHIBIT XXXXXX

March 13, 2020

VIA EMAIL

Honorable Mayor Pulliam and
Sandy City Council
39250 Pioneer Blvd.
Sandy, OR 97055

Re: Bailey Meadows Subdivision Appeal
City File No. 2020-009

Dear Mayor Pulliam and City Councilors:

This firm represents the Appellants in the above-referenced appeal. These individuals are concerned that the City has not done enough to ensure the provision of the Gunderson Street extension when all agree that Gunderson is critical to provide safe and adequate vehicular access for the future residents within this development. Notwithstanding this agreed-upon necessity, the Planning Commission's approval makes the provision of Gunderson highly contingent and allows completion of new homes without the Gunderson Street improvement. This approach contravenes many of the clear and objective requirements set forth in the Sandy Municipal Code ("SMC") and for the reasons explained below, requires denial or, at the very least, significant revisions to the conditions of approval adopted by the Planning Commission.

What SDC provisions provide both "clear and objective" and "specific policies, action items or performance standards" requiring the provision of the Gunderson extension as necessary to serve the subject development?

The Sandy Transportation System Plan (TSP) includes a map identifying Gunderson Street, a minor arterial, as necessary to serve this rapidly developing southern area of Sandy. The TSP provides clear and objective direction as to the need for and the location for this roadway. The applicant has been willing to pursue a UGB expansion as necessary to accommodate Gunderson and dedicate the land necessary to accommodate it but all of the road construction costs will be shouldered by the City. Although the conditions of approval are convoluted, it appears that the Planning Commission approved conditions would allow all 100 homes to be built and occupied without providing the Gunderson extension. This would leave these new 200+ residents vehicle access to their homes through a single access point – Melissa Avenue, which is undersized and in poor condition.

Although road adequacy is typically dictated by what the TSP map requires, the City Attorney expressed concern that the City's development code regulations may not adequately describe road improvements set forth in the TSP to make them applicable, given the type of decision at issue. Ex ZZZZZZ. The City Attorney's concerns stem from LUBA's analysis in a recent case, *Oster v. City of Silverton*, where LUBA found that a code requirement to satisfy "all applicable ordinances and regulations" insufficient to require compliance with "specific policies, action items or performance standards." ____ Or LUBA ____, (LUBA No. 2018-103, May 7, 2019). The City Attorney noted that the obligation to provide "adequate" public facilities and services set forth in SMC 17.100.60(E)(4) may suffer from the same defect. If SMC 17.100.60(E)(4) was the only applicable criteria, I would be inclined to agree with this analysis. SMC 17.100.60(E)(4) lacks sufficient clarity to identify which TSP standards and policies are required (and is not "clear and objective" in any event.) However, the criteria applicable to a subdivision are not so limited.

Rather, the SMC does contain specific standards requiring the construction of Gunderson as necessary to serve this development. SMC 17.84.50(A)(2) requires that where level of service deficiencies are identified, "strategies mitigating the problem shall be considered."¹ Where mitigation is required: "streets shall conform to planned street extensions identified in the Transportation Plan." SMC 17.100.60(H)(1); see also (B) and 17.100.100(B)(2).

The City Engineer concluded that significant level of service deficiencies on Melissa Avenue currently exist and the added traffic from this development could cause a complete failure. Therefore, SMC 17.84.50(A)(2) requires the identification of "improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal" and the TSP dictates its location and extent.

In addition to the obligation to mitigate level of service deficiencies in ways that are consistent with the locations set forth in the TSP, the SMC provides additional independent performance standards. SMC 17.100.110 sets forth a detailed list of street classifications and spacing standards that are applicable to ensure adequate connectivity throughout the City. Subsection B of this section requires the provision of minor arterials at 1-mile intervals. This obligation is clear and objective, and it is specifically applicable to all land divisions. The applicant has not identified a minor arterial, or any other roadway, that is adequate to serve its development within these intervals. Therefore, approval of this development requires the provision of a minor arterial such as Gunderson to connect with the proposed local street system.

In other words, public facility adequacy, as prescribed by the SMC, is determined by clear and objective connectivity, location and spacing standards that are directly applicable to the proposed development. As a result, the Planning Commission should have concluded that it can (and in fact, must) require the provision of Gunderson Street to serve this development.

¹ SMC 17.100.310 requires that all land division requests also comply with the design standards set forth in SMC 17.84.

Assuming that the City may require the provision of the Gunderson extension, who is responsible for the cost of construction?

Since the Gunderson extension is required in order to address existing capacity deficiencies on Melissa Avenue, SMC 17.100.310(I) requires that this necessary improvement be “installed at no expense to the city.” This is a clear and objective obligation that is violated by the conditions of approval imposed by the Planning Commission indicating that the City would pay for this improvement.

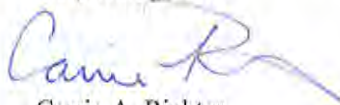
When must the Gunderson extension be in place?

Finally, the conditions of approval adopted by the Planning Commission provide a convoluted, and sometime contradictory, scheme for the timing and funding of the Gunderson extension to occur, if at all, after the final plat has recorded and the construction of houses has begun. This approach runs afoul of multiple clear and objective provisions in the SMC that require the provision of necessary improvements before final plat approval and concurrently with development. SMC 17.100.330; 17.84.20(A); 17.84.50(A)(2) and (D)(3).

In summary, the City Council could conclude that the Gunderson extension is necessary to serve the proposed development based on the substantial evidence submitted by the City Engineer. If the City Council agrees with this qualified, expert testimony, the SMC requirements to mitigate for transportation system deficiencies at the levels identified in the TSP are not discretionary and the Gunderson extension must be provided. If required, the Gunderson must be provided at the applicant’s expense and in place before the City may grant final plat approval and before any development may occur.

Please place this letter in the record and provide me notice of the City’s final decision.

Very truly yours,



Carrie A. Richter

CAR:kms

cc: Erin Findlay
Cary Mallon
Kathleen Walker
Emily and Richard Sheldon
Midge Wadkins



March 30, 2020

Michael C. Robinson
Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

VIA E-MAIL

Mr. Stan Pulliam, Mayor
City of Sandy City Council
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: Appeal of Planning Commission Decision Approving Bailey Meadows Tentative Subdivision Application; Applicant’s Response to Appellant’s March 13, 2020 Letter

Dear Mayor Pulliam and Members of the Sandy City Council:

This office represents Allied Homes & Development, the Applicant for the approved 100-lot Bailey Meadows Tentative Subdivision Application (the “Application”). This is the Applicant’s second letter for the April 6, 2020 City Council hearing on the appeal of the unanimous Planning Commission approval of the Bailey Meadows Tentative Subdivision application.

This letter responds to the March 13, 2020 letter submitted by Appellants. Appellant’s letter responds to the Applicant’s prior written and oral testimony.

1. Summary of Applicant’s prior testimony relevant to Appellant’s arguments.

The Applicant’s prior testimony explained that there is no provision of the Sandy Development Code (“SDC”), Comprehensive Plan (“Plan”), or Transportation System Plan (“TSP”) which requires the Applicant to pay to extend Gunderson Road off of the subject property. In summary, the Applicant has explained as follows:

a. The TSP is not a relevant approval standard for the Application.

The Staff Report correctly explains that the TSP is not an approval standard for this limited land use application because it has not been incorporated into the SDC as required by ORS 197.195(1). The City Attorney has provided appropriate legal advice on this issue.

b. SDC 17.100.110 does not incorporate the TSP as an approval criterion.

By its express terms, SDC 17.100.110 is a summary of how the functional characteristics of each street type are described in the TSP. It does not expressly or impliedly impose any requirement of the TSP as a criterion and does not include any requirement for off-site improvements.

Mr. Stan Pulliam, Mayor
March 30, 2020
Page 2

c. SDC 17.100.310.I, which lists improvements that are required to be constructed as part of a subdivision, does not require off-site improvements.

Gunderson Road is an off-site improvement that the Applicant has volunteered to construct pursuant to conditions of approval and an executed Development Agreement. The Applicant has explained that it is not otherwise required to extend a road off-site where there is no need created by the Applicant for that road.

2. Response to Appellant's March 13, 2020 letter.

Appellants renew their arguments that the above-identified provisions require the Applicant to fully extend and improve Gunderson Road off of the subject property. Appellant's arguments are plainly wrong and the City should reject them for the following reasons:

a. The TSP Map neither creates nor imposes a requirement for the Applicant to extend Gunderson Road.

As the Applicant explained previously, under ORS 197.195(1), any provision of the City's Plan (including the TSP) that is imposed as an approval criterion or development standard must be expressly incorporated into the SDC. Contrary to Appellants' argument, adoption of a TSP map does not obligate any specific development project to construct a given roadway on a TSP, nor does it serve to incorporate provisions of the TSP into the SDC. *Paterson v. City of Bend*, 201 Or App 344 (2005); *South Central Association of Neighbors v. City of Salem*, 70 Or LUBA 468 (2014).

b. SDC 17.84.50(A)(2) does not require extension of Gunderson Road.

SDC 17.84.50(A)(2) provides as follows:

“If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.”

Appellants argue that this section requires the Applicant to extend Gunderson Road. On the contrary: all this section requires is that “improvements and funding strategies mitigating the problem shall be considered.” This section is procedural and does not require the City to impose any specific improvement requirement on a specific development. It merely requires the city to “consider” improvements and funding strategies, necessarily leaving to the City absolute discretion as to what improvements and funding strategies may be appropriate. *Renken v. City of Oregon City*, __Or LUBA__ slip op at 8-10 (Jan. 24, 2019) (code language requiring local governments to consider the adequacy of public facilities does not require a specific funding mechanism or determine who is responsible for making public improvements).

Mr. Stan Pulliam, Mayor
March 30, 2020
Page 3

Also, a requirement that “improvements and funding strategies mitigating the problem shall be considered” is not clear and objective and may not be applicable under the “Needed Housing Statute” (ORS 197.307(4)).

c. SDC 17.100.310(I) does not require off-site improvements.

As explained above, SDC 17.100.310 lists the subdivision improvements to be constructed at “no expense to the City.” These include elements like “mailbox delivery units,” “sidewalks,” “street lights,” “street trees,” and underground utilities. Appellants argue that the inclusion of “streets” on this list means that the Applicant must construct an extension of Gunderson Road outside of the property. This argument is clearly wrong for a number of reasons.

First, Appellants ignore the first sentence of SDC 17.100.310. “The following improvements shall be installed at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.” Emphasis added. The correct interpretation of this section is that the improvements must be called for Chapter 17.84 (off-site improvements to arterial streets is not), and the requirement is subject to “oversizing,” which means the requirements in subsection 310 are susceptible to an essential nexus and rough proportionality analysis, which may or may not give the City authority to impose certain off-site improvements.

Second, the list of improvements in subsection 310 includes everything internal to a new subdivision, not external improvements such as an arterial or collector street. For example, Appellants have not argued that the Applicant is required to build off-site mailboxes or install off-site underground utilities, presumably because the best interpretation of the improvements listed in subsection 310 is that they are those typically necessary within a subdivision. There is similarly no basis to interpret 17.100.310(I) as requiring off-site improvements.

Finally, subsection 310 is not clear and objective as required by the Needed Housing Statute because it does not explain which improvements are actually required in a given instance. Rather, it refers to SDC chapter 17.84 as determinative of improvement requirements and makes those requirements subject to considerations of “oversizing.”

d. Neither SDC 17.100.330, 17.84.20(A), nor 17.84.50(A)(2)-(3) require specific improvements.

Appellants argue that the above-referenced provisions are “clear and objective” requirements for the Appellant to install “necessary improvements” before final plat. This argument is wrong as a factual matter: SDC 17.100.330 provides three options for ensuring public improvements as part of a subdivision, and only one of those options, SDC 17.100.330(A), requires those improvements to be installed prior to final plat.

More to the point, none of these provisions expressly or impliedly impose any component of the TSP as an approval criterion, require an applicant to make specific off-site improvements, or require an applicant to pay for off-site improvements. Code sections that explain the timing of

Mr. Stan Pulliam, Mayor
March 30, 2020
Page 4

how required improvements are to be made say nothing about what specific improvements the City may or must require.

3. Conclusion.

For all of the reasons contained in the Applicant's evidence and the Staff Reports to the Planning Commission and City Council, the Applicant respectfully requests that the City Council affirm the Planning Commission's decision, approve the Application with the Planning Commission's conditions of approval and reject the appeal because there is no basis to conclude that the Planning Commission erred either factually or legally in its unanimous decision.

Very truly yours,



Michael C. Robinson

MCR:jmhi

cc: Mr. Cody Bjugan (*via email*)
Mr. Monty Hurley (*via email*)
Mr. Chris Goodell (*via email*)
Ms. Marie Holladay (*via email*)
Mr. Vu Nguyen (*via email*)
Mr. Rand Waltz (*via email*)
Mr. Daniel Stumpf (*via email*)
Mr. Jordon Wheeler (*via email*)
Mr. David Doughman (*via email*)
Mr. Kelly O'Neill (*via email*)

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EXHIBIT ZZZZZZ

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows Subdivision Appeal

1 message

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>
To: Marisol Martinez <mmartinez@ci.sandy.or.us>

Tue, Mar 31, 2020 at 12:58 PM

For the Bailey Meadows appeal file.

----- Forwarded message -----

From: **Kelli Acord** <kacord@ridesta.com>
Date: Tue, Mar 31, 2020, 9:34 AM
Subject: Bailey Meadows Subdivision Appeal
To: Kelly O'Neill Jr. <koneill@ci.sandy.or.us>, recorder@ci.sandy.or.us <recorder@ci.sandy.or.us>

Good morning,

STA (Student Transportation of America) has a concern of how we would transport a large amount of students from the PLAT or plans that were submitted. We have not seen a change of entrances from Hwy 211 (originally Ponder Lane), to see how it can be justified and clearly the current design shows little to no movement inside the subdivision for a bus to be able to maneuver safely. Even with having a access point off of Melissa and Rachel Dr, the bus and/or emergency equipment would encounter a similar situation. A road that is only marked as 25 feet wide and will allow cars to park on the sides of the road, diminishes the clearance of an 11 feet wide bus, firetruck or ambulance, not to mention a turn on a corner. We have experienced this already in the neighborhood across from here at Arletha and Village (Dublin and Cascadia Village). Cars currently park on both sides of the road, which limits buses tailswing on right or left hand turns.

Having a bus stop on a major highway (Hwy 211), poses an incredible risk of accident or injury due to the amount of traffic that already exists. Has the developer or the planners taken into consideration how many families with children could potentially come out of this neighborhood, that would need bus transportation to/from schools (high school, middle school or elementary). Not a single one of them is walking distance to schools.

I would really like to walk through these scenarios with you all, to give you a better understanding of what we all will go through. This is a SAFETY of the Children situation. We need to make sure that all steps are taken to ensure the safety and well being of our future.

Thank you,

Kelli Acord

Operations Manager

36366 Industrial Way Ste B

Sandy, OR 97055

503-668-8855

503-662-7290 (Fax)

3/31/2020

City of Sandy Mail - Fwd: Bailey Meadows Subdivision Appeal

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Bailey Meadows Subdivision

Land Use Application

EXHIBIT AAAAAAA

City Council Hearing
Monday, April 6, 2020

City of Sandy File No. **19-023 SUB/VAR/TREE**



Project Team

- » Allied Homes & Development
 - » Applicant
- » AKS Engineering & Forestry, LLC
 - » Land Use Planning, Civil Engineering, Surveying, Landscape Architecture, Arborist, and Natural Resources Consultant
- » Lancaster Mobley
 - » Transportation Engineering Consultant
- » GeoPacific Engineering, Inc.
 - » Geotechnical Engineering Consultant
- » Schwabe Williamson & Wyatt
 - » Legal Counsel



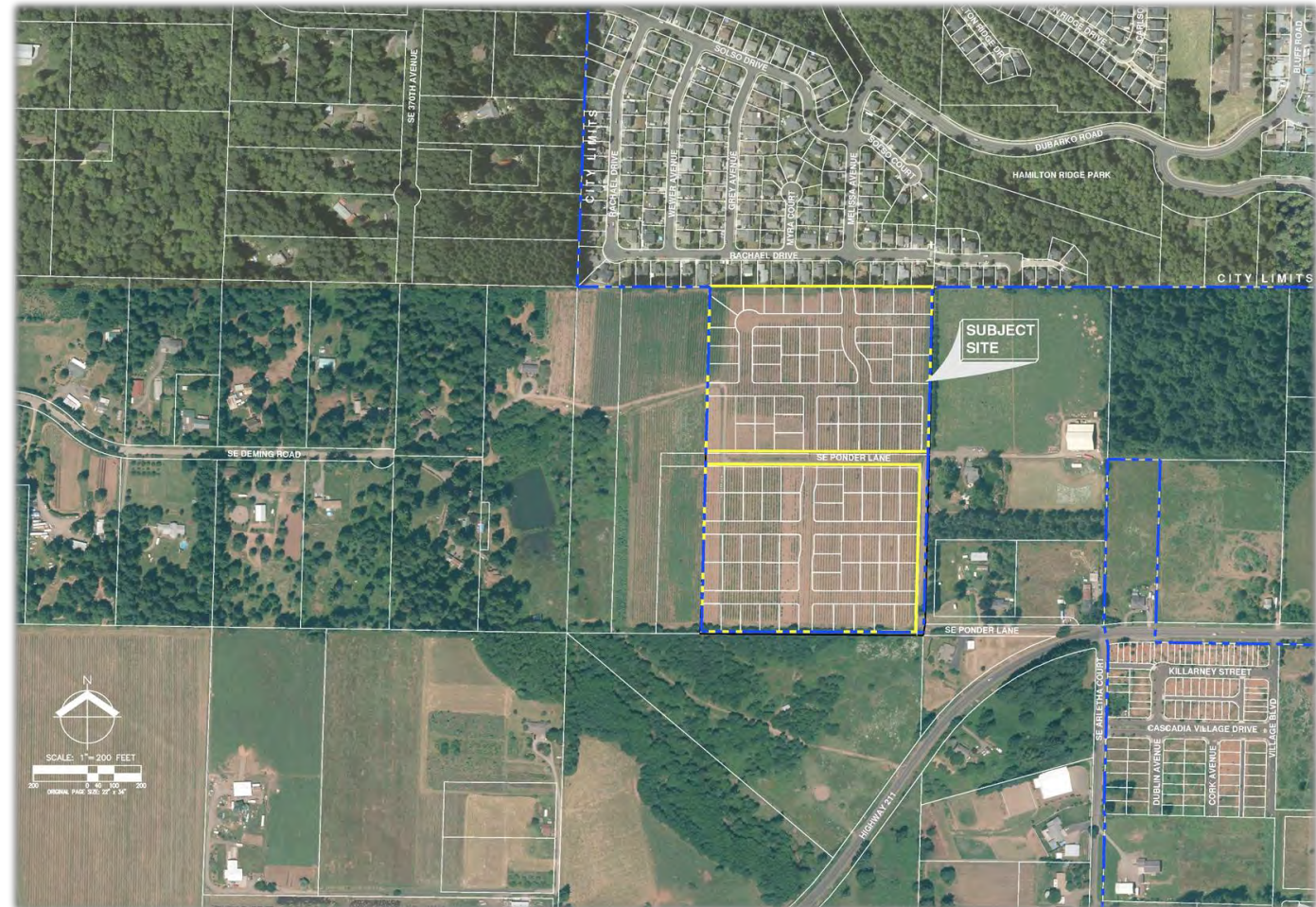
Project Location

Site Overview

- » South of Nicolas Glen Subdivision
- » North of Highway 211
- » ±23.42 acres

Surrounding Land Uses

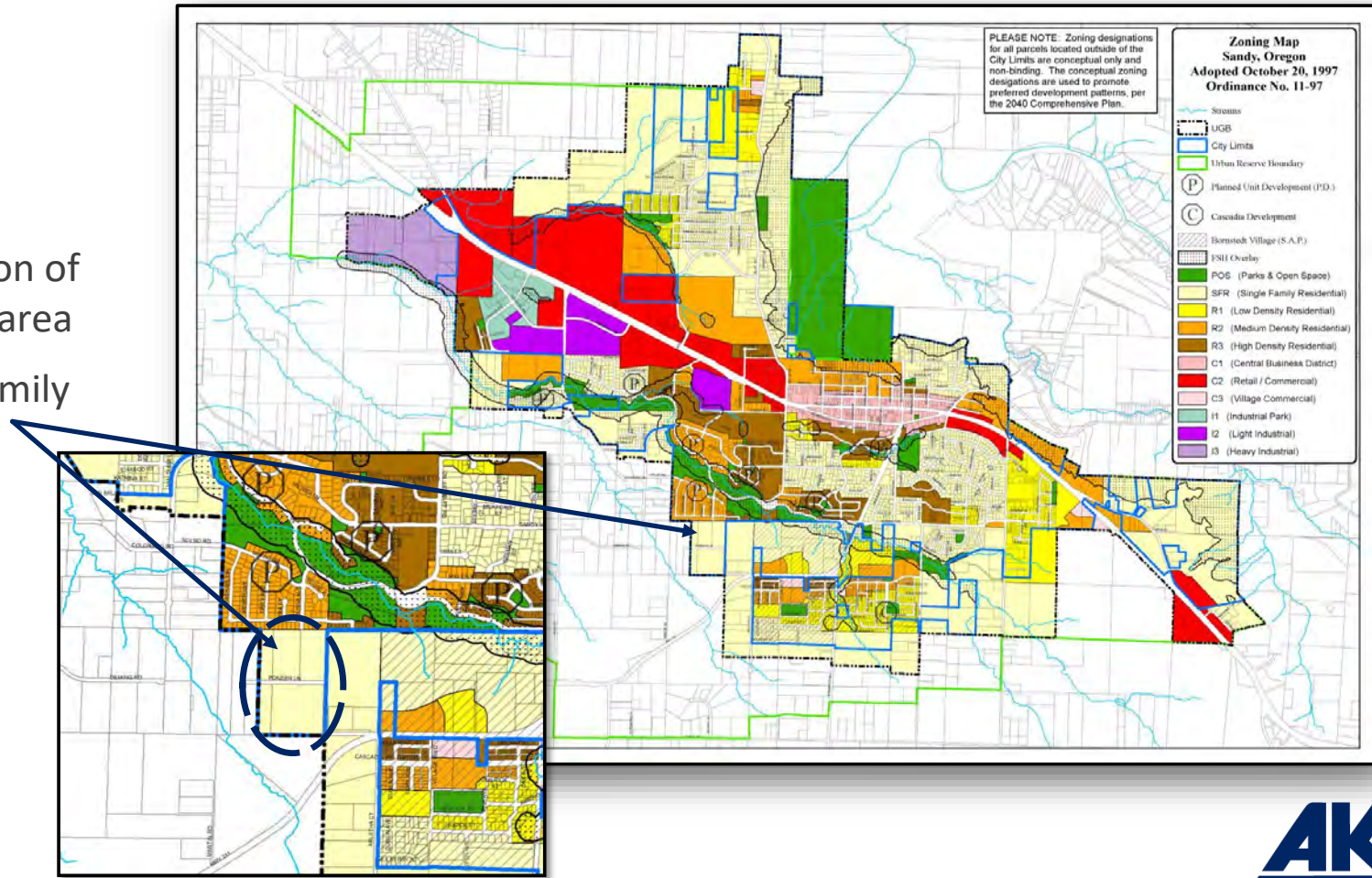
- » City Limits and UGB to the south, east, and west of the property boundaries
 - » South: Clackamas County zoned EFU
 - » East & West: Clackamas County zoned RRFF-5
 - » North: City zoned Medium Density Residential



Application Overview

Needed Housing

- » ORS 197-303(1) and 197.307(4)
- » Part of planned progression of land use planning for the area
- » Property carries Single-Family Residential (SFR) zoning designation



Development Standards

Meets City Density Standards

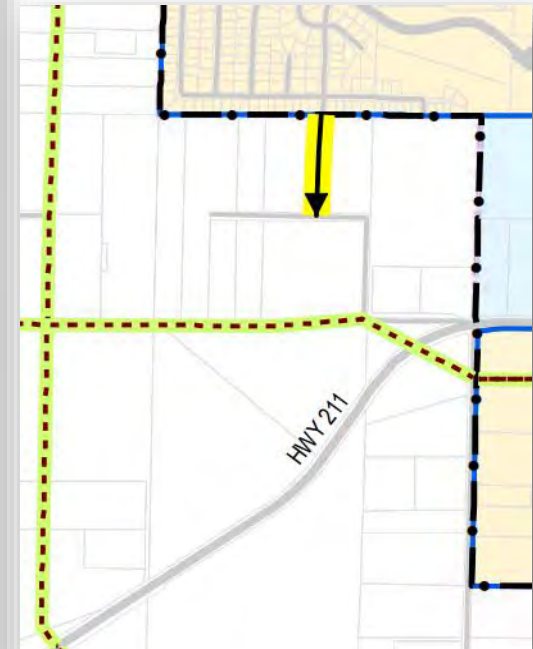
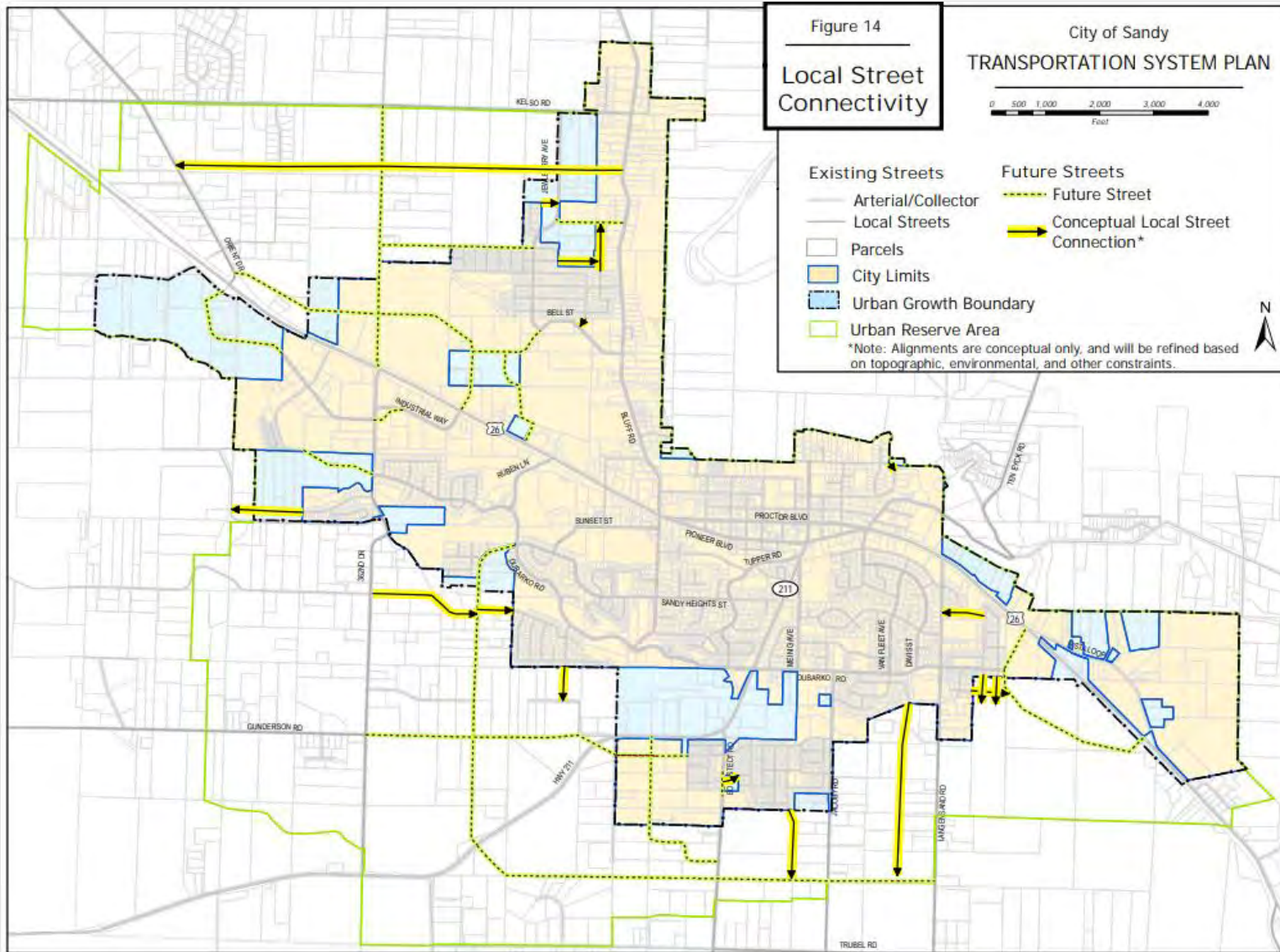
- » SFR zone allows up to 106 dwelling units on the site
 - » 5.8 units/acre
- » Application is for 100 lots for future single-family detached homes
 - » 4.27 units/acre



Development Standards

- » Future detached homes (single-family residential) – permitted use
- » Meets required lot areas and dimensions
- » Provides ±122 on street parking spaces
- » Fee-in-lieu payment for parkland dedication

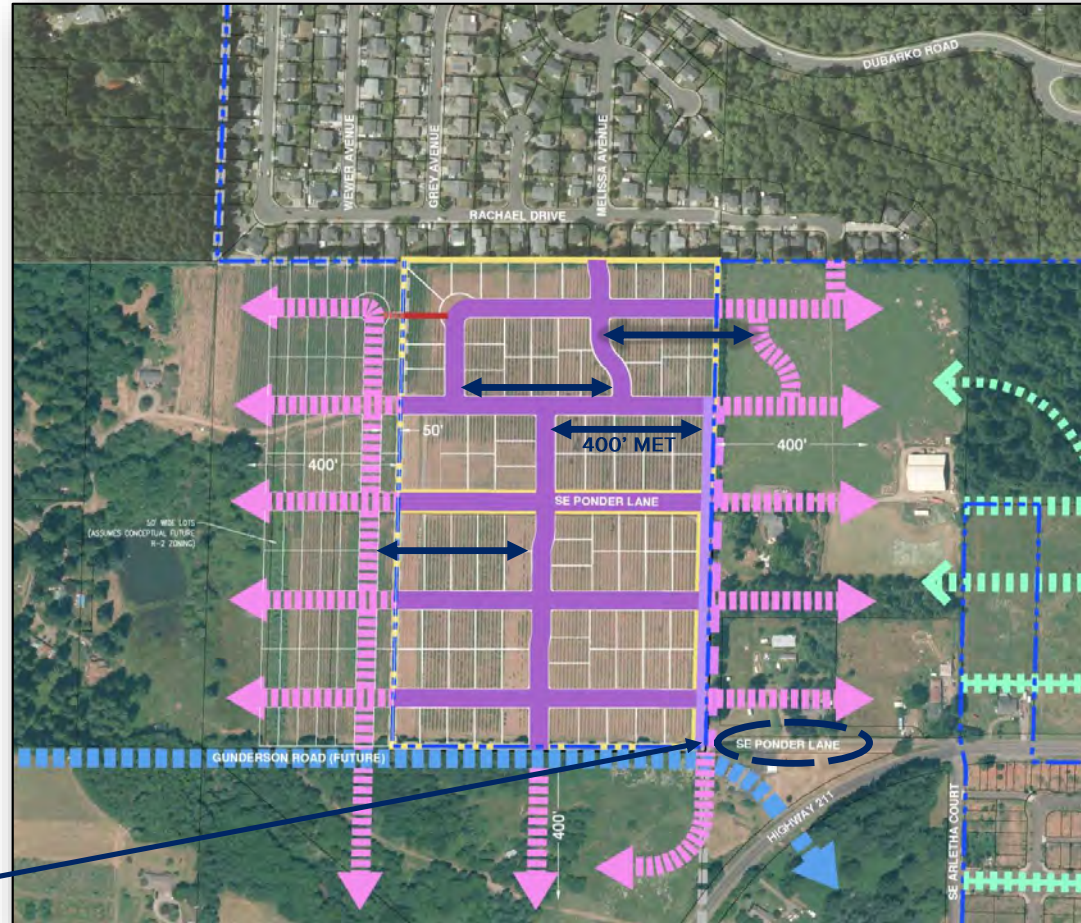




» Melissa Avenue to be extended per City of Sandy TSP

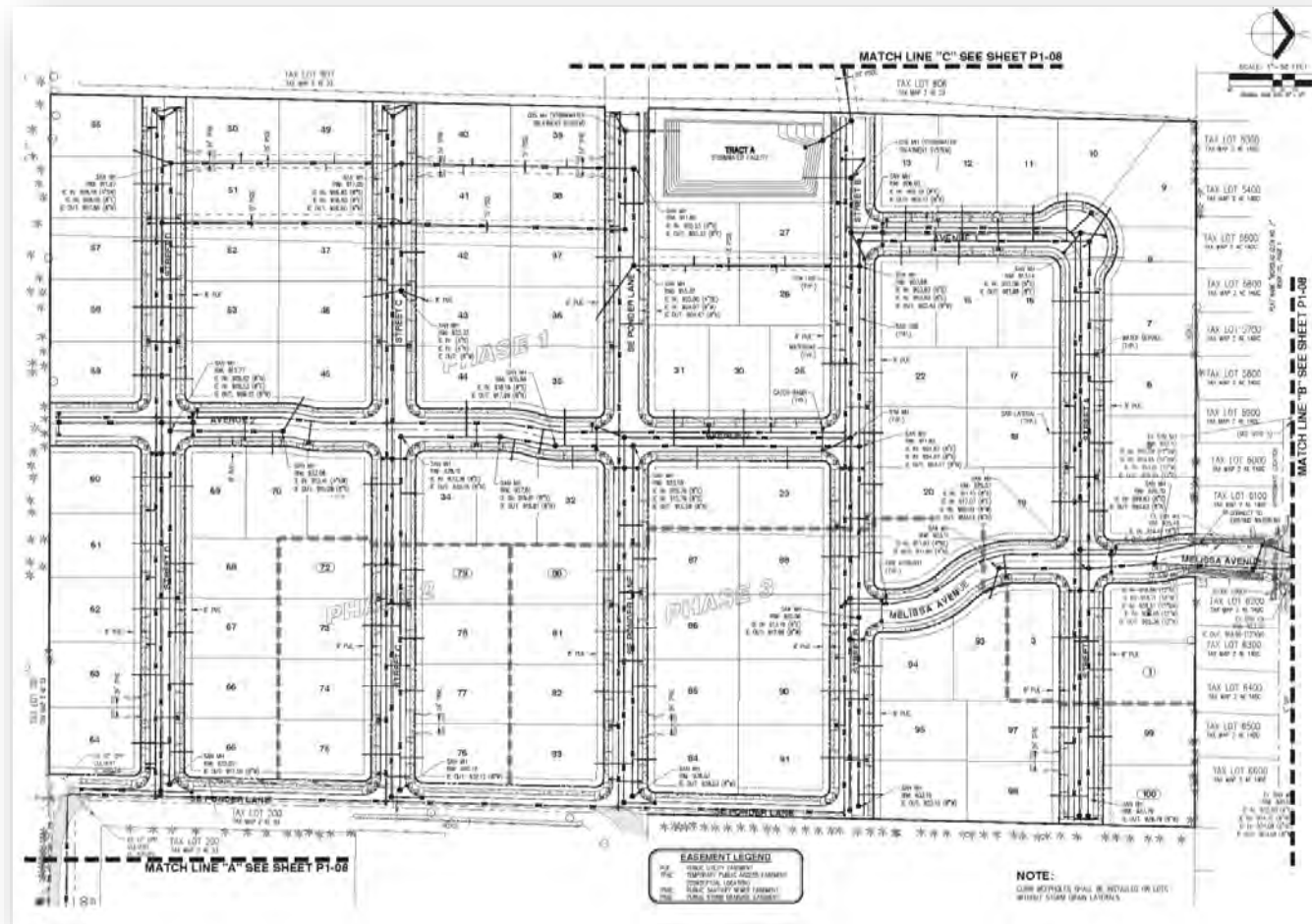
Circulation

- » Block Length
 - » 400-foot standard met
- » Internal Street Plan
 - » Walkable neighborhood
 - » Pedestrian pathway
 - » Provides for 10 street stub connections
- » Secondary emergency access



Infrastructure

- » Sanitary sewer
- » Stormwater management
- » Water
- » Franchise utilities

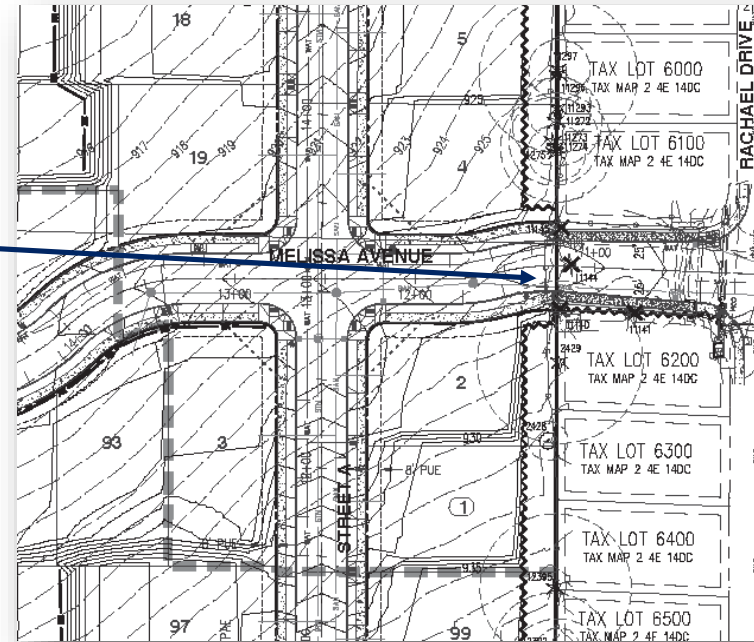


Tree Planting and Preservation

- » Planting of ±120 street trees
- » Stormwater screening and planting
- » Tree preservation and removal

	Existing	Preserved	Removed
Onsite Trees	19	19	0*

*5 offsite trees are planned to be removed to facilitate the installation of roads, utilities, grading, etc. in existing right-of-way and are exempt from urban forestry regulations.



Questions?

Chris Goodell
AKS Engineering & Forestry
12965 SW Herman Road, Suite 100
Tualatin, OR 97062
chrisg@aks-eng.com
(503) 563-6151

SUBJECT
SITE

SE DEMING ROAD

SE PONDER LANE

SE PONDER LANE

SE ARLETHA COURT

March 31, 2020

Michael C. Robinson

Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

VIA E-MAIL

Mr. Stan Pulliam, Mayor
City of Sandy City Council
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: City of Sandy File Number 20-009 AP; Appeal of Planning Commission Approval
of Bailey Meadows Tentative Subdivision, City of Sandy File No. 19-023

Dear Mayor Pulliam and Members of the Sandy City Council:

This office represents the applicant. I am writing on behalf of the applicant to ask that the City Council close the public hearing at its conclusion on April 6, 2020 but leave the written record open until April 13, 2020 at 5:00 p.m. for any person to submit argument and evidence and that the City Council deliberate to a tentative decision on the application at its April 20, 2020 public meeting. After speaking with the City Attorney, the applicant makes this request so that everyone has a final opportunity to address relevant approval criteria after the April 6, 2020 public hearing and the City Council has another week to review and consider the record before its deliberation.

The City Council is not obligated to grant this request because the City Council hearing is not the first hearing but this request serves everyone's interest in having a full and fair hearing, especially where we are all using a new hearing method. If the City Council grants this request, the applicant will extend the 120-day period from April 21, 2020 to April 28, 2020 so that the City has sufficient time to issue a final decision following the April 20, 2020 deliberation.

Thank you in advance for consideration of this request.

Very truly yours,



Michael C. Robinson

MCR:jmhi

Cc Mr. Cody Bjugan (via email)
Mr. Jordan Wheeler (via email)
Mr. David Doughman (via email)
Mr. Chris Goodell (via email)

PDX\27634613.1.docx

April 2, 2020

Michael C. Robinson

Admitted in Oregon

T: 503-796-3756

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mrobinson@schwabe.com

VIA E-MAIL

Mr. Stan Pulliam, Mayor
City of Sandy City Council
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: Appeal of Planning Commission Decision Approving Bailey Meadows Tentative
Subdivision Application; Applicant's Response to Appeal Statement

Dear Mayor Pulliam and Members of the Sandy City Council:

This office represents Allied Homes & Development, the Applicant for the approved 100-lot Bailey Meadows Tentative Subdivision Application (the "Application"). This is the last of four letters submitted to the City Council on behalf of the Applicant. I have asked Mr. O'Neill to place this letter before you prior to the public hearing on April 6, 2020 and in the official Planning Department file for this Application.

1. Introduction.

The Applicant appreciates the Sandy Planning Commission's (the "Planning Commission") unanimous approval of the Application at its February 11, 2020 public meeting. The Applicant respectfully requests that the Sandy City Council (the "City Council") affirm the Planning Commission's decision, reject all of the arguments in the appeal and approve the Application with the Planning Commission's conditions of approval. The Applicant agrees with the Planning Department Staff Report addressing the appeal issues.

The remainder of this letter addresses the appeal issues where necessary and includes the following documents:

A. ORS 197.015(12) and 197.195(1) (**Exhibit 1**), the definition of a "limited land use" decision and the requirement that the City can apply only Comprehensive Plan (the "Plan") and Transportation System Plan (the "TSP") provisions that have been expressly incorporated into the City's acknowledged land use regulations, the Sandy Development Code (the "SDC").

This position is supported by the Oregon Court of Appeals decision in *Paterson v. City of Bend*, 201Or App 344 (2005) (**Exhibit 2**) and LUBA's decisions in *South Central Association of Neighbors v. City of Salem*, 70 Or LUBA 468 (2014) (**Exhibit 3**) and *Oster v. City of Silverton*, ____ Or LUBA ____ (LUBA No. 2018-103, May 7, 2019) (**Exhibit 4**).

Mr. Stan Pulliam, Mayor
April 2, 2020
Page 2

B. ORS 197.303(1), 197.307(4) and (6) and 197.522, collectively the “Needed Housing” statutes (**Exhibit 5**). Taken together, these statutes require that the City apply only clear and objective approval criteria to a Needed Housing application such as this which proposes a subdivision for development of detached single-family dwellings on land zoned for residential use within the City’s Urban Growth Boundary (the “UGB”). The Needed Housing statutes also require that the City give the applicant an opportunity to either amend its application or propose conditions of approval in the event the City finds the land use approval standards are not satisfied.

C. TSP Chapter 3, “Modal Plans,” Page 17, under the heading “Functional Classification Management Objectives” (**Exhibit 6**) describes the “typical capacity” of local streets. This TSP provision has not been expressly incorporated into the SDC and, in any event, the word “typical” is not clear and objective because it is impossible for anyone to discern what “typical” means. Regardless of whether the word “typical” is clear and objective, this TSP provision has not been incorporated into SDC.

D. A January 29, 2020 memorandum from LancasterMobley (**Exhibit 7**) addressing the Melissa Avenue pavement condition and a proposed traffic control device at Melissa Avenue and Rachael Drive.

E. The Applicant’s January 30, 2020 letter (**Exhibit 8**).

F. The Applicant’s February 6, 2020 letter (**Exhibit 9**).

I have provided these documents to the City Council notwithstanding that they are already in the record in order to make it easier for the City Council to review them as they relate to the Applicant’s letter.

2. Summary of Arguments.

The Appellants ask the City to take the legal risk that the Appellants are correct despite making no valid arguments that the Planning Commission erred in applying the law. The Appellants’ lawyer’s letter fails to dispel the correct conclusion that the Application before the City Council is a limited land use application that is subject to the Needed Housing statutes. The lawyer’s letter continues to rely on subjective approval criteria and the TSP but these arguments are inconsistent with state law. The lawyer’s letter also contains no cases contrary to the Court of Appeals and LUBA decisions supporting the Applicant’s position. To agree with her letter’s arguments, the City Council must ignore controlling state law, appellate decisions and the City’s own land use regulations.

Additionally, the City Council should consider what this appeal is really about. It cannot be about providing Gunderson Road because the Applicant has volunteered to use its best efforts to provide the road, subject to the Planning Commission’s conditions of approval and despite the fact that the City’s own two traffic studies do not say that the subdivision’s traffic require Gunderson Road and that the Applicant has provided a second emergency-only access to the

Mr. Stan Pulliam, Mayor
April 2, 2020
Page 3

subdivision. In other words, Gunderson Road is not needed for either traffic volume or safety reasons.

The Appeal cannot be about the Applicant's willingness to provide either park land in the expanded UGB, or a park fee-in-lieu payment. The City's land use regulations allow that option and the City Council decided in 2019 not to require park land dedication in the subdivision.

Finally, the Appeal cannot be about meeting the normal and usual subdivision approval criteria beyond the traffic and park issues. No one has challenged those criteria's satisfaction and they are not effectively addressed in the Appeal.

What the appeal is really about is a challenge to decisions made long ago: The City Council's decision to expand the UGB to include this Property, to then annex and zone the Property for single-family residential use and to unfortunately adopt a TSP that shows Gunderson Road in a location that cannot be constructed. It is also about the City's land use regulations which do not allow subjective criteria or the TSP to be allowed.

The Appeal cannot be supported by the facts or the relevant law and it cannot undo past decisions or the current approval criteria. The appeal must be rejected because it asks the City Council to take an action that is inconsistent with its past actions and the law. Rejecting the Appeal approves an application where the applicant has volunteered to use its best efforts to expand the UGB, extend Gunderson Road and dedicate park land and meet the relevant approval criteria.

3. Appeal issues.

A. Introduction.

The Applicant agrees with the Staff Report's responses to the appeal issues to the City Council. None of the appeal issues warrant a reversal or modification of the Planning Commission's final decision.

B. Standard for City Council review of the Planning Commission decision.

Notwithstanding the Applicant's willingness to do everything it can to address the concerns raised in the public hearings but nevertheless adhere to relevant local and state law, the Applicant has not waived its right to object to conditions, standards or procedures that are not clear and objective as required by the Needed Housing applications. This includes the conditions of approval, many of which are not clear and objective but the Applicant will abide by them, provided the conditions are not amended and the Planning Commission's decision is affirmed.

SDC 17.28.60 is entitled "Review Body Decision." This standard requires in relevant part that when a Review Body modifies or renders a decision that reverses a decision of the Hearing Body, the Review Body in its order shall set forth its findings and state its reasons for taking the action in the order. In other words, the City Council must find a reason, factual or legal, based

Mr. Stan Pulliam, Mayor
April 2, 2020
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on the relevant approval criteria, that allows it to reverse the Planning Commission's decision and deny the application if it wishes to take that action. The City Council can find for the reasons explained in all of the Applicant's materials, including this letter, and the Staff Reports to the City Council and the Planning Commission that no such reason exists. The Planning Commission adhered to local and state law requirements that are relevant to this Application without exceeding its jurisdiction or failing to follow the relevant law.

Further, the conditions of approval, notwithstanding that some of them are preceded with the word "if," are fully consistent with authority granted to the Planning Commission and the City Council by relevant provisions of the SDC and are feasible to be achieved and appropriate for the decision. SDC 17.10 defines "order" as the final disposition of a case which may include conditions of approval. SDC 17.20.07 entitled "Notice of Decision," authorizes conditions of approval.

The conditions of approval included in the Planning Commission's decision are feasible to be achieved. Notwithstanding that some of the conditions of approval are subjective, the Applicant will accept them if they are not further amended.

C. Response to other issues in appeal.

a. The City Council can apply only relevant SDC approval criteria to the Application.

The appeal asserts that the City Council's responsibility is to do "what works for the City and its residents!" While it is important that the City Council consider everyone's testimony, including City residents, the City Council's legal responsibility in this quasi-judicial proceeding is to correctly apply the approval criteria. This is often unsatisfactory to one party or the other but it is the legal requirement.

b. The Planning Commission correctly relied upon substantial evidence in the record and applied only clear and objective approval criteria to conclude that the relevant approval standards for City streets are satisfied.

The Appellants faulted the Planning Commission for not relying on all of the recommendations of the City Engineer. The Planning Commission, as the Hearing Body, is required to decide which evidence to accept and not accept. The Planning Commission correctly determined which evidence in the record to accept and which substantial evidence supported its decision.

The Planning Commission did not err in determining which evidence to believe. The City Council can find that both reports commissioned by the City – the Curran-McLeod study and the John Replinger & Associates study – affirmed the validity of the Applicant's Traffic Impact Analysis. Further, the Applicant agreed to provide an additional traffic control device at Melissa Avenue and Rachael Drive.

Mr. Stan Pulliam, Mayor
April 2, 2020
Page 5

c. The Traffic Impact Analysis prepared by LancasterMobley is substantial evidence supporting the City Council's position.

The Appellants argue that the City Council should disregard the Traffic Impact Analysis prepared by LancasterMobley. They are incorrect. Mr. Mobley, a member of the Planning Commission, recused himself from participation in this matter as is required by state law. His recusal satisfied state law. His position as a member of the Planning Commission not participating in the Planning Commission decision has no bearing on the quality and credibility of the LancasterMobley Traffic Impact Analysis. The Appellants provide no other argument to explain why the Planning Commission improperly relied upon the Traffic Impact Analysis.

d. The TSP is not a relevant approval standard for the Application.

The Appellants continue to assert that the TSP is a relevant approval standard. The Staff Report correctly explains that the TSP is not an approval standard for this limited land use application because it has not been incorporated into the SDC as required by ORS 197.195(1). The City Attorney has provided appropriate legal advice on this issue. While the Appellants disagree, there really is no real dispute that the TSP is not an approval standard. Applying the TSP as an approval standard would likely end in the same result as *Oster v. City of Silverton* did, a reversal of the City's decision.

Additionally, the Appellants assert that SDC 17.100.110 "references specific drawings and incorporates by reference in summary statements the TSP itself." However, the Appeal at Pages 5 and 6 is insufficient to demonstrate that the City has done what *Paterson v. City of Bend, South Central Association* and *Oster* require under ORS 197.195(1): expressly incorporate TSP provisions into the SDC. The portions of the TSP referenced in the Appeal on Pages 5 and 6 do not contain any demonstration that those provisions govern traffic volumes on local streets and indeed, that is not the case with the SDC.

The Appellants also argue that the Applicant must install Gunderson Road at its expense pursuant to SDC 17.100.310.I. The Appellants are incorrect. Gunderson Road is an off-site improvement that the Applicant has volunteered to construct pursuant to the conditions of approval and a future Development Agreement to be executed. The Applicant has explained that it is not otherwise required to extend a road off-site where there is no need created by the Applicant for that road. To require the road in this instance would result in a taking because there is no substantial evidence demonstrating an "essential nexus" between the Application's traffic impacts and a condition requiring the road's construction, as explained in the next section of this letter.

e. The Appellants argue that the Planning Commission erred by failing to condition the subdivision approval on the expansion of the UGB and construction of Gunderson Road at no expense to the City.

Had the Planning Commission done so, it would have erred and violated state and federal law for at least the following reasons. First, the Planning Commission could not have legitimately

Mr. Stan Pulliam, Mayor
April 2, 2020
Page 6

required the Applicant to expand the UGB. The Applicant initiated the UGB expansion in order to try to address the neighbors' and City's concerns but not out of a legal obligation to do so. Second, no substantial evidence in the record demonstrates that the Gunderson Road extension is necessary either to satisfy relevant approval criterion or to provide adequate traffic capacity for the Application. Both City engineering studies supported the conclusion that the Applicant's Traffic Impact Analysis was correct, meaning that existing streets have adequate capacity to handle the expected vehicle trips from the subdivision.

Moreover, a requirement that the Applicant dedicate and construct an off-site improvement not based on relevant approval criteria would run afoul of LUBA's decision in *Oster* and would be contrary to the state and federal constitutions prohibiting a "taking" by cities of real property and requiring improvements not rationally related to the impacts of a land use application. The Oregon Court of Appeals in *Hill v. City of Portland*, 293 Or App 283 (2018) recently addressed this issue and it supports the Applicant's position.

f. The cost of constructing off-site Gunderson Road cannot be imposed on the Applicant.

The specifics of the Development Agreement were not before the Planning Commission and are not before the City Council. The City Council will have an opportunity to make a decision on the Development Agreement. However, to the extent it is helpful to the City Council, the Applicant's position is that neither it nor future applicants would be required to extend Gunderson Road. As the Planning Director has explained, the City's TSP incorrectly identifies the location of Gunderson Road intersecting with Oregon Highway 211. Therefore, if this Applicant does not provide the right-of-way and construct Gunderson Road pursuant to an executed Development Agreement with the City, it is highly unlikely that the road will be constructed in the future by any other land use applicant, leaving this subdivision with one way in and one way out plus a second emergency access.

g. The Development Agreement is not a statutory development agreement.

The City and the Applicant have not proposed a statutory development agreement which is treated as a land use decision. Instead, pursuant to the City's Home Rule authority, the City and the Appellant have proposed a Development Agreement that may be adopted by the City Council. The City Attorney agrees with this position and has so advised the Planning Commission and the City Council.

h. Condition requiring Gunderson Road to be constructed by occupancy of thirtieth (30th) dwelling.

The Applicant agreed to this condition based on its construction schedule and ability to construct the subdivision. If the City Council requires an earlier construction deadline, the Applicant would rely on its arguments regarding Needed Housing, limited land use applications and state and federal law regarding "takings" to assert that a changed condition is unenforceable.

Mr. Stan Pulliam, Mayor
April 2, 2020
Page 7

i. Park.

For the reasons previously explained, the City cannot compel the Applicant to dedicate park land. The park land dedication provisions in SDC Chapter 17.68 are neither clear and objective nor has the City incorporated the Parks Master Plan into the SDC sufficient to require dedication in this instance. Nevertheless, the Applicant has agreed to make a fee-in-lieu payment in the event that the UGB expansion for inclusion of a park area is not successful.

4. Conclusion.

For all of the reasons contained in the Applicant's evidence and the Staff Reports to the Planning Commission and City Council, the Applicant respectfully requests that the City Council affirm the Planning Commission's decision, approve the Application with the Planning Commission's conditions of approval and reject the appeal because there is no basis to conclude that the Planning Commission erred either factually or legally in its unanimous decision. Having said this, the Applicant wishes to continue to work collaboratively with the City and the neighbors to solve the issue that is of most concern: providing an expansion of the UGB so that Gunderson Road can be extended and providing land for a future park to serve the City's residents. The City Council can find that the Applicant has done everything it is required to do under relevant approval standards and the Planning Commission correctly approved the Application with feasible and appropriate conditions of approval.

The Applicant appreciates the City Council's consideration of its Application and hopes that the City Council will approve the Application.

Very truly yours,



Michael C. Robinson

MCR:jmhi

Enclosures

Cc Mr. Cody Bjugan *(via email) (w/enclosures)*
Mr. Monty Hurley *(via email) (w/enclosures)*
Mr. Chris Goodell *(via email) (w/enclosures)*
Ms. Marie Holladay *(via email) (w/enclosures)*
Mr. Vu Nguyen *(via email) (w/enclosures)*
Mr. Rand Waltz *(via email) (w/enclosures)*
Mr. Daniel Stumpf *(via email) (w/enclosures)*
Mr. Jordon Wheeler *(via email) (w/enclosures)*
Mr. David Doughman *(via email) (w/enclosures)*
Mr. Kelly O'Neill *(via email) (w/enclosures)*

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“Limited land use decision”:

- (a) Means a final decision or determination made by a local government pertaining to a site within an urban growth boundary that concerns:
 - (A) The approval or denial of a tentative subdivision or partition plan, as described in ORS 92.040 (Application for approval of subdivision or partition) (1).
 - (B) The approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review.

A limited land use decision shall be consistent with applicable provisions of city or county comprehensive plans and land use regulations. Such a decision may include conditions authorized by law. Within two years of September 29, 1991, cities and counties shall incorporate all comprehensive plan standards applicable to limited land use decisions into their land use regulations. A decision to incorporate all, some, or none of the applicable comprehensive plan standards into land use regulations shall be undertaken as a post-acknowledgment amendment under ORS 197.610 (Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development) to 197.625 (Acknowledgment of comprehensive plan or land use regulation changes). If a city or county does not incorporate its comprehensive plan provisions into its land use regulations, the comprehensive plan provisions may not be used as a basis for a decision by the city or county or on appeal from that decision.

Paterson v. City of Bend

FILED: August 31, 2005

IN THE COURT OF APPEALS OF THE STATE OF OREGON

ROBERT PATERSON,

Petitioner,

v.

CITY OF BEND,

BRIAN DRAMEN, MARK DRAMEN, and GORDON DRAMEN,

Respondents.

2004-115; A128319

Judicial Review from Land Use Board of Appeals.

Argued and submitted June 9, 2005.

William H. Sherlock argued the cause for petitioner. With him on the brief was Hutchinson, Cox, Coons, DuPriest, Orr & Sherlock, P.C.

Elizabeth A. Dickson argued the cause for respondents Brian Dramen, Mark Dramen, and Gordon Dramen. With her on the brief was Hurley, Lynch & Re, P.C.

No appearance for respondent City of Bend.

Before Landau, Presiding Judge, and Haselton, Judge, and Deits, Judge pro tempore.

LANDAU, P. J.

Exhibit 2
Page 1 of 8

Reversed in part and remanded with instructions to remand to the city for further consideration; otherwise affirmed.

LANDAU, P. J.

Brian, Mark, and Gordon Dramen (the Dramens) sought, and obtained, approval from the City of Bend for a phased tentative plan for a subdivision. Petitioner, a neighboring property owner, appealed to the Land Use Board of Appeals (LUBA), challenging the approval on a number of different grounds. LUBA rejected some of petitioner's contentions and affirmed the city's decision in substantial part, but it agreed with petitioner in part and remanded the city's decision for further proceedings pertaining to the plan's compliance with code provisions relating to cul-de-sacs, street curbing, and block length. Petitioner seeks review, again raising the challenges that LUBA rejected. We affirm in part and reverse and remand in part.

I. FACTUAL BACKGROUND

The relevant facts are not in dispute. The Dramens' property is a five-acre parcel zoned RS, Urban Standard Density Residential. It is narrowly rectangular in shape, measuring approximately 165 feet wide from north to south and 1,100 feet long from east to west. There is an existing single family dwelling at the east end. Adjacent to the east end, Eagle Road runs north and south. Abutting the parcel to the north is petitioner's property, which recently has been approved for development as a residential subdivision and which includes an east-west street, Yellow Ribbon Drive, which itself ends a short distance from Eagle Road. Abutting the subject property to the west is a completed subdivision, including an east-west street, Red Oak Drive, which ends at the subject property's western edge. To the south is another property for which a subdivision plan (the Connors Park subdivision) has been approved.

The Dramens sought to develop their property in three phases totaling 31 residential lots, beginning with the easternmost portion of the property (phase 1). They proposed to extend Red Oak Drive from the western edge of the property eastward, ending in a cul-de-sac just to the west of the existing dwelling. They also proposed to extend a roadway northward from the subdivision to Yellow Ribbon Drive and to extend two roadways southward to the proposed Connors Park subdivision. To maximize the number of lots on the narrow parcel, the Dramens proposed that, after entering the property at the western edge, Red Oak Drive would become a private street with a reduced width, no curbing, and sidewalks flush with the street level.

After a hearing, the hearings officer approved the plan. Petitioner appealed to the city council, which denied review. Petitioner then appealed the resulting final hearings officer's order to LUBA.

Before LUBA, petitioner advanced five arguments: (1) the plan did not ensure street access for the first phase and failed to include an adequate facility development plan as required by the local development ordinance; (2) the plan failed to demonstrate compliance with the Bend Area General Plan; (3) the proposed private street--which, as noted, would end in a cul-de-sac--fails to comport with the requirement of "orderly development" provided in the local development ordinance; (4) the plan failed to comply with various provisions of the local development ordinance pertaining to street and sidewalk design; and (5) the plan failed to comply with provisions of the local development code pertaining to block length.

LUBA rejected the first, second, and third arguments in toto, and it agreed with petitioner's remaining two arguments in substantial part. Specifically, LUBA remanded the city's decision for further explanation of how the planned cul-de-sac met the condition set out in the local development ordinance allowing cul-de-sacs based on "existing development" on "adjacent property"; to address various issues relating to curbing requirements on the private street; and for additional findings relating to grid connectivity and block length. We describe LUBA's decision in more detail below as it pertains to petitioner's assignments of error on review.

II. ANALYSIS

On judicial review, petitioner assigns error to LUBA's rejection of three of the arguments that he advanced below, namely that (1) the plan failed to comply with the phased development standards of the local development ordinance; (2) the plan failed to comply with the Bend Area General Plan; and (3) the plan failed to comply with the orderly development requirement of the local development code. We address each argument in turn.

A. Phased development standards

We begin with petitioner's argument that LUBA erred in determining that the plan satisfied the phased development standards of the local development ordinance. That ordinance provides, in part:

"PHASED TENTATIVE PLAN. An overall development plan shall be submitted for all developments affecting land under the same ownership for which phased development is contemplated. The Review Authority shall review a master development plan at the same

time the tentative plan for the first phase of a phased subdivision is reviewed. The phased tentative plan shall include * * * the following elements:

"1. Overall development plan, including phase or unit sequence, and the schedule for initiation of improvements and projected completion date.

"2. Show compliance with the Bend Area General Plan and implementing land use ordinances and policies.

"3. Overall facility development plan, including transportation and utility facilities plans that specify the traffic pattern plan for motor vehicles, bicycles, and pedestrians, water system plans, sewer system plans and utility plans."

Bend Subdivision Ordinance (BSO) 3.040. Petitioner contends that the plan in this case failed to comply with BSO 3.040(1) and (3) because it lacks a schedule for, or any other evidence of, feasible street access to the first phase (again, the easternmost portion of the property). According to petitioner, on this record, none of the identified access roads to that portion has been constructed or, in some cases, even dedicated.

The hearings officer found that it was "unclear from the information provided where street access during phase 1 is located." As a result, the hearings officer required that the Dramens "demonstrate that there will be street access" before final plat approval. In affirming that aspect of the city's decision, LUBA stated that, "[g]enerally, where there is conflicting evidence regarding whether compliance with an approval criterion is feasible, the local government may determine that compliance is feasible and impose conditions of approval as necessary to ensure compliance."

On review, petitioner argues that, in so concluding, LUBA erred. Petitioner argues that, as a matter of law, a city may not find an approval condition satisfied merely by declaring that it is a condition of approval. The Dramens respond that substantial evidence supports LUBA's determination that the proposed plan met the phased development standards of BSO 3.040(1) and (3) and that LUBA correctly concluded that the city could find compliance was feasible based on the city's imposed conditions of approval. Noting that the city required it to "demonstrate that there will be street access for each phase of development * * * prior to final plat approval," the Dramens point to four "feasible" means of access: via petitioner's own development to the north, which, at the relevant time, included a graded and partially paved roadway to the subject property; via the Conners Park subdivision to the south, which, as proposed, includes two access roads; and via Red Oak Drive to the west. They further argue that the city's interpretation of its own

enactment--whereby the city found that the requirements of BSO 3.040(1) and (3) could be met through imposition of a condition of approval--is consistent with the language of the enactment and therefore is entitled to deference. See *Clark v. Jackson County*, 313 Or 508, 836 P2d 710 (1992).

In principle, we agree that nothing in the development code precludes the city from, in effect, postponing a showing of compliance with specific development criteria until the final plat approval, provided there is a showing that compliance is feasible. See *Meyer v. City of Portland*, 67 Or App 274, 280 n 5, 280-82, 678 P2d 741, rev den, 297 Or 82 (1984) (citing, with approval, LUBA opinion addressing the need for land use decision-maker to find, at a minimum, that compliance with mandatory criteria is "feasible"). In this case, however, the hearings officer did not expressly find that compliance with the relevant access provisions was feasible. Nor, where the hearings officer stated that the location of street access was "unclear," are we able to conclude that the hearings officer implicitly made such a finding. We therefore reverse and remand with instructions to remand to the city for further consideration of that issue, including at a minimum, some identification by the city of the factual predicates for its finding. See *Hodge Oregon Properties, LLC v. Lincoln City*, 194 Or App 50, 55, 93 P3d 93 (2004) (where the local government failed to determine that compliance with applicable conditions was feasible, LUBA correctly treated the conditions as approval criteria that must be satisfied before approval of the application; to do otherwise would deprive opponents of the opportunity to demonstrate that the applicant had not satisfied the conditions). (1)

B. Compliance with the Bend Area General Plan

Petitioner next argues that the plan failed to show compliance with the Bend Area General Plan, as required under BSO 3.040(2), which provides that any phased tentative plan must include a showing of "compliance with the Bend Area General Plan and implementing land use ordinances and policies." The hearings officer determined that, under ORS 197.195(1), comprehensive plan provisions do not apply to decisions such as the one at issue here, relating to a subdivision, unless the plan provisions are adopted as part of the local government's own ordinances. The hearings officer also noted that the general plan itself contemplates that it consists of statements of public policy, the actual implementation of which is accomplished by the local government's land use enactments. The hearings officer concluded that, accordingly, the goals and policies of the Bend Area General Plan "are met when the implementing land use ordinance provisions are satisfied."

LUBA's reasoning was slightly different. It reasoned that, in order to incorporate any specific plan standard into a local government enactment, the local government must do so

specifically and that BSO 3.040(2) "falls far short" of such incorporation. LUBA therefore affirmed that the Dramens were not required to comply with the plan policies themselves.

Petitioner complains that LUBA ignored the plain language of BSO 3.040(2), which requires compliance with the Bend Area General Plan. The Dramens respond that the requirement under BSO 3.040(2) that a tentative plan "show compliance" with the general plan constitutes only a "general" incorporation of the standards in the general plan and that, accordingly, BSO 3.040(2) does not require compliance with any specific general plan standards.

ORS 197.195(1) provides:

"A 'limited land use decision' shall be consistent with applicable provisions of city or county comprehensive plans and land use regulations. Such a decision may include conditions authorized by law. Within two years of September 29, 1991, cities and counties shall incorporate all comprehensive plan standards applicable to limited land use decisions into their land use regulations. A decision to incorporate all, some, or none of the applicable comprehensive plan standards into land use regulations shall be undertaken as a post-acknowledgment amendment under ORS 197.610 to 197.625. If a city or county does not incorporate its comprehensive plan provisions into its land use regulations, the comprehensive plan provisions may not be used as a basis for a decision by the city or county or on appeal from that decision."

(Emphasis added.) Thus, by its terms, ORS 197.195(1) provides that, if a local government does not incorporate specific plan provisions into its enactments, the "plan standards" set out in those provisions are not applicable. See also *Holland v. City of Cannon Beach*, 142 Or App 5, 920 P2d 652, rev den, 324 Or 229 (1996) (in considering application for subdivision, city was precluded from applying "comprehensive plan provisions that had not been incorporated into the city's land use regulations pursuant to ORS 197.195(1)").

We agree with LUBA that BSO 3.040(2) does not incorporate any specific standards set out in the general plan and that, accordingly, the city was not required to apply the general plan standards themselves in making its decision. LUBA did not err in affirming that aspect of the city's approval.

C. Orderly development standard

Petitioner next argues that the plan failed to comply with requirements in the local development code pertinent to "orderly development." BSO 3.060(1) provides, in part:

"No application for subdivision or partition shall be approved unless the following requirements are met:

"A. The land division contributes to orderly development and land use patterns in the area, and provides for the preservation of natural features and resources and other natural resources to the maximum degree practicable as determined by the City of Bend.

"* * * * *

"C. The land division contributes to the orderly development of the Bend area transportation network of roads, bikeways, and pedestrian facilities, and does not conflict with existing public access easements within or adjacent to the land division."

In determining that the phased tentative plan did not violate the quoted provisions, the hearings officer relied on the fact that the proposed private street in this case is not an "integral link" in the city's street system that would serve land and subdivisions outside the development, that the street was instead not even a through street, and that there were a number of other "connections" to areas outside the proposed development. On appeal, LUBA determined that the "orderly development" standard embodied in the quoted ordinance provisions is imprecise, that the city therefore has "significant latitude" in determining whether a proposed development meets the standard, and that petitioner had not advanced any persuasive reason why the city's decision was erroneous in that regard.

On review, petitioner relies on an earlier proceeding before the city in which the city determined that, although private streets are permitted in subdivisions, they did not constitute orderly development in that case; petitioner asserts that, even assuming that LUBA correctly determined that the city has "significant latitude" in applying the orderly development standard, the city's decision in its own earlier proceeding demonstrates that private streets typically do not meet that standard in Bend. In addition, based on inconsistencies in the record regarding the width of the private street--variously referred to in the hearings officer's decision as being 20, 24, and 28 feet wide--petitioner also asserts that the city's determination that the Dramens met the orderly development standard was not supported by substantial evidence in the record. Finally, petitioner asserts that, where LUBA agreed with his concerns regarding the planned cul-de-sac, street curbing, and block length, LUBA's determination that the plan constituted orderly development was at best premature and in all events lacked substantial reason.

The Dramens respond that the city's application of the "orderly development" standard in a factually different proceeding is not binding on the city, LUBA, or this court. They also

argue that, to the extent that the hearings officer's decision contains factual inconsistencies, those inconsistencies do not justify reversal in this case because the substantial evidence standard does not require all evidence in the record to yield the same conclusion. They assert that, consistently with ORS 197.850(9)(a) and *Younger v. City of Portland*, 305 Or 346, 358-59, 752 P2d 262 (1988), this court properly does not reweigh the evidence in the record. Rather, it considers whether--and in this case should conclude that--LUBA properly understood and applied its standard of review.

We agree with the Dramens and reject petitioner's argument without further discussion.

Reversed in part and remanded with instructions to remand to the city for further consideration; otherwise affirmed.

1. At oral argument--although not in his brief--petitioner also asserted that, by postponing the showing of compliance, the city effectively deprived him of an opportunity to contest whether the Dramens actually comply with the approval condition. It is not clear to us from the record whether that is, in fact, correct. In any event, given our decision to remand on other grounds, we need not address that contention.

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BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON
SOUTH CENTRAL ASSOCIATION OF NEIGHBORS,
Petitioner,

and

CURT FISHER, JON CHRISTENSON,
and TIMOTHY COWAN,
Intervenors-Petitioners,

vs.

CITY OF SALEM,
Respondent,

and

SALEM HOSPITAL,
Intervenor-Respondent.

LUBA No. 2014-083

FINAL OPINION
AND ORDER

Appeal from City of Salem.

Tyler P. Malstrom, Salem, filed a petition for review and argued on behalf of petitioner.

Curt Fisher and Jon Christenson, Salem, filed a joint petition for review and argued on their own behalf.

Tim Cowan, Salem, filed a petition for review and argued on his own behalf.

Daniel B. Atchison, City Attorney, Salem, filed a joint response brief and

1 argued on behalf of respondent.

2

3 Keith J. Bauer, Salem, filed a joint response brief. With him on the brief
4 was Parks, Bauer, Sime, Winkler & Fernety, LLP. Edward J. Sullivan,
5 Portland, and Jonathan H. Bauer, Salem, argued on behalf of intervenor-
6 respondent.

7

8 BASSHAM, Board Member; RYAN, Board Chair; HOLSTUN, Board
9 Member, participated in the decision.

10

11

REMANDED

12/31/2014

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You are entitled to judicial review of this Order. Judicial review is
governed by the provisions of ORS 197.850.

1 Opinion by Bassham.

2 **NATURE OF THE DECISION**

3 Petitioner appeals a hearings officer's decision approving site plan
4 review and a variance to construct new medical buildings and parking areas.

5 **MOTION TO FILE REPLY BRIEF**

6 Intervenor-petitioner Tim Cowan moves to file a reply brief to respond to
7 arguments made in the response brief. OAR 661-010-0039 provides that a
8 reply brief must be filed within seven days of the date the response brief is
9 filed, and must be confined to "new matters" raised in a response brief. The
10 city and intervenor-respondent Salem Hospital (the Hospital) move to strike the
11 reply brief for two reasons: (1) the reply brief was filed 13 days after the
12 response brief was filed, on the same day as oral argument, and (2) most of the
13 reply does not address "new matters" raised in the response brief. In response,
14 intervenor-petitioner submitted several post-oral argument pleadings that we
15 consider to the extent necessary to decide whether to allow the reply brief.

16 Respondents' motion to strike is granted. Filing the reply brief on the
17 date of oral argument, six days after it was due, violated OAR 661-010-0039
18 and prejudiced the respondents' substantial rights, by denying respondents
19 reasonable opportunity to prepare and submit their cases, and a full and fair
20 hearing. OAR 661-010-0005. In addition, with the exception of Part II.A of
21 the reply brief addressing waiver challenges, we agree with respondents that
22 the remainder of the reply is not limited to "new matters" raised in the response
23 brief.¹ The reply brief is not allowed.

¹ At oral argument, intervenor-petitioner read aloud portions of the reply brief. We will consider those oral statements that respond to waiver challenges.

1 **MOTION TO STRIKE**

2 The city and the Hospital move to strike an affidavit and documents that
3 are attached to intervenor-petitioner Tim Cowan’s petition for review, arguing
4 that the affidavit and documents are not in the record.

5 Intervenor-petitioner does not respond to the motion to strike. With
6 exceptions not applicable here, LUBA’s evidentiary review is confined to the
7 record before the local government. ORS 197.835(2)(a). The motion to strike
8 is granted, and LUBA will not consider the affidavit or the attached documents
9 for any purpose in this appeal.

10 **FACTS**

11 The subject property is a 8.42-acre parcel that is the former site of the
12 Oregon School for the Blind.² The property is bounded on three sides by city
13 streets, and on the north by Pringle Creek. Portions of the property are within
14 the creek’s 100-year floodplain and a small portion within the creek’s
15 floodway.

16 The parcel is zoned Public and Private Educational Services (PE), which
17 allows medical centers, hospitals, and outpatient medical services as permitted
18 uses. In May 2014, the Hospital applied to the city for site plan review to
19 construct a new outpatient rehabilitation center, a hospitality house,
20 maintenance structure, and parking for the new buildings, and for additional
21 parking to serve existing buildings located on the nearby Hospital grounds.

² The Hospital acquired the site in 2009, and removed all buildings except Howard Hall, which is a city-designated historic landmark. In a separate decision, the city approved the Hospital’s application to demolish Howard Hall and replace it with a commemorative garden. That decision was appealed to LUBA, and affirmed. *Rushing v. City of Salem*, __ Or LUBA __ (LUBA No. 2014-079), December 17, 2014.

1 The Hospital also applied for a code standard variance to allow removal of nine
2 significant trees.

3 The city planning administrator provided notice of the application and a
4 request for comments to persons entitled to notice, including petitioner, and
5 petitioner provided comments. The planning administrator approved the site
6 plan and the variance, and petitioner appealed the decision to a hearings
7 officer, raising issues regarding compliance with parking maximums,
8 transportation improvements, and the variance. The hearings officer conducted
9 a *de novo* hearing on August 13, 2014, and subsequently issued the city's final
10 decision approving the site plan review and variance. This appeal followed.

11 **INTRODUCTION**

12 The petition for review filed by petitioner South Central Association of
13 Neighbors (SCAN) has five assignments of error. The first assignment of error
14 has four sub-assignments. Intervenors-petitioners Curt Fisher and Jon
15 Christenson (Fisher) filed a petition for review that is substantially similar to
16 SCAN's, although it breaks the sub-assignments of error in SCAN's first
17 assignment of error into five separate assignments of error, for a total of nine.
18 We address these related assignments of error together, and for convenience
19 refer to SCAN and the Fisher intervenor-petitioners collectively as
20 "petitioners." Intervenor-petitioner Cowen's petition for review has three
21 assignments of error that are unrelated to the other two petitions, and those
22 assignments of error are addressed separately.

23 **FIRST ASSIGNMENT OF ERROR (SCAN)**

24 **FIRST THROUGH FIFTH ASSIGNMENTS OF ERROR (FISHER)**

25 Petitioners argue that the city erred in approving too many off-street
26 parking spaces on the property.

1 Salem Revised Code (SRC) 133.100(a) requires developers to provide
2 for the minimum number of off-street parking spaces set out in Table 133-1 for
3 various types of uses.³ SRC 133.100(b) provides a formula for determining the
4 maximum number of off-street parking spaces based on Table 133-1. The SRC
5 therefore has both minimum and maximum off-street parking requirements.
6 Under Table 133-1 and SRC 133.100(b), the maximum number of off-street
7 parking spaces that could be approved on the subject property based on the
8 proposed rehabilitation building and hospitality house is 189 spaces.

9 The Hospital proposed and the city approved 264 parking spaces on the
10 subject 8.42-acre parcel, including 75 additional spaces to serve existing
11 buildings constructed on other lots that are part of the Hospital campus, located
12 east of the subject property. The Hospital argued, and the hearings officer
13 agreed, that it is appropriate to determine the maximum number of parking
14 spaces based on the total number of buildings and uses on the larger Salem

³ The SRC was re-codified after the application was submitted, and the recodification is known as the Unified Development Code (UDC). The hearings officer found that the UDC does not apply to the applications. Record 4. All SRC code provisions cited in this opinion are the former codification applied in the city's decision. SRC 133.100 is entitled "Off-Street Vehicle Parking Requirements," and provides in relevant part:

“(a) Except as otherwise provided in this zoning code, off-street parking spaces shall be provided in amounts not less than those set forth in Table 133-1.

“(b) Off-street parking spaces shall not exceed 2.5 times the amount required under Table 133-1 if such amount is 20 or less; and 1.75 times the amount required if such amount is more than 20.

“* * * *”

1 Hospital campus, which is under single ownership.⁴ The hearings officer
2 examined several contextual code provisions, and concluded based on that
3 contextual analysis that the relevant “site” for purposes of calculating the
4 maximum parking allowed on the subject property under SRC 133.100(b) is the
5 entire Salem Hospital campus, which includes the subject property and a
6 number of separate lots and buildings in common ownership.

7 Under these assignments of error, petitioners argue that the hearings
8 officer misconstrued the applicable law in concluding that under the applicable
9 SRC provisions the maximum number of parking spaces allowed on the subject

⁴ The hearings officer’s findings state:

“* * * [T]he Hearings Officer finds that the better way to analyze the application is to view the property in its entirety. The hospital campus is under single ownership and SRC 133.070 states that land provided for off-street parking and loading areas shall be owned in fee title by the owner of the property served by the parking. SRC 133.050(a)(2) provides that parking areas may be located off the site of the main building or use if it is within 500 feet of the site. SRC 140.270 provides that where two or more separate lots are combined under single ownership to accommodate a single development, the entire combined area shall be considered a single lot. The Hearings Officer is convinced that the Salem Hospital—who owns the entire subject property and the adjacent parcels—should be given credit for the entire area of the Salem Hospital campus which would mean that their minimum off-street parking requirements for the campus is 2,340 and the maximum is 4,095. Therefore, the proposed number of parking spaces [for the entire campus] of 2,836, which includes the new 264 parking spaces, falls well within that range, and finds for the applicant on this basis for appeal. In addition, this allows for flexibility in parking for the various buildings on the campus.”
Record 4.

1 property can be based on the entire Salem Hospital campus. For the reasons
2 that follow, we generally agree with petitioners.

3 SRC chapter 133 sets out the standards for off-street parking, loading
4 and driveways. SRC 133.050(b) provides that “[o]ff-street parking is
5 incidental to the use which it serves.” SRC 133.050(a) provides that “[o]ff-
6 street parking and loading areas shall be provided on the same lot with the
7 main building or use,” with one relevant exception. The exception, at SRC
8 133.050(a)(2), provides that “the parking area may be located off the site of the
9 main building or use if it is within 500 feet of such site.” As noted above, SRC
10 133.100 provides for minimum and maximum numbers of parking spaces,
11 based on Table 133-1. Table 133-1 lists a number of use categories, for
12 example, “Health Services,” which must provide one parking space per 350
13 square feet of gross floor area, and “Hospitals,” which must provide one and
14 one-half parking spaces per bed.

15 Taken together, the foregoing SRC provisions clearly link required
16 parking to the particular building or use it serves and is incidental to, and
17 require that such parking be provided on the same lot as that building or use,
18 and on a different lot only if that different lot is within 500 feet of the site of
19 the building or use that the parking serves. Nothing in the SRC chapter 133
20 parking provisions suggests that multiple developed lots in common ownership
21 can be aggregated into a single “lot” or “site” for purposes of locating parking
22 or calculating the minimum or maximum number of parking required under the
23 applicable SRC chapter 133 provisions.

24 The hearings officer’s conclusion that the entire Salem Hospital campus
25 constitutes a single commonly-owned “lot” for purposes of the SRC parking
26 provisions, and therefore parking for any of the buildings or uses on the

1 campus can be provided anywhere else on the campus, rests on context
2 provided by two code provisions. The first is SRC 133.070, which requires
3 that land for off-street parking must be either (1) owned in fee title by the
4 owner of the property served by the parking, or (2) subject to a permanent
5 easement. However, SRC 133.070 speaks only to ownership, and does not
6 suggest that parking incidental to a building or use can be located on a different
7 lot or site than the main building or use served, if that location would violate
8 otherwise applicable requirements (such as the SRC 133.050(a)(2) “within 500
9 feet” requirement).

10 The second contextual provision the hearings officer relied upon is SRC
11 130.270, part of a code section entitled “Lot Standards.” SRC 130.270
12 provides:

13 **“Buildings to be on a Lot.** Every building shall be entirely
14 situated on a separate lot, except as allowed under the Unit
15 Ownership Law (ORS 91.400, et seq.). *Where two or more*
16 *separate lots are combined under a single ownership to*
17 *accommodate a single development, the entire combined area*
18 *shall be considered as a single lot for purposes of this zoning*
19 *code.* Buildings which are attached at a common property line, but
20 which otherwise meet all requirements of SRC Chapter 56 as
21 separate buildings shall be considered as separate buildings for
22 purposes of this section.” (Emphasis added).

23 The hearings officer apparently understands the second sentence in SRC
24 130.270, emphasized above, to provide that where two or more contiguous lots
25 are owned in common, any separate buildings or development on those
26 separate lots are treated as a “single development,” and the commonly owned,
27 contiguous lots are treated as a single “lot” for all zoning code purposes,
28 including the off-street parking requirements of SRC chapter 133. However,

1 the full text and context of SRC 130.270 do not support such an expansive
2 interpretation of the second sentence.

3 The three sentences of SRC 130.270 are concerned with the location of
4 buildings on lots, which has consequences for setbacks and similar standards in
5 SRC chapter 130. The first sentence states the general rule that each building
6 shall be placed on a single lot, with an exception for condominiums. The
7 second sentence, emphasized above, states another exception: “a single
8 development” may be placed on more than one lot in common ownership, and
9 if so the combined area is then treated as a single lot for purposes of other
10 zoning standards. The circumstance the second sentence is addressing is a
11 proposed “single development” that is constructed across a lot boundary onto
12 two or more contiguous lots. That circumstance is refined in the third sentence,
13 which provides that development consisting of separate buildings attached at a
14 common property line may still be considered separate buildings. Viewed
15 together, it is reasonably clear that the second sentence does not purport to state
16 that separate buildings on separate lots constitute a “single development”
17 simply because those lots and buildings happen to be under common
18 ownership, or that the combined area of such separate lots constitute a single
19 “lot.”

20 Although the various buildings and lots owned by the Salem Hospital are
21 no doubt functionally interrelated, we are not cited to any basis in the city’s
22 code to view the Salem Hospital campus as “a single development” for
23 purposes of SRC 130.270 or any other code provision. Moreover, the practical
24 effect of the hearings officer’s interpretation of SRC 130.270 is to carve a
25 significant exception into the SRC 133.050 requirement that off-street parking
26 areas be provided on the same lot with the “main building or use” that the

1 parking serves, or, if located on a separate lot, be provided within 500 feet of
2 that main building or use. One apparent purpose of those provisions is to
3 ensure that parking incidental to a building or use is located in reasonable
4 proximity to the building or use served. Under the hearings officer's
5 interpretation, off-street parking that is incidental to a building may be located
6 at the opposite end of the Salem Hospital campus from that building, even if
7 that parking is located a considerable distance from the building it nominally
8 serves.

9 In sum, the hearings officer has not established that more than 189
10 parking spaces may be allowed on the property consistent with all applicable
11 code requirements. That is not to say that additional parking spaces to serve
12 other buildings on the Salem Hospital campus cannot be approved on the
13 subject property, only that such additional parking spaces must comply with the
14 applicable requirements of SRC 133.100 and 133.050, including the
15 requirement that parking located off the lot of the main building or use served
16 must be located within 500 feet of the site of that building or use.

17 The first assignment of error (SCAN) and the first through fifth
18 assignments of error (Fisher) are sustained.

19 **SECOND ASSIGNMENT OF ERROR (SCAN)**

20 **SIXTH ASSIGNMENT OF ERROR (FISHER)**

21 The parties agree that the challenged site plan review decision is a
22 "limited land use decision" as defined at ORS 197.015(12). ORS 197.195(1)
23 provides that:

24 "A limited land use decision shall be consistent with applicable
25 provisions of city or county comprehensive plans and land use
26 regulations. * * * Within two years of September 29, 1991, cities
27 and counties shall incorporate all comprehensive plan standards

1 applicable to limited land use decisions into their land use
2 regulations. A decision to incorporate all, some, or none of the
3 applicable comprehensive plan standards into land use regulations
4 shall be undertaken as a post-acknowledgment amendment under
5 ORS 197.610 to 197.625. If a city or county does not incorporate
6 its comprehensive plan provisions into its land use regulations, the
7 comprehensive plan provisions may not be used as a basis for a
8 decision by the city or county or on appeal from that decision.”

9 Citing the first sentence of ORS 197.195(1), petitioners argue that the
10 hearings officer’s approach in calculating the maximum number of off-street
11 parking spaces based on the entire Salem Hospital campus is inconsistent with
12 the Parking Management Element policies in the city’s Transportation System
13 Plan (TSP).

14 The hearings officer rejected the argument below. The hearings officer
15 found that the cited TSP policies cannot be applied directly as approval criteria
16 to the challenged site plan review decision, because the last sentence of ORS
17 197.195(1) provides that no comprehensive plan policies may be applied to a
18 limited land use decision as approval criteria, unless the local government has
19 incorporated such policies into its land use regulations, and the city has not
20 incorporated the cited TSP policies into its land use regulations. Record 5.

21 On appeal, petitioners disagree that the TSP parking policies are
22 inapplicable, arguing that SRC chapter 133 is the regulatory implementation of
23 the TSP parking policies, and that implementation means that the TSP policies
24 have been “incorporated” into the SRC with the meaning of ORS 197.195(1).

25 Assuming without deciding that SRC chapter 133 was adopted to
26 implement the cited TSP policies, we disagree with petitioners that such
27 implementation represents “incorporation” of the TSP policies into the SRC as
28 approval criteria within the meaning of ORS 197.195(1). A decision to

1 “incorporate” comprehensive plan standards into a local government’s land use
2 regulations as direct approval criteria must be adopted as a post-
3 acknowledgment plan amendment, and that amendment must make clear what
4 specific comprehensive plan policies apply to limited land use decisions as
5 approval criteria. *Paterson v. City of Bend*, 49 Or LUBA 160, 167 (2005).
6 Petitioners cite to no post-acknowledgment plan amendment that purports to
7 specifically incorporate the TSP parking policies as direct approval criteria for
8 limited land use decisions.

9 Petitioners also argue that the hearings officer’s interpretation of the
10 SRC 133 standards to allow the additional parking spaces based on the entire
11 Salem Hospital campus is inconsistent with the “intent” of the TSP parking
12 policies. In addition, citing ORS 197.829(1)(d), petitioners argue that the
13 hearings officer’s interpretation is contrary to the requirements of the
14 Transportation Planning Rule (TPR) at OAR 660-012-0045(5), which
15 petitioners assert the TSP parking policies implement.⁵

16 However, we need not resolve petitioners’ challenges to the hearings
17 officer’s interpretation based on inconsistency with the “intent” of the TSP
18 parking policies or the cited TPR provision. Based on the text and context of
19 the SRC chapter 133 and related provisions, we have rejected the hearings
20 officer’s interpretation that the number of parking spaces allowed on the
21 subject property may be determined based on the entire Salem Hospital

⁵ ORS 197.829(1)(d) provides in relevant part that LUBA must affirm an interpretation of a land use regulation that implements a land use administrative rule such as OAR 660-012-0045, unless the interpretation is “contrary” to the rule.

1 campus. Accordingly, petitioners’ arguments under these assignments of error
2 provide no additional basis for reversal or remand.

3 The second assignment of error (SCAN) and sixth assignment of error
4 (Fisher) are denied.

5 **THIRD ASSIGNMENT OF ERROR (SCAN)**

6 **SEVENTH ASSIGNMENT OF ERROR (FISHER)**

7 The subject property is bounded on the south by Mission Street, a minor
8 arterial without bike lanes. Petitioner SCAN argued below that the city’s TSP
9 requires the Hospital to construct bike lanes on Mission Street. As noted
10 above, the hearings officer rejected that argument, concluding that the TSP had
11 not been incorporated into the city’s land use regulations as approval standards
12 for limited land use decisions. Record 5. However, the hearings officer
13 imposed a condition of approval that requires the Hospital to dedicate an
14 additional 12 feet of right-of-way along Mission Street, in order to
15 accommodate additional bicycle and pedestrian improvements when the city
16 deems it appropriate to construct them. *Id.*

17 Under these assignments of error, petitioners again argue that the
18 Hospital was required to construct bike lanes on Mission Street, but base that
19 argument on SRC 77.150 rather than direct application of the TSP policies.
20 SRC 77.150(a) requires that “[a]s a condition of issuance of any building
21 permit for a development with under improved boundary streets, the boundary
22 street shall be improved or deferred, and right-of-way for such street shall be
23 dedicated,” as provided in SRC 77.150(c). SRC 77.150(2) defines “under
24 improved street” to mean, in relevant part, any public street that lacks “bike
25 lanes (where required).” Petitioners contend that the TSP requires bike lanes

1 on Mission Street, and that Mission Street is therefore an “under improved”
2 street for purposes of ORS 77.150.

3 Respondents argue, initially, that no party raised any issue under SRC
4 77.150 during the proceedings below, and therefore the issue of compliance
5 with SRC 77.150 was waived. ORS 197.763(1).⁶ Petitioners offer no response
6 to respondents’ waiver challenge. We agree with respondents that raising the
7 issue of compliance with the TSP provisions regarding bike lanes on minor
8 arterials is insufficient to raise the issue raised here, that SRC 77.150 requires
9 the Hospital to construct bike lanes on Mission Street. As the arguments were
10 framed below, the hearings officer and the Hospital were led to believe that
11 petitioners contended only that the TSP provisions applied directly. Further,
12 respondents cite to portions of a staff report to the hearings officer addressing
13 SRC 77.150 and concluding that Mission Street is not “under improved.”
14 Record 107. Had petitioners challenged that conclusion below and made
15 arguments to the contrary based on SRC 77.150, the hearings officer and the
16 Hospital could have responded. However, petitioners have not demonstrated
17 that the issue of whether SRC 77.150 requires bike lanes on Mission Street was
18 raised below with the specificity required by ORS 197.763(1). This issue is
19 waived.

⁶ ORS 197.763(1) provides:

“An issue which may be the basis for an appeal to [LUBA] shall be raised not later than the close of the record at or following the final evidentiary hearing on the proposal before the local government. Such issues shall be raised and accompanied by statements or evidence sufficient to afford the governing body, planning commission, hearings body or hearings officer, and the parties an adequate opportunity to respond to each issue.”

Page 15

Exhibit 3
Page 15 of 21

1 The third assignment of error (SCAN) and seventh assignment of error
2 (Fisher) are denied.

3 **FOURTH ASSIGNMENT OF ERROR (SCAN)**

4 **EIGHTH ASSIGNMENT OF ERROR (FISHER)**

5 SRC 220.005(f)(3)(B) provides that site plan review shall be granted if
6 “the transportation system provides for the safe, orderly and efficient
7 circulation of traffic into and out of the proposed development, and the
8 negative impacts to the transportation system are mitigated adequately.” The
9 hearings officer addressed SRC 220.005(f)(3)(B) and imposed four minor
10 conditions to improve circulation and address negative impacts, but generally
11 rejected petitioner SCAN’s arguments below that more extensive transportation
12 improvements were required to provide for the safe, orderly and efficient
13 circulation of traffic.

14 On appeal to LUBA, petitioners make no particular arguments under
15 SRC 220.005(f)(3)(B), but instead argue that the Bicycle System Element of
16 the city’s TSP include plans for improving the bicycle facilities at the adjoining
17 intersection of Mission and Winter Streets, and that the hearings officer erred
18 in failing to require the Hospital to construct those improvements.

19 The hearings officer relied on the testimony of the city public works
20 department and two transportation engineers to conclude that no additional
21 circulation or transportation improvements were necessary to comply with SRC
22 220.005(f)(3)(B). Record 5. The hearings officer specifically rejected
23 petitioner SCAN’s argument that SRC 220.005(f)(3)(B) requires the Hospital
24 to construct bicycle facility improvements referenced in the city’s TSP. *Id.*
25 Petitioners have not established that the hearings officer erred in so concluding.
26 SRC 220.005(f)(3)(B) does not reference the TSP or require site plan review

1 applicants to construct the bicycle facilities referenced in the TSP. Absent a
2 more developed argument based on the requirements of SRC 220.005(f)(3)(B),
3 petitioners' arguments under these assignments of error do not provide a basis
4 for reversal or remand.

5 The fourth assignment of error (SCAN) and eighth assignment of error
6 (Fisher) are denied.

7 **FIFTH ASSIGNMENT OF ERROR (SCAN)**

8 **NINTH ASSIGNMENT OF ERROR (FISHER)**

9 As noted, the city applied SRC 68.130(a) to approve a variance to a code
10 requirement to preserve significant trees, to allow the Hospital to cut down nine
11 significant trees. Petitioners argue that the variance was required in part to
12 construct the additional parking for the Salem Hospital campus at issue in
13 SCAN's first assignment of error and Fisher's first through fifth assignments of
14 error. If LUBA finds that the additional parking is not authorized, petitioners
15 argue, then the justification for the variance disappears and LUBA should also
16 find that the variance is not authorized.

17 Respondents argue that the need for tree removal was also based on
18 topographic and other constraints. However, respondents do not dispute that
19 the variance was justified, in part, on the need to provide additional parking for
20 the Salem Hospital campus. Remand under SCAN's first assignment of error
21 and Fisher's first through fifth assignments of error may result in approval of
22 fewer, or differently located, additional parking spaces, which may well alter
23 the need to remove significant trees, require changes to the site plan, and
24 reduce or increase the scope of the variance required. Therefore, we agree with
25 petitioners that remand under SCAN's first assignment of error and Fisher's

1 first through fifth assignments of error requires remand under these
2 assignments as well.

3 The fifth assignment of error (SCAN) and ninth assignment of error
4 (Fisher) is sustained.

5 **FIRST ASSIGNMENT OF ERROR (COWAN)**

6 Intervenor-petitioner Cowan’s first assignment of error is brief and
7 undeveloped:

8 “The decisions that Salem has emitted are unlawful because they
9 neglect proper administration of the zoning code. Specifically, the
10 layout presents a draft plan that causes an unnecessary cut and fill,
11 including fill into the 100 year floodplain along Winter Street;
12 without challenging the applicant to provide a plan that is
13 considerate to significant, historic trees, established White Oaks
14 and native Douglas Firs as big as five feet in diameter. A variance
15 may not be consummated when the hardship is self-imposed.”
16 Cowan Petition for Review 8.

17 Intervenor-petitioner appears to argue that (1) the site plan proposes
18 unnecessary cut and fill in the floodplain, and (2) the variance to remove
19 significant trees is inappropriate because the hardship is “self-imposed.”
20 However, intervenor-petitioner cites to no applicable approval standards under
21 the first assignment of error or, as far as we can tell, elsewhere in the petition
22 for review, that govern cut and fill in the floodplain or require that a hardship
23 not be “self-imposed.” We note that in the “Summary of Arguments” portion
24 of the petition for review intervenor-petitioner cites to SRC chapter 245, which
25 is a general code section governing variances. However, the hearings officer
26 granted the variance to cut significant trees pursuant to SRC 68.130, which
27 provides variance standards specifically for cutting significant trees. Nothing
28 cited to us in SRC 68.130 requires that the applicant for a variance under that
29 code provision demonstrate that the hardship is not self-imposed. Intervenor-

1 petitioner's arguments under this assignment of error are undeveloped, and do
2 not provide a basis for reversal or remand.

3 The first assignment of error (Cowan) is denied.

4 **SECOND ASSIGNMENT OF ERROR (COWAN)**

5 Intervenor-petitioner argues that “[a] true hardship has not been
6 established, and as of this date, is self-induced by lack of good planning.”
7 Cowan Petition for Review 8. Based on arguments made elsewhere in the
8 petition for review, we understand intervenor-petitioner to contend that the
9 hearings officer erred in rejecting an alternative site plan offered by opponents
10 that arguably would have preserved more significant trees than the applicant's
11 proposed site plan, by “rotating” the rehabilitation building 12 degrees
12 clockwise. If that is intervenor-petitioner's argument, it is not sufficiently
13 developed for review.

14 The hearings officer adopted findings noting and relying on testimony
15 from the applicant's planner that the alternative site plan offered by opponents,
16 while it might preserve additional trees and reduce the scope of the required
17 variance, causes conflicts with other code requirements, for example by
18 relocating the rehabilitation building in a manner that causes development to
19 extend into the floodway of Pringle Creek, where development is generally
20 prohibited. Record 6.⁷ For that reason and others, the hearings officer rejected
21 arguments based on the alternative site plan and ultimately approved the site
22 plan and the variance, concluding that all applicable standards are met.

⁷ The alternative site plan appears to show the northeastern corner of the rotated rehabilitation building touching a faint line that indicates the floodway boundary, and a relocated sidewalk that extends entirely into the floodway. Record 93.

1 Intervenor-petitioner offers no challenge to those findings that we can
2 understand, and the arguments under this assignment of error do not provide a
3 basis for reversal or remand.

4 The second assignment of error (Cowan) is denied.

5 **THIRD ASSIGNMENT OF ERROR (COWAN)**

6 Intervenor-petitioner's third assignment of error states, in full:

7 "The new driveway onto Mission is both [*sic*] and dangerous.
8 Since the Physical Therapy building is not 'a complex,' per the
9 discussion in Mr. Pfeiffer's testimony, the driveway should not be
10 allowed. If for no other criteria, this should be a condition that
11 approval is subject to the City of Salem public works, and
12 ODOT."

13 There is no argument supporting this assignment of error anywhere in the
14 petition for review, and we do not understand it. As respondents note, the
15 hearings officer approved the driveway onto Mission Street, finding that it
16 complies with the SRC 220.005(f)(3)(C) requirement that driveways be
17 designed to facilitate safe and efficient movement. Record 10-11.
18 Cowan does not attempt to demonstrate that those findings are inadequate or
19 unsupported by substantial evidence. The argument that the development is
20 not a "complex" and therefore the driveway is not allowed is particularly
21 obscure. Respondents speculate that intervenor-petitioner is referring to
22 testimony by an opponent citing to UDC code provisions that were adopted
23 after the Hospital submitted its application, and that the hearings officer
24 concluded do not apply. We also do not understand the assertion that the
25 driveway should be a condition of approval subject to the city's public works
26 department and ODOT. Intervenor-petitioner's arguments are insufficiently
27 developed for review.

28 The third assignment of error (Cowan) is denied.

Page 20

Exhibit 3
Page 20 of 21

1 The city's decision is remanded.

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BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

GENE R. OSTER,
Petitioner,

vs.

CITY OF SILVERTON,
Respondent,

and

MARY ROSE BRANDT,
Intervenor-Respondent.

LUBA No. 2018-103

FINAL OPINION
AND ORDER

Appeal from City of Silverton.

Alan M. Sorem, Salem, filed the petition for review and argued on behalf of petitioner. With him on the brief was Saalfeld Griggs PC.

Spencer Q. Parsons, Portland, filed a response brief and argued on behalf of respondent. With him on the brief was Beery, Elsner & Hammond, LLP.

David E. Coulombe, Corvallis, filed a response brief and argued on behalf of intervenor-respondent. With him on the brief was Fewel, Brewer & Coulombe.

ZAMUDIO, Board Member; RYAN, Board Chair; RUDD, Board Member, participated in the decision.

REVERSED 05/07/2019

1 You are entitled to judicial review of this Order. Judicial review is
2 governed by the provisions of ORS 197.850.

1 Opinion by Zamudio.

2 **NATURE OF THE DECISION**

3 Petitioner challenges a city council limited land use decision denying a
4 tentative subdivision plan.

5 **REPLY BRIEF**

6 On January 15, 2019, petitioner filed a motion to file a reply brief. On
7 January 29, 2019, the city filed an objection to petitioner's motion to file a reply
8 brief. Petitioner's appeal was filed in 2018 and is subject to OAR 661-010-0039
9 (2017), which confines reply briefs "solely to new matters raised in the
10 respondent's brief."¹ "Generally, responses warranting a reply brief tend to be
11 arguments that assignments of error should fail regardless of their stated merits,
12 based on facts or authority not involved in those assignments." *Wal-mart Stores,*
13 *Inc. v. City of Gresham*, 54 Or LUBA 16, 19 (2007). Where arguments in a reply
14 brief respond to arguments raised in the response brief that could not have been

¹ OAR 661-010-0039 (2017) provided:

"A reply brief may not be filed unless permission is obtained from the Board. A request to file a reply brief shall be filed with the proposed reply brief together with four copies within seven days of the date the respondent's brief is filed. A reply brief shall be confined solely to new matters raised in the respondent's brief, state agency brief, or amicus brief. A reply brief shall not exceed five pages, exclusive of appendices, unless permission for a longer reply brief is given by the Board. A reply brief shall have gray front and back covers."

1 reasonably anticipated in the petition for review, we will generally allow the reply
2 brief. *Id.* at 20.

3 In the petition for review, petitioner argued that the city’s decision violated
4 the Takings Clause of the Fifth Amendment of the United States Constitution,
5 relying on *Koontz v. St. Johns River Water Mgmt. Dist.*, 570 US 595, 133 S Ct
6 2586 (2013). Petitioner also argued that ORS 197.522 is immaterial to the city’s
7 constitutional obligations. The city responded, arguing that the *Koontz* case is
8 distinguishable, citing ORS 197.522(4). City’s Response Brief 17–18.

9 In his reply brief, petitioner argues that ORS 197.522(4) is inapposite to
10 his arguments and responds to the city’s argument that *Koontz* is distinguishable.
11 The two “matters” petitioner seeks to address in his reply brief at not “new
12 matters” within the meaning of OAR 661-010-0039 (2017). In his petition for
13 review, petitioner relied heavily on *Koontz* and argued that ORS 197.522 was
14 immaterial. Petitioner could have anticipated that the city would attempt to
15 distinguish *Koontz* and would rely on ORS 197.522. Petitioner’s reply brief seeks
16 to introduce surrebuttal arguments to the city’s arguments in the response brief,
17 and to elaborate upon arguments already set out in the petition for review. A reply
18 brief making surrebuttal to argument in the response brief is not allowed.
19 *Willamette Oaks, LLC v. City of Eugene*, 67 Or LUBA 351, 353, *aff’d*, 258 Or
20 App 534, 311 P3d 527 (2013).

21 The motion to file a reply brief is denied.

1 **FACTS**

2 The subject property is comprised of approximately 9.5 acres and is zoned
3 single-family residential (R-1). The city annexed the subject property in 2016.
4 On May 11, 2018, petitioner submitted an application for tentative plat approval
5 to subdivide the property into 40 lots, at sizes permitted in the zone, and to
6 develop those lots with housing at densities permitted in the R-1 zone under clear
7 and objective standards. *See* ORS 197.307(4).²

8 The planning commission denied the application because the proposal
9 would not result in improved performance of two off-site intersections to a level
10 of service (LOS) that would satisfy the city, based on a level of service standard
11 contained in the city’s transportation system plan document (the LOS D
12 standard). Petitioner’s engineer estimated that improvements to comply with the
13 LOS D standard would cost \$2,118,550.

² ORS 197.307(4) provides:

“Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:

“(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

“(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.”

1 Petitioner appealed the planning commission decision to the city council. After
2 an on-the-record hearing, the city council issued a decision adopting and
3 affirming the planning commission's denial and adopting as findings the staff
4 report in support of the denial. This appeal followed.

5 **SECOND ASSIGNMENT OF ERROR**

6 The city determined that Silverton Municipal Code, Title 18, Development
7 Code and Zoning Map (SDC) incorporated by reference traffic standards in the
8 City of Silverton Transportation System Plan (TSP). The city applied a minimum
9 LOS D standard, derived from the TSP. The city denied the application because
10 petitioner's traffic study showed that the proposed development would send
11 additional peak hour traffic to two intersections at N 1st Street and Hobart Road,
12 and N 1st Street and Jefferson Street, and the proposal did not include
13 transportation system improvements that would bring those intersections to LOS
14 D. No party disputes that the proposed development would slightly exacerbate
15 traffic; however, even without the proposed development, at existing traffic
16 volumes, those two intersections are failing to meet the LOS D standard and
17 operating at LOS F. Record 13.

18 Under SDC 4.3.130 preliminary plat applicants must "describe the
19 proposed access to and from the site and estimate potential vehicle traffic
20 increases resulting from the project," and the community development director
21 may require a traffic impact study, in accordance with SDC 4.1.900. Neither SDC

1 4.3.130 or SDC 4.1.900 define traffic standards or include the LOS D standard
2 that we describe above.

3 The city concluded that the LOS D standard was incorporated by reference
4 into the SDC by SDC 4.3.140(A)(1) and (B)(7), which provide:

5 “A. General Review Criteria. The city shall consider the
6 following review criteria and may approve, approve with
7 conditions, or deny a preliminary plat based on the following;
8 the applicant shall bear the burden of proof.

9 “1. The proposed preliminary plat complies with the
10 applicable development code sections and all other
11 applicable ordinances and regulations. At a minimum,
12 the provisions of this article, and the applicable
13 chapters and sections of Article 2, Land Use (Zoning)
14 Districts, and Article 3, Community Design Standards
15 shall apply. * * *

16 “* * * * *

17 “B. Layout and Design of Streets, Blocks and Lots. All proposed
18 blocks (i.e., one or more lots bound by public streets), lots and
19 parcels conform to the specific requirements below:

20 “* * * * *

21 “7. All applicable engineering design standards for streets,
22 utilities, surface water management, and easements
23 shall be met.”

24 The city determined that those criteria incorporate SDC 3.4.010(A), which
25 governs public facilities and provides:

26 “A. Purpose. This chapter provides general development
27 standards and approval criteria for public improvements. The
28 code incorporates by reference the city’s public facility

1 master plans, including plans for domestic water, sanitary
2 sewer, storm drainage, parks, and transportation. The code
3 also incorporates by reference Silverton’s public works
4 design standards. This chapter is intended to provide
5 minimum requirements for public facilities. It is not intended
6 to duplicate or replace the design standards contained in the
7 above documents.”

8 The city found that SDC 3.4.010(A) effectively incorporated the city’s
9 TSP, Chapter 2, Goal 4, Policy (f), which provides, in part:

10 “(f) The City shall implement performance standards for use in
11 evaluating new development proposals.

12 *“Action: City performance standards shall be used to*
13 *evaluate developments impacting City or County facilities.*
14 *The level of service standard shall be LOS D based on the*
15 *Highway Capacity Manual methodology and a [volume to*
16 *capacity] v/c ratio of 0.85 for signalized and all-way stop*
17 *controlled intersections. For unsignalized intersection, the*
18 *level of service standard shall be LOS D based on the*
19 *Highway Capacity Manual and a v/c ratio of 0.90. ODOT v/c*
20 *ratio standards shall apply to ODOT facilities.” (Italics in*
21 *original.)³*

22 In the second assignment of error, petitioner argues that city’s decision
23 violates ORS 197.195(1), which governs limited land use decisions and provides:

24 “A limited land use decision shall be consistent with applicable
25 provisions of city or county comprehensive plans and land use
26 regulations. Such a decision may include conditions authorized by
27 law. Within two years of September 29, 1991, cities and counties

³ In a prior order in this appeal, we granted the city’s motion to take official notice of Chapter 2 of the TSP. *Oster v. City of Silverton*, ___ Or LUBA ___ (LUBA No 2018-103, Order, Apr 5, 2019) (slip op at 9).

1 shall incorporate all comprehensive plan standards applicable to
2 limited land use decisions into their land use regulations. A decision
3 to incorporate all, some, or none of the applicable comprehensive
4 plan standards into land use regulations shall be undertaken as a
5 post-acknowledgment amendment under ORS 197.610 to 197.625.
6 If a city or county does not incorporate its comprehensive plan
7 provisions into its land use regulations, the comprehensive plan
8 provisions may not be used as a basis for a decision by the city or
9 county or on appeal from that decision.”

10 Petitioner argues that *Paterson v. City of Bend*, 49 Or LUBA 160, *aff'd*, in
11 *part, rev'd and rem'd on other grounds*, 201 Or App 344, 118 P3d 842 (2005),
12 supports his argument and is dispositive. We agree. In *Paterson*, the petitioner
13 appealed a limited land use decision in which the city approved a tentative
14 subdivision plan. The petitioner contended that the city had incorporated all
15 comprehensive plan standards applicable to subdivision approvals within the
16 meaning of ORS 197.195(1), by requiring in Bend Subdivision Ordinance (BSO)
17 3.040(3) that the applicant for a tentative subdivision plan approval demonstrate
18 compliance with the Bend Area General Plan. The petitioner identified several
19 General Plan policies relating to transportation that petitioner argued applied to
20 the proposed subdivision. We rejected that argument and explained:

21 “[I]n our view ORS 197.195(1) contemplates more than a broad
22 injunction to comply with unspecified portions of the
23 comprehensive plan. In order to ‘incorporate’ a comprehensive plan
24 standard into a local government’s land use regulations within the
25 meaning of ORS 197.195(1), the local government must at least
26 amend its land use regulations to make clear what specific policies
27 or other provisions of the comprehensive plan apply to a limited land
28 use decision as approval criteria. Under that standard, BSO 3.040(3)
29 falls far short of incorporating any comprehensive plan provisions.”

1 *Id.* at 167.

2 The city responds that the city adopted the TSP in March 3, 2008, by a
3 comprehensive plan text amendment, Ordinance 08-01.⁴ That ordinance adopted
4 the TSP “as a support document to the 2002 Silverton Comprehensive Plan.”
5 City’s Response Brief, App 2, page 2. It is undisputed that the city adopted the
6 TSP as a support document to the comprehensive plan. The dispute is whether
7 the SDC sections applicable to a limited land use decision application sufficiently
8 incorporated the action items in the TSP as approval criteria. Ordinance 08-01
9 does not support the city’s position that the city has incorporated action items in
10 the TSP as approval criteria. Instead, the findings for Ordinance 08-01 indicate
11 that the city intended further SDC amendments to implement the TSP. The
12 findings attached to Ordinance 08-01 explain that the TSP “goals and policies
13 have been developed to guide the City’s twenty-year vision of transportation
14 system needs. Each goal has a number of policies designed to guide the
15 community in the direction of completing each goal. Some policies are provided
16 with details of potential implementing actions.” City’s Response Brief, App 2,
17 page 5.

⁴ In a prior order in this appeal, we granted the city’s motion to take official notice of Ordinance 08-01. *Oster*, ___ Or LUBA ___ (LUBA No 2018-103, Order, Apr 5, 2019) (slip op at 9).

1 Intervenor argues that the city incorporated the TSP policies into the SDC
2 by Ordinance 08-06, which codified SDC 3.1.100.⁵ SDC 3.1.100 provides:

3 “The purpose of this chapter is to ensure that developments provide
4 safe and efficient access and circulation for pedestrians and vehicles.
5 SDC 3.1.200 provides standards for vehicular access and
6 circulation. SDC 3.1.300 provides standards for pedestrian access
7 and circulation. General street improvement requirements are
8 provided in SDC 3.4.100, *with more specific requirements provided*
9 *in the city of Silverton transportation system plan and the city’s*
10 *public works design standards.”* (Emphasis added.)

11 Intervenor argues that the “more specific requirement,” *i.e.*, the LOS D standard,
12 is incorporated into the SDC by SDC 3.4.100. The city did not rely on SDC
13 3.1.100 in the challenged decision and does not cite to it in defense of its decision
14 on appeal. Nevertheless, intervenor’s argument and the city’s argument rely on
15 the same underlying premise: that the city effectively incorporated the action
16 items of the TSP into the SDC as approval criteria applicable to a limited land
17 use decision by incorporating by reference the entire TSP into sections of the
18 SDC.

19 The city attempts to distinguish *Paterson* by arguing that, unlike general
20 comprehensive plan policies, “the City’s TSP provides specific action items to
21 be implemented under Policies.” City’s Response Brief²¹. The city contends that
22 ORS 197.195(1) does not require the city to codify all approval criteria and

⁵ In a prior order in this appeal, we granted intervenor’s motion to take official notice of Ordinance 08-06. *Oster*, ___ Or LUBA ___ (LUBA No 2018-103, Order, Apr 5, 2019) (slip op at 10).

1 standards for limited land use decisions. Instead, the city emphasizes, ORS
2 197.195(1) requires the city to “*incorporate* all comprehensive plan standards
3 applicable to limited land use decisions into their land use regulations.”
4 (Emphasis added.) However, the city’s arguments are directed at the wrong
5 question. The question under ORS 197.195(1) and *Paterson* is not whether the
6 LOS D standard is clear in the TSP or “codified” in the SDC; instead, the question
7 is whether the SDC provisions that the city concluded incorporated the LOS D
8 standard make clear what specific policies or standards in the TSP apply to a
9 limited land use decision as approval criteria.

10 We conclude that the sections of the SDC that the city relied upon to deny
11 the application, SDC 4.3.140(A)(1), (B)(7), and SDC 3.4.010(A), fall far short of
12 incorporating the LOS D traffic performance standard in TSP, Chapter 2, Goal 4,
13 Policy (f), under the “incorporation” standard in ORS 197.195(1), as interpreted
14 in *Paterson*. Those provisions do not make clear what specific policies, action
15 items, or performance standards contained in the TSP apply as approval criteria
16 for a limited land use decision. For example, SDC 4.3.140(A)(1) and (B)(7) do
17 not refer to the TSP at all. Similarly, SDC 3.4.010(A) generally “incorporates by
18 reference the city’s public facility master plans, including plans for domestic
19 water, sanitary sewer, storm drainage, parks, and transportation.” Incorporation
20 by reference of the entirety of each of the city’s public facilities plans falls far
21 short of satisfying the incorporation standard in ORS 197.195(1). We agree with
22 petitioner that by applying the LOS D standard, the city violated ORS 197.195(1).

1 The second assignment of error is sustained.

2 **FIRST AND THIRD ASSIGNMENTS OF ERROR**

3 In the first assignment of error, first subassignment of error, petitioner
4 argues that the city’s decision violated ORS 197.307(4) by applying ambiguous
5 approval standards in a manner that would result in unreasonable cost and
6 unreasonable delay. See n 2. In the first assignment of error, second
7 subassignment of error, petitioner argues that the city’s decision violated his
8 constitutional rights. ORS 197.835(9)(a)(E). Under the third assignment of error,
9 petitioner argues that the city’s decision misconstrued applicable law and lacks
10 adequate findings with respect to the offsite traffic impacts. ORS
11 197.835(9)(a)(D), (C).

12 The city’s denial relied solely on its application of the TSP standards. We
13 conclude under the second assignment of error that, because the city did not
14 incorporate the TSP standards into its subdivision regulations, the TSP does not
15 apply to petitioner’s application and the city may not use the TSP standard as a
16 basis to deny the subdivision. Because we find that the TSP does not provide
17 applicable approval criteria for a limited land use decision, we need not and do
18 not decide whether the city’s application of the TSP standard violates petitioner’s
19 constitutional rights or the requirement in ORS 197.307(4) that the city may
20 apply only clear and objective standards in a manner that would not result in
21 unreasonable cost or delay. Accordingly, we do not reach the first and third
22 assignments of error.

1 **DISPOSITION**

2 Petitioner requests that, if we reverse the city’s decision under the first
3 assignment of error, we instruct the city to approve the application subject only
4 to unappealed conditions of approval. Petition for Review 2. We will reverse a
5 decision and order the local government to grant approval if the decision “is
6 outside the range of discretion allowed the local government under its
7 comprehensive plan and implementing ordinances.” ORS 197.835(10)(a)(A).⁶
8 Petitioner’s request for relief invokes the authority granted to LUBA in ORS
9 197.835(10)(a)(A), notwithstanding petitioner’s failure to specifically cite that
10 statute. *See Stewart v. City of Salem*, 58 Or LUBA 605, 619, *aff’d*, 231 Or App
11 356, 219 P3d 46 (2009), *rev den*, 348 Or 415 (2010) (applying ORS
12 197.835(10)(a)(A), even where petitioner failed to cite that subsection).

13 ORS 197.835(10)(a) “requires reversal, and precludes remand, of a denial
14 decision when LUBA determines on the basis of the record that the local

⁶ ORS 197.835(10)(a), provides, in part:

“The board shall reverse a local government decision and order the local government to grant approval of an application for development denied by the local government if the board finds:

“(A) Based on the evidence in the record, that the local government decision is outside the range of discretion allowed the local government under its comprehensive plan and implementing ordinances[.]”

1 government lacks the discretion to deny the development application.” *Stewart*,
2 231 Or App at 375.

3 In *Parkview Terrace Dev. LLC v. City of Grants Pass*, 70 Or LUBA 37
4 (2014), we reversed a city council decision denying site plan approval and
5 variance for a needed housing development. The city council gave a total of ten
6 reasons why it denied the applications. Seven of the site plan review criteria the
7 city council relied on to support its denial decision could not be applied to the
8 application under ORS 197.307(4), because the application for site plan approval
9 was an application for approval of “needed housing” and we determined those
10 standards are not “clear and objective.” The city council also inappropriately
11 relied on three inapplicable criteria: (1) an “adequate” parking standard that did
12 not exist in the city’s code, (2) an internal circulation standard that did not apply
13 to the proposed residential use, and (3) a variance criterion that did not apply
14 under the circumstances surrounding the development. We concluded that all ten
15 of the reasons that the city council gave for denying petitioner’s applications were
16 “outside the range of discretion allowed the local government under its
17 comprehensive plan and implementing ordinances.” *Id.* at 57–58. Accordingly,
18 we reversed the city council’s decision and ordered the city to approve the
19 petitioner’s applications for variance and site plan approval. We instructed that
20 the city council’s decision to approve the application may include conditions of
21 approval imposed by the urban area planning commission that the petitioner had
22 agreed to. *Id.* at 58 (citing *Stewart*, 58 Or LUBA at 622).

1 In this case, the city council gave only one reason for denial, failure of the
2 development proposal to include improvements to failing intersections to satisfy
3 the LOS D traffic performance standard. We have concluded that the TSP does
4 not provide applicable criteria because the city failed to specifically incorporate
5 TSP traffic standards into its land use regulations with the level of specificity
6 required by ORS 197.195(1). Thus, the only reason that the city council gave for
7 denying petitioner’s application is “outside the range of discretion allowed the
8 local government under its comprehensive plan and implementing ordinances.”
9 Accordingly, we reverse the city council’s decision and order the city to approve
10 the petitioner’s application.

11 On appeal, the city has not identified any applicable standards that would
12 require any further review. Petitioner does not dispute that the city may impose
13 conditions of approval that are “roughly proportional to the impact of the
14 development on public facilities.” SDC 3.4.010(D).⁷ During the city proceedings,

⁷ SDC 3.4.010(D) provides:

“Conditions of Development Approval. Development shall not occur until all required public facilities are in place or guaranteed, in conformance with the provisions of this code and the city’s design standards. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, must be roughly proportional to the impact of the development on public facilities. Findings in the development approval must indicate how the required improvements are directly related and roughly proportional to the impact of development.”

1 petitioner offered, as a compromise condition of approval, to construct a
2 westbound left turn lane at the Highway 214/Hobart Road intersection to mitigate
3 the impact of the proposed development on public facilities at an estimated cost
4 of over twice the estimated proportionate share. Record 14. Despite denying the
5 application, the city’s decision appears to accept and adopt that condition of
6 approval, subject to terms and conditions. *Id.* Petitioner does not challenge that
7 condition on appeal.⁸ Accordingly, the city council’s decision to approve the
8 application may include that condition of approval.⁹ *Parkview Terrace*, 70 Or
9 LUBA at 58; *Stewart*, 58 Or LUBA at 622.

10 The city’s decision is reversed, and the city is ordered to approve the
11 application.

⁸ In *Stewart*, we explained that the “application” required to be approved under ORS 197.835(10)(a) “refers to the application as proposed at the time of the local government’s denial, including any conditions of approval that the applicant has proposed and the local government has accepted. Such applicant-proposed conditions can be understood to effectively modify or amend the application.” *Stewart*, 58 Or LUBA at 622.

⁹ We do not intend to foreclose the possibility that, at the time that the city grants approval of the application as required by ORS 197.835(10)(a) and this decision, the city and petitioner might agree to include additional or modified conditions of approval.

2017 ORS 197.303¹

"Needed housing" defined



This section is amended

Effective August 8, 2019

Chapter 639 Oregon Laws 2019 (HB 2001)

Relating to housing; creating new provisions; amending ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018; and declaring an emergency.



This section is amended

Effective August 8, 2019

Chapter 640 Oregon Laws 2019 (HB 2003)

Relating to buildings; creating new provisions; amending ORS 197.296, 197.299, 197.303, 197.319, 197.320, 215.416, 215.441, 227.175, 227.500 and 455.062 and section 1, chapter 47, Oregon Laws 2018, and section 3, chapter 97, Oregon Laws 2019 (Enrolled Senate Bill 39); and declaring an emergency.

(1) As used in ORS 197.307 (Effect of need for certain housing in urban growth areas), "needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. "Needed housing" includes the following housing types:

- (a)** Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;
- (b)** Government assisted housing;
- (c)** Mobile home or manufactured dwelling parks as provided in ORS 197.475 (Policy) to 197.490 (Restriction on establishment of park);
- (d)** Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; **and**
- (e)** Housing for farmworkers.

(2) Subsection (1)(a) and (d) of this section does not apply to:

- (a) A city with a population of less than 2,500.
- (b) A county with a population of less than 15,000.
- (3) A local government may take an exception under ORS 197.732 (Goal exceptions) to the definition of "needed housing" in subsection (1) of this section in the same manner that an exception may be taken under the goals. [1981 c.884 §6; 1983 c.795 §2; 1989 c.380 §1; 2011 c.354 §2; 2017 c.745 §4]

¹ Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, https://www.oregonlegislature.gov/bills_laws/ors/ors197.html (2017) (last accessed Mar. 30, 2018).

2017 ORS 197.307¹

Effect of need for certain housing in urban growth areas

- approval standards for residential development
- placement standards for approval of manufactured dwellings



This section is amended

Effective October 1, 2019

Chapter 401 Oregon Laws 2019 (HB 2423)

Relating to small homes; creating new provisions; amending ORS 197.307, 446.003, 455.010, 455.135, 455.156 and 455.610; repealing ORS 455.615; and prescribing an effective date.

- (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.
- (2) Many persons of lower, middle and fixed income depend on government assisted housing as a source of affordable, decent, safe and sanitary housing.
- (3) When a need has been shown for housing within an urban growth boundary at particular price ranges and rent levels, needed housing shall be permitted in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need.
- (4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:
 - (a) May include, but are not limited to, one or more provisions regulating the density or height of a development.
 - (b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.
- (5) The provisions of subsection (4) of this section do not apply to:
 - (a) An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a

population of 500,000 or more.

- (b) An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.
- (6) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:
 - (a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;
 - (b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; **and**
 - (c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.
- (7) Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:
 - (a) Set approval standards under which a particular housing type is permitted outright;
 - (b) Impose special conditions upon approval of a specific development proposal; **or**
 - (c) Establish approval procedures.
- (8) In accordance with subsection (4) of this section and ORS 197.314 (Required siting of manufactured homes), a jurisdiction may adopt any or all of the following placement standards, or any less restrictive standard, for the approval of manufactured homes located outside mobile home parks:
 - (a) The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet.
 - (b) The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade.
 - (c) The manufactured home shall have a pitched roof, except that no standard shall require a slope of greater than a nominal three feet in height for each 12 feet in width.
 - (d) The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant

materials used on surrounding dwellings as determined by the local permit approval authority.

- (e) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010 (Definitions for ORS chapter 455).
- (f) The manufactured home shall have a garage or carport constructed of like materials. A jurisdiction may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.
- (g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or county may subject a manufactured home and the lot upon which it is sited to any development standard, architectural requirement and minimum size requirement to which a conventional single-family residential dwelling on the same lot would be subject. [1981 c.884 §5; 1983 c.795 §3; 1989 c.380 §2; 1989 c.964 §6; 1993 c.184 §3; 1997 c.733 §2; 1999 c.357 §1; 2001 c.613 §2; 2011 c.354 §3; 2017 c.745 §5]

¹ Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, https://www.oregonlegislature.gov/bills_laws/ors/ors197.html (2017) (last accessed Mar. 30, 2018).

2017 ORS 197.522¹

Local government to approve subdivision, partition or construction

• conditions

- (1) As used in this section:
- (a) "Needed housing" has the meaning given that term in ORS 197.303 ("Needed housing" defined).
 - (b) "Partition" has the meaning given that term in ORS 92.010 (Definitions for ORS 92.010 to 92.192).
 - (c) "Permit" means a permit as defined in ORS 215.402 (Definitions for ORS 215.402 to 215.438 and 215.700 to 215.780) and a permit as defined in ORS 227.160 (Definitions for ORS 227.160 to 227.186).
 - (d) "Subdivision" has the meaning given that term in ORS 92.010 (Definitions for ORS 92.010 to 92.192).
- (2) A local government shall approve an application for a permit, authorization or other approval necessary for the subdivision or partitioning of, or construction on, any land for needed housing that is consistent with the comprehensive plan and applicable land use regulations.
- (3) If an application is inconsistent with the comprehensive plan and applicable land use regulations, the local government, prior to making a final decision on the application, shall allow the applicant to offer an amendment or to propose conditions of approval that would make the application consistent with the plan and applicable regulations. If an applicant seeks to amend the application or propose conditions of approval:
- (a) A county may extend the time limitation under ORS 215.427 (Final action on permit or zone change application) for final action by the governing body of a county on an application for needed housing and may set forth a new time limitation for final action on the consideration of future amendments or proposals.
 - (b) A city may extend the time limitation under ORS 227.178 (Final action on certain applications required within 120 days) for final action by the governing body of a city on an application for needed housing and may set forth a new time limitation for final action on the consideration of future amendments or proposals.
- (4) A local government shall deny an application that is inconsistent with the comprehensive plan and applicable land use regulations and that cannot be made consistent through amendments

to the application or the imposition of reasonable conditions of approval. [1999 c.838 §4; 2015 c.374 §3]

Note: 197.522 (Local government to approve subdivision, partition or construction) was added to and made a part of ORS chapter 197 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

¹ Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, https://www.oregonlegislature.gov/bills_laws/ors/ors197.html (2017) (last accessed Mar. 30, 2018).

Functional Classification Management Objectives

Major Arterial

Major arterials are typically three to five-lane highways that operate as two-way streets or as a one-way couplet. These roads are intended to handle high volumes of traffic, typically 16,000 ADT (Average Daily Traffic) or more. Major arterials provide greater regional mobility, are managed to favor through traffic capacity and safety over direct access, and should generally be spaced approximately one mile apart. Private driveway access, on-street parking, and traffic calming measures are typically discouraged along major arterial routes and the provision of bike lanes or shoulders is required.

Minor Arterial

Minor arterials are high-volume, intra-city streets providing connectivity and parallel features and should generally be spaced approximately one mile apart. These roads have a typical capacity between 8,000 and 16,000 ADT. Minor arterials are generally the most critical classification for circulation in the urban areas of Sandy and are intended to serve longer local trips. Private driveway access is discouraged where access to facilities of lower classification is available and traffic calming measures and on-street parking should be avoided. The provision of bike lanes is required.

Residential Minor Arterial

Residential minor arterials are a hybrid between minor arterial and collector type streets that allows for moderate to high traffic volumes on streets where over 90% of the fronting lots are residential. These roads have similar typical capacity to minor arterials, 6,000 to 10,000 ADT. They are intended to provide some relief to the strained arterial system while ensuring a safe residential environment. Residential minor arterials may include on-street parking and traffic calming measures may be applied. Direct access to properties is managed in a manner similar to collector streets. The provision of bike lanes is required.

Collector

Collector streets provide both access and circulation within and between residential and commercial areas. These roads have a typical capacity between 2,000 and 6,000 ADT. Collectors differ from arterials in that they provide more of a citywide circulation function, do not require as extensive control of access (compared to arterials), and penetrate residential neighborhoods, distributing trips from the local street system to minor and major arterials. Collectors may provide on-street parking, may incorporate traffic calming measures, and should be spaced approximately one-half mile apart. Bike lanes are required on collectors.

Local Street

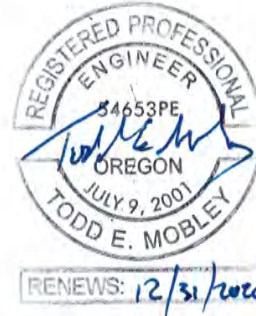
Local streets have the sole function of providing immediate access to adjacent land. These streets have a typical capacity between 800 and 1,000 ADT. Service to through traffic movements on local streets is deliberately discouraged by design. All other City streets in the City of Sandy that are not designated as arterial streets or collector streets are considered to be local streets. Local streets may allow on-street parking and may incorporate traffic calming measures. Bike lanes are not required.



321 SW 4th Ave., Suite 400
 Portland, OR 97204
 503.248.0313
 lancastermobley.com

Memorandum

To: City of Sandy Planning Commission
 Copy: Cody Bjugan, Allied Homes & Development
 From: Todd E. Mobley, PE
 Date: January 29, 2020
 Subject: 19-023 SUB/VAR/TREE Bailey Meadows Subdivision



Introduction

This memo is written to offer rebuttal to testimony received in writing and in person at the two Planning Commission hearings that have been held for the subject application.

Trip Generation

Multiple comments were received referring to the new trip impacts from the proposed subdivision, including some opinions that the homes in the Nicholas Glen subdivision generates more traffic than other neighborhoods. It is explained in detail on page five of the Transportation Impact Study (TIS)¹, but the traffic counts conducted on Melissa Avenue as part of the TIS show that trip rates from the existing neighborhood are on average 32 percent lower than the national average trip rates published in the Trip Generation Manual². Still, at the request of the City's contract traffic engineer and to provide a conservative, worst-case analysis, the trip rates from the manual, not the measured local trip rates, were used to estimate trips from Bailey Meadows. Accordingly, the traffic volumes and associated impacts from all of the transportation analyses in the record are likely overstated by approximately 32 percent.

Melissa Avenue Pavement Condition

There are many comments in the record regarding the condition of Melissa Avenue. This includes comments from the neighbors as well as Curran-McLeod³ (the contract City Engineer) as Exhibit Y of the Staff Report. It is noted in Exhibit Y that, "Currently, the street is in bad condition." and "The traffic volumes (sic) increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure." These statements were also addressed by AKS Engineering and Forestry⁴ prior to the January 23, 2020 hearing. There are two important notes regarding the pavement condition on Melissa Avenue:

1. Maintenance was performed on the entire length of Melissa Avenue in September 2019. Attached to this memo is a map provided by the City of Sandy Public Works Department indicating which streets in the City were to receive a slurry sealing treatment in early September of 2019. It is possible that Curran-

¹ Exhibits F, V, and X attached to the Staff Report from Lancaster Engineering (recently changed to Lancaster Mobley)

² Trip Generation Manual, 10th Edition, published in September 2017 by the Institute of Transportation Engineers.

³ Exhibit Y attached to the Staff Report. September 27, 2019 letter from Curran-McLeod, Inc.

⁴ Exhibit GGGG attached to the Staff Report. January 10, 2020 letter from Montgomery Hurley, PE, AKS Engineering & Forestry

McLeod's site visit was conducted prior to this application, but even then the street had received an application crack sealing and did not appear to be in bad condition.

2. It is our finding that the street has undergone appropriate maintenance by the City of Sandy since it was constructed in the late 1990's and like the local residential streets in other neighborhoods of similar vintage (Sandy Bluff, Cascadia Village, etc.), it is generally in good condition. The finding that additional traffic could cause "complete failure" is not substantiated or supported by evidence.

Traffic Control at Melissa Avenue and Rachael Drive

Many comments were also heard regarding concerns for safety and traffic speeds at this intersection after completion of Bailey Meadows and connection to the existing right-of-way stub. Currently there is a stop sign for southbound traffic approaching Rachael Drive, and since this is a "T" intersection, that signing is consistent with standard rules of the road. Multiple neighbors spoke in favor of installing a four-way stop at the intersection.

It is agreed that with the new south leg of the intersection, a stop sign should be installed on at least the new northbound leg of the intersection. Installation of additional signs to implement a four-way stop is at the discretion of the City and based on comments made by City Staff at the hearing, this treatment is already being considered.

DAY 3 - 09/06 - FRIDAY

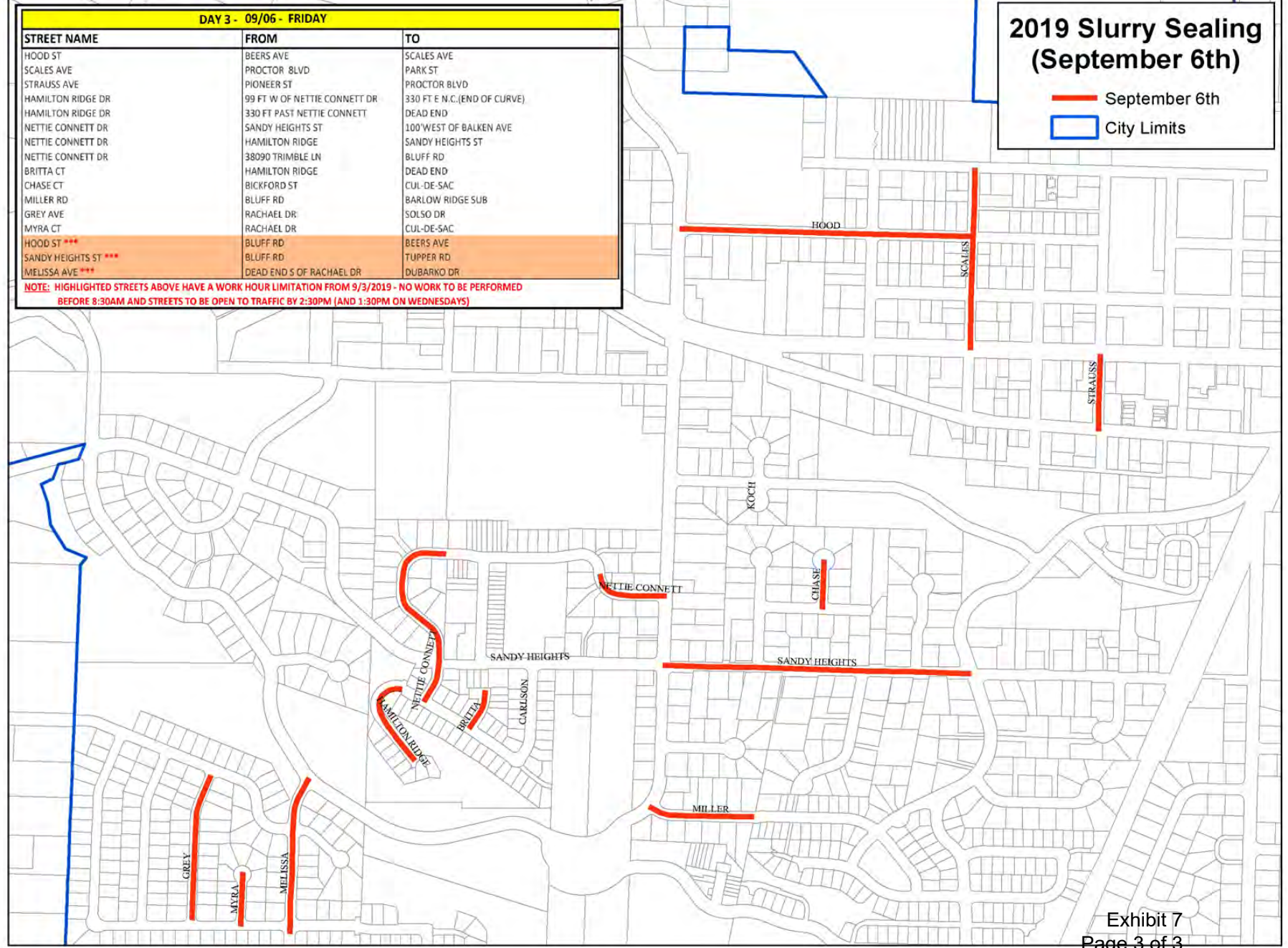
STREET NAME	FROM	TO
HOOD ST	BEERS AVE	SCALES AVE
SCALES AVE	PROCTOR BLVD	PARK ST
STRAUSS AVE	PIONEER ST	PROCTOR BLVD
HAMILTON RIDGE DR	99 FT W OF NETTIE CONNETT DR	330 FT E N.C.(END OF CURVE)
HAMILTON RIDGE DR	330 FT PAST NETTIE CONNETT	DEAD END
NETTIE CONNETT DR	SANDY HEIGHTS ST	100' WEST OF BALKEN AVE
NETTIE CONNETT DR	HAMILTON RIDGE	SANDY HEIGHTS ST
NETTIE CONNETT DR	38090 TRIMBLE LN	BLUFF RD
BRITTA CT	HAMILTON RIDGE	DEAD END
CHASE CT	BICKFORD ST	CUL-DE-SAC
MILLER RD	BLUFF RD	BARLOW RIDGE SUB
GREY AVE	RACHAEL DR	SOLSO DR
MYRA CT	RACHAEL DR	CUL-DE-SAC
HOOD ST ***	BLUFF RD	BEERS AVE
SANDY HEIGHTS ST ***	BLUFF RD	TUPPER RD
MELISSA AVE ***	DEAD END S OF RACHAEL DR	DUBARKO DR

NOTE: HIGHLIGHTED STREETS ABOVE HAVE A WORK HOUR LIMITATION FROM 9/3/2019 - NO WORK TO BE PERFORMED BEFORE 8:30AM AND STREETS TO BE OPEN TO TRAFFIC BY 2:30PM (AND 1:30PM ON WEDNESDAYS)

**2019 Slurry Sealing
(September 6th)**

— September 6th

□ City Limits



January 30, 2020

Michael C. Robinson
Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

Mr. Jerry Crosby, Chair
City of Sandy Planning Commission
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: City of Sandy File No. 19-203 SUB/VAR/TREE; Application by Allied Homes & Development (the "Applicant") for Approval of Bailey Meadows Tentative Subdivision Plan Application; Applicant's first open record period submittal

Dear Chair Crosby and Members of the Sandy Planning Commission:

This office represents the Applicant. This letter and its exhibits are the Applicant's first open record period submittal. This letter is timely submitted prior to the close of the first open record period on Thursday, January 30, 2020 at 5:00 p.m.

I have asked Mr. O'Neill to place a copy of this letter before you prior to your deliberation on February 11, 2020 and in the official Planning Department file for this Application.

1. Status.

The Sandy Planning Commission (the "Planning Commission") opened the public hearing on this tentative subdivision application on January 23, 2020 at 6:30 p.m. Chair Crosby read the announcements required by ORS 197.763(5) and explained the hearing process. Planning Director O'Neill provided the Staff Report. The Planning Commission took testimony from the Applicant and opponents of the Application. The Planning Director then provided a recap. The Sandy City Attorney also offered comments. Finally, the Applicant offered rebuttal to opposition testimony received by the Planning Commission.

At the request of the Applicant, the Planning Commission closed the public hearing but left the written record open pursuant to ORS 197.763(6)(a) for two seven-day periods. The first seven-day period allows for argument and evidence to be submitted by anyone and ends on January 30, 2020 at 5:00 p.m. The second seven-day period allows for argument and evidence rebutting first open record period submittals without new issues and ends on February 6, 2020 at 5:00 p.m. The Applicant waived final written argument under ORS 197.763(6)(e). The Applicant extended the 120-day period in ORS 227.178(1) by fourteen days.

2. Introduction.

This letter begins with three important concepts.

Mr. Jerry Crosby, Chair
January 30, 2020
Page 2

First, this Application is decided based on the approval criteria in effect on the date it was submitted. ORS 227.178(3). The approval criteria are subject to state law requirements, including statutes related to the Application status as a “limited land use decision,” as defined in ORS 197.015(12) (**Exhibit 1**) and ORS 197.195(1) (**Exhibit 2**), requiring that the City incorporate specific provisions of its Comprehensive Plan, including the Transportation System Plan (the “TSP”), in order to apply those standards to the tentative subdivision application. *Paterson v. City of Bend*, 49 Or LUBA 160, *aff’d in part, rev’d and rem’d on other grounds*, 201 Or App 344, 118 P3d 842 (2005); *Oster v. City of Silverton*, ___ Or LUBA ___ (LUBA No. 2018-103, May 8, 2019). The Application is also subject to the standards applying to residential development within Urban Growth Boundaries (the “UGB”) under ORS 197.303(1) (referred to in this letter as “Needed Housing,” ORS 197.307(4), ORS 197.522, and ORS 227.175(4)(e) (**Exhibits 3-6**)).

In applying the approval criteria to this Application, the Planning Commission is constrained by the fact that this Application is both a Limited Land Use Application and a Needed Housing Application and it may only apply provisions within the Sandy Development Code (the “SDC”) (the City’s acknowledged land use regulations) that are clear and objective. While the Applicant may choose to address all standards, the legal standard is that this application is subject to only clear and objective standards in the SDC.

Second, the Applicant has the legal burden of proof to show that the relevant approval criteria are satisfied by substantial evidence. Substantial evidence has been described by the Oregon Land Use Board of Appeals (“LUBA”) and the Oregon courts as evidence that a reasonable person would believe. As Planning Director O’Neill explained at the conclusion of the initial evidentiary hearing, the Applicant has satisfied all of the approval standards related to the tentative subdivision in the Single-Family Residential (“SFR”) zoning district applying to lot sizes, dimensional standards and other requirements for development of the tentative subdivision.

Finally, while the Applicant respects its neighbors and understands that they have an important role to play in the public hearing process, simply because there are a number of persons opposed to this Application does not mean that the Planning Commission must act on the Application because of opposition, any more than the fact that the Planning Commission must act on the Application because the Applicant wants it to approve the Application.

The Planning Commission’s decision is based on whether the Applicant has satisfied the relevant approval criteria as governed by state law with substantial evidence. If the Planning Commission applies this standard, it can find, based on the record before it, that the approval criteria have been satisfied by substantial evidence and can approve the Application.

3. Classification of Application.

This Application is both a “Limited Land Use” decision and a “Needed Housing” Application.

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January 30, 2020
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A. Limited Land Use Application.

A Limited Land Use application is defined in ORS 197.015(12) as including a land division within an Urban Growth Boundary (“UGB”). This Application concerns approval of a tentative subdivision inside the City’s UGB. Therefore, the Application qualifies as a Limited Land Use Application.

The importance of the Application’s qualification as a Limited Land Use Application is that, as explained above, only approval criteria in the SDC may be applied to the Application. ORS 197.195(1) requires, as explained in the *Paterson* and *Silverton* cases, that if cities want to apply provisions in their Comprehensive Plans, including their Transportation System Plans (the “TSP”), they must incorporate specific goals and policies from the Plans into their land use regulations. Otherwise, Plan goals and policies cannot apply to a Limited Land Use Application.

The SDC does not refer to the “Functional Classification Management Objectives” at TSP Chapter 3, Page 17 (**Exhibit 7**), which reference vehicle trip levels for Local Streets. Therefore, that section page of the TSP is not incorporated into the SDC. For example, SDC 17.100.70 refers to the “Street Design Standards” in the TSP but the Street Design Standards are found at TSP Page 18, not TSP Page 17. Additionally, SDC 17.100.110 refers to functional definitions of each street type as described in the TSP but does not incorporate that section nor does that TSP section include the average daily trip description found at TSP Page 17 but instead only describes the purpose of the local streets.

Because TSP Chapter 3, Page 17 is not expressly incorporated into the SDC, it may not be applied to this Application. Further, even if TSP Chapter 3, Page 17 were properly incorporated into the SDC, there is another reason that the City may not apply it. That is because the word “typical” is not mandatory (the TSP does not use the word “shall,” or otherwise mandate that local streets shall not carry more than 1,000 daily vehicle trips) and because the word “typical” is subjective and may not be applied to the Application because it is also a Needed Housing Application.

Because the Application is a Limited Land Use Application, the Planning Commission is limited to applying only the applicable provisions of the SDC. As explained below, those applicable provisions must also be clear and objective.

B. Needed Housing.

ORS 197.303(1), which uses the phrase “Needed Housing,” applies to all residential developments inside UGBs. This tentative subdivision application is inside the City’s UGB. ORS 197.303(1) (**Exhibit 3**) further describes Needed Housing as including all prices and rent levels for housing including, among other types of housing, detached single-family dwellings. This tentative subdivision application creates lots for single-family detached dwellings. The City of Sandy’s population exceeds the 2,500 population threshold for application of the Needed Housing Statutes. ORS 197.303(2). The City has not taken an exception to the Needed Housing Statutes under ORS 197.303(3).

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Because this Application is subject to the Needed Housing Statutes, it is also subject to three other statutes. The first statute is ORS 197.307(4) (**Exhibit 4**). This statute provides that the City may apply only clear and objective conditions, standards and procedures to a Needed Housing application. This tentative subdivision application does not include a variance application nor is it a Planned Unit Development. Therefore, the Applicant has chosen the clear and objective path and the Planning Commission is limited to applying clear and objective standards, conditions and procedures to the Application. This Application is not disqualified from being treated as a Needed Housing application because it is not within a central city designation. ORS 197.307(5).

Taken together, these two statutes limit the discretion that the City may apply to this tentative subdivision application by requiring that only clear and objective approval standards, conditions and procedures contained in the SDC may be applied to the Application.

One other matter merits attention. Several of the neighbors were disappointed that the Applicant raised these statutes at the initial evidentiary hearing on January 23, 2020. As the Applicant explained that night, ORS 197.763(1) requires the Applicant to raise issues with enough specificity so that the public and the Planning Commission understands the issues. The Applicant had to raise these statutes, or otherwise would waive them and, more importantly, neither the public nor the Planning Commission would be properly aware of them. The Applicant has never threatened to sue the City but as the Planning Commission's announcements at the commencement of the initial evidentiary hearing stated, any person involved in the public hearing process must preserve issues in the event that someone appeals the City's final decision to the Oregon Land Use Board of Appeals ("LUBA"). Even if the Applicant is satisfied with the City's final decision on the Application, someone else could file an appeal to LUBA and the Applicant must have preserved the statutory provisions in order to raise them before LUBA.

As noted above, two other statutes are relevant because this Application is properly classified as a Needed Housing application. The first is ORS 197.522. This statute requires that in the event that the Planning Commission finds that the Application fails to satisfy an applicable SDC provision, it must give the Applicant an opportunity to either amend the Application or provide a condition of approval. In other words, in its final deliberation on the Application, if the Planning Commission were to come to a tentative decision that an approval criterion were not met, it should allow the Applicant the opportunity either at the hearing or in a subsequent open record period to amend the Application or propose a condition of approval. However, in this case, the substantial evidence before the Planning Commission demonstrates that the Applicant has satisfied all of the approval criteria, clear and objective or otherwise, that apply to this Application. Planning Director O'Neill made the same statement during the initial evidentiary hearing with respect to the SFR zoning district requirements for the tentative subdivision.

The second applicable statute is ORS 227.175(4). This statute also applies to Needed Housing applications.

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4. Response to other issues raised at the initial evidentiary hearing.

A. Traffic.

The starting point for the traffic analysis is the Applicant's evidence in the form of a Traffic Impact Analysis ("TIA") from Lancaster Mobley. All of the evidence submitted by Lancaster Mobley demonstrates that the tentative subdivision application will satisfy relevant SDC standards, including SDC 17.84.50.A.2 and 17.100.100.B.

The City wisely asked not one but two consultants to review the TIAs. Both consultants, Curran-McLeod and John Replinger, concluded that the Applicant's TIA was properly prepared, was consistent with City standards and that its conclusions were appropriate and accurate. The result of this evidence is that the Planning Commission can find that additional vehicles trips from this Application, even if the UGB is not amended, are consistent with applicable SDC requirements.

The Curran-McLeod September 27, 2019 memorandum, the Staff Report to the Planning Commission and the John Replinger January 20, 2020 memorandum all refer to the TSP as "alluding" to a limitation on vehicle trips. The fact that none of these documents state that this TSP provision is a mandatory provision supports the conclusion that this TSP provision is, at best, a guideline and not a mandatory standard even if the issue of its application to a Limited Land Use Application and a Needed Housing Application could be resolved.

Exhibit 8 is a January 29, 2020 memorandum from Lancaster Mobley responding to issues raised at the public hearing. The memorandum also addresses street surface conditions in the adjacent subdivision and concludes that the street surface conditions are adequate. Even if the street conditions were not adequate, those conditions are a pre-existing condition and not the responsibility of the Applicant and may not be conditioned (nor is the City proposing to do so) to improve past deficiencies not caused by the Application.

Finally, the fact that the Application property is within the City and its UGB, demonstrates that it is appropriate for development. Had the City not wanted the property to develop, it could have excluded the property from the UGB or not have annexed the property to the City. However, having annexed the property, the City made a determination that the property was appropriate for development because it could be developed in the SFR zoning district with appropriate City services and facilities.

For these reasons, the Planning Commission can find that relevant SDC standards concerning traffic are satisfied.

B. Schools.

As Planning Director O'Neill stated, schools are not a relevant approval criterion in the SDC. **Exhibit 9** is ORS 195.110(13). This statute provides that school capacity may not be a basis for a decision on the Application unless three factors are present in the record. None of

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these factors are present in this record, so ORS 195.110(13) prohibits schools from being an approval consideration.

C. Boundary disputes.

As Planning Director O'Neill stated, boundary disputes due to encroachments on the tentative subdivision property are not a criterion for tentative subdivision approval. However, the Applicant wants the public and the Planning Commission to know that it intends to resolve these issues prior to recording the final plat. There are several ways to resolve these issues and it is this Applicant's intent to do its best to resolve the encroachment disputes in as friendly a way as possible.

D. Parks.

The Staff Report to the Planning Commission correctly concludes that a fee-in-lieu payment is appropriate instead of a park land dedication for this Application pursuant to SDC 17.86.10. However, in addition to that recommendation, with which the Applicant agrees, the Planning Commission should consider two other factors.

First, the Applicant is seeking to expand the UGB to provide park land dedication to the City greater than that what would be required under SDC 17.86.10. The Applicant understands the public's desire for a park and while it cannot provide that park land within its tentative subdivision, it is seeking to do so through the UGB expansion.

Second, SDC 17.86.40 providing the choice between a park land dedication and a fee-in-lieu, is subjective because it involves discretion. The application of this discretionary choice is prohibited by ORS 197.307(4).

E. Public services and facilities.

Curran-McLeod's memorandum concludes that all public services are adequate to serve the proposed tentative subdivision. The Applicant agrees with those conditions of approval recommended by the Planning Department to the Planning Commission concerning public services and facilities.

F. Connection of Melissa Drive to the proposed tentative subdivision.

Several persons asked the Planning Commission to prohibit a vehicular connection to the proposed tentative subdivision and the adjacent subdivision. As Planning Director O'Neill pointed out, such a condition would not conform to SDC 17.84.50.E and 17.100.100.F which requires street connectivity. This clear and objective SDC provision requires that the streets be connected.

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G. Conditions of approval.

The Applicant has discussed several minor modifications to the conditions of approval with the Planning Director. In general, these modifications clarify what might otherwise be ambiguous or subjective conditions. The Applicant reserves this issue for additional testimony in the second open record period.

5. Conclusion.

The Applicant appreciates all of the issues raised in this hearing but those issues must be related to approval criteria that the Planning Commission will consider in making its decision on the Application. As explained in this letter and the Applicant's testimony at the initial evidentiary hearing, those approval criteria are clear and objective approval criteria contained in the SDC.

For all of the reasons explained in the Applicant's oral and written testimony, the Applicant respectfully requests that the Planning Commission approve the Application with the recommended conditions of approval, as may be modified.

Very truly yours,



Michael C. Robinson

MCR:jmhi
Enclosures

cc: Mr. Cody Bjugan *(via email) (w/enclosures)*
Mr. Monty Hurley *(via email) (w/enclosures)*
Mr. Chris Goodell *(via email) (w/enclosures)*
Ms. Marie Holladay *(via email) (w/enclosures)*
Mr. Rand Waltz *(via email) (w/enclosures)*
Mr. Daniel Stumpf *(via email) (w/enclosures)*
Mr. Todd Mobley *(via email) (w/enclosures)*
Ms. Emily Meharg *(via email) (w/enclosures)*
Mr. David Doughman *(via email) (w/enclosures)*

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ORS 197.015 - Definitions for ORS chapters 195, 196, 197 and ORS 197A.300 to 197A.3...

“Limited land use decision”:

- (a) Means a final decision or determination made by a local government pertaining to a site within an urban growth boundary that concerns:
 - (A) The approval or denial of a tentative subdivision or partition plan, as described in ORS 92.040 (Application for approval of subdivision or partition) (1).
 - (B) The approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review.
- (b) Does not mean a final decision made by a local government pertaining to a site within an urban growth boundary that concerns approval or denial of a final subdivision or partition plat or that determines whether a final subdivision or partition plat substantially conforms to the tentative subdivision or partition plan.

Exhibit 1
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<https://www.oregonlaws.org/ors/197.015>

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2017 ORS 197.195¹

Limited land use decision

- (1) A limited land use decision shall be consistent with applicable provisions of city or county comprehensive plans and land use regulations. Such a decision may include conditions authorized by law. Within two years of September 29, 1991, cities and counties shall incorporate all comprehensive plan standards applicable to limited land use decisions into their land use regulations. A decision to incorporate all, some, or none of the applicable comprehensive plan standards into land use regulations shall be undertaken as a post-acknowledgment amendment under ORS 197.610 (Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development) to 197.625 (Acknowledgment of comprehensive plan or land use regulation changes). If a city or county does not incorporate its comprehensive plan provisions into its land use regulations, the comprehensive plan provisions may not be used as a basis for a decision by the city or county or on appeal from that decision.

2017 ORS 197.303¹ needed housing defined



This section is amended
effective August 8, 2019

Chapter 639 Oregon Laws 2019 (HB 2001)

Relating to housing; creating new provisions; amending ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018; and declaring an emergency.



This section is amended
effective August 8, 2019

Chapter 640 Oregon Laws 2019 (HB 2003)

Relating to buildings; creating new provisions; amending ORS 197.296, 197.299, 197.303, 197.319, 197.320, 215.416, 215.441, 227.175, 227.500 and 455.062 and section 1, chapter 47, Oregon Laws 2018, and section 3, chapter 97, Oregon Laws 2019 (rolled Senate Bill 39); and declaring an emergency.

(1) As used in ORS 197.307 (effect of need for certain housing in urban growth areas), needed housing means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. Needed housing includes the following housing types:

- (a)** Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;
- (b)** Government assisted housing;
- (c)** Mobile home or manufactured dwelling parks as provided in ORS 197.475 (Policy) to 197.490 (Restriction on establishment of park);

Exhibit 3
Page 1 of 2

- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; **and**
- (e) Housing for farmworkers.
- (2) Subsection (1)(a) and (d) of this section does not apply to:

 - (a) A city with a population of less than 2,500.
 - (b) A county with a population of less than 15,000.
- (3) A local government may take an exception under ORS 197.732 (Goal exceptions) to the definition of needed housing in subsection (1) of this section in the same manner that an exception may be taken under the goals. [1981 c.884 §6; 1983 c.795 §2; 1989 c.380 §1; 2011 c.354 §2; 2017 c.745 §4]

¹ Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, https://www.oregonlegislature.gov/bills_laws/ors/ors197.html (2017) (last accessed Mar. 30, 2018).

2017 ORS 197.307¹

Effect of need for certain housing in urban growth areas

- approval standards for residential development
- placement standards for approved manufactured dwellings



This section is amended

effective October 1, 2019

Chapter 401 Oregon Laws 2019 (HB 2423)

Relating to small homes; creating new provisions; amending ORS 197.307, 446.003, 455.010, 455.135, 455.156 and 455.610; repealing ORS 455.615; and prescribing an effective date.

- (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.
- (2) Many persons of lower, middle and fixed income depend on government assisted housing as a source of affordable, decent, safe and sanitary housing.
- (3) When a need has been shown for housing within an urban growth boundary at particular price ranges and rent levels, needed housing shall be permitted in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need.
- (4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:
 - (a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

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<https://www.oregonlaws.org/ors/197.307>

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- (b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.
- (5) The provisions of subsection (4) of this section do not apply to:
 - (a) An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or more.
 - (b) An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.
- () In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:
 - (a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;
 - (b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; **and**
 - (c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.
- (7) Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:
 - (a) Set approval standards under which a particular housing type is permitted outright;
 - (b) Impose special conditions upon approval of a specific development proposal;
or
 - (c) Establish approval procedures.
- () In accordance with subsection (4) of this section and ORS 197.314 (Required siting of manufactured homes), a jurisdiction may adopt any or all of the following

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<https://www.oregonlaws.org/ors/197.307>

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placement standards, or any less restrictive standard, for the approval of manufactured homes located outside mobile home parks:

- (a) The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet.
- (b) The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade.
- (c) The manufactured home shall have a pitched roof, except that no standard shall require a slope of greater than a nominal three feet in height for each 12 feet in width.
- (d) The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.
- (e) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010 (Definitions for ORS chapter 455).
- () The manufactured home shall have a garage or carport constructed of like materials. A jurisdiction may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.
- () In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or county may subject a manufactured home and the lot upon which it is sited to any development standard, architectural requirement and minimum size requirement to which a conventional single-family residential dwelling on the same lot would be subject. [1981 c.884 §5; 1983 c.795 §3; 1989 c.380 §2; 1989 c.964 §6; 1993 c.184 §3; 1997 c.733 §2; 1999 c.357 §1; 2001 c.613 §2; 2011 c.354 §3; 2017 c.745 §5]

¹ Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, https://www.oregonlegislature.gov/bills_laws/ors/ors197.html (2017) (last accessed Mar.

30, 2018).

<https://www.oregonlaws.org/ors/197.307>

Exhibit 4
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2017 ORS 197.522¹

Local government to approve subdivision partition or construction

• conditions

- (1) As used in this section:
 - (a) Needed housing has the meaning given that term in ORS 197.303 (Needed housing defined).
 - (b) Partition has the meaning given that term in ORS 92.010 (Definitions for ORS 92.010 to 92.192).
 - (c) Permit means a permit as defined in ORS 215.402 (Definitions for ORS 215.402 to 215.438 and 215.700 to 215.780) and a permit as defined in ORS 227.160 (Definitions for ORS 227.160 to 227.186).
 - (d) Subdivision has the meaning given that term in ORS 92.010 (Definitions for ORS 92.010 to 92.192).
- (2) A local government shall approve an application for a permit, authorization or other approval necessary for the subdivision or partitioning of, or construction on, any land for needed housing that is consistent with the comprehensive plan and applicable land use regulations.
- (3) If an application is inconsistent with the comprehensive plan and applicable land use regulations, the local government, prior to making a final decision on the application, shall allow the applicant to offer an amendment or to propose conditions of approval that would make the application consistent with the plan and applicable regulations. If an applicant seeks to amend the application or propose conditions of approval:
 - (a) A county may extend the time limitation under ORS 215.427 (Final action on permit or zone change application) for final action by the governing body of a county on an application for needed housing and may set forth a new time limitation for final action on the consideration of future amendments or proposals.

Exhibit 5
Page 1 of 2

<https://www.oregonlaws.org/ors/197.522>

1/30/2020
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(b) A city may extend the time limitation under ORS 227.178 (Final action on certain applications required within 120 days) for final action by the governing body of a city on an application for needed housing and may set forth a new time limitation for final action on the consideration of future amendments or proposals.

(4) A local government shall deny an application that is inconsistent with the comprehensive plan and applicable land use regulations and that cannot be made consistent through amendments to the application or the imposition of reasonable conditions of approval. [1999 c.838 §4; 2015 c.374 §3]

Note: 197.522 (Local government to approve subdivision, partition or construction) was added to and made a part of ORS chapter 197 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

¹ Legislative Counsel Committee, *CHAPTER 197—Comprehensive Land Use Planning*, https://www.oregonlegislature.gov/bills_laws/ors/ors197.html (2017) (last accessed Mar. 30, 2018).

- (a) A city may not approve an application unless the proposed development of land would be in compliance with the comprehensive plan for the city and other applicable land use regulation or ordinance provisions. The approval may include such conditions as are authorized by ORS 227.215 (Regulation of development) or any city legislation.
- (b) (A) A city may not deny an application for a housing development located within the urban growth boundary if the development complies with clear and objective standards, including but not limited to clear and objective design standards contained in the city comprehensive plan or land use regulations.
- (B) This paragraph does not apply to:
- (i) Applications or permits for residential development in areas described in ORS 197.307 (Effect of need for certain housing in urban growth areas) (5); or
- (ii) Applications or permits reviewed under an alternative approval process adopted under ORS 197.307 (Effect of need for certain housing in urban growth areas) (6).
- (c) A city may not reduce the density of an application for a housing development if:
- (A) The density applied for is at or below the authorized density level under the local land use regulations; and
- (B) At least 75 percent of the floor area applied for is reserved for housing.
- (d) A city may not reduce the height of an application for a housing development if:
- (A) The height applied for is at or below the authorized height level under the local land use regulations;
- (B) At least 75 percent of the floor area applied for is reserved for housing; and
- (C) Reducing the height has the effect of reducing the authorized density level under local land use regulations.
- (e) Notwithstanding paragraphs (c) and (d) of this subsection, a city may reduce the density or height of an application for a housing development if the reduction is necessary to resolve a health, safety or habitability issue or to comply with a protective measure adopted pursuant to a statewide land use planning goal.
- (f) As used in this subsection:
- (A) “Authorized density level” means the maximum number of lots or dwelling units or the maximum floor area ratio that is permitted under local land use regulations.

Exhibit 6
Page 1 of 2

- (B) “Authorized height level” means the maximum height of a structure that is permitted under local land use regulations.
- (C) “Habitability” means being in compliance with the applicable provisions of the state building code under ORS chapter 455 and the rules adopted thereunder.

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<https://www.oregonlaws.org/ors/227.175>

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Functional Classification Management Objectives

Major Arterial

Major arterials are typically three to five-lane highways that operate as two-way streets or as a one-way couplet. These roads are intended to handle high volumes of traffic, typically 16,000 ADT (Average Daily Traffic) or more. Major arterials provide greater regional mobility, are managed to favor through traffic capacity and safety over direct access, and should generally be spaced approximately one mile apart. Private driveway access, on-street parking, and traffic calming measures are typically discouraged along major arterial routes and the provision of bike lanes or shoulders is required.

Minor Arterial

Minor arterials are high-volume, intra-city streets providing connectivity and parallel features and should generally be spaced approximately one mile apart. These roads have a typical capacity between 8,000 and 16,000 ADT. Minor arterials are generally the most critical classification for circulation in the urban areas of Sandy and are intended to serve longer local trips. Private driveway access is discouraged where access to facilities of lower classification is available and traffic calming measures and on-street parking should be avoided. The provision of bike lanes is required.

Residential Minor Arterial

Residential minor arterials are a hybrid between minor arterial and collector type streets that allows for moderate to high traffic volumes on streets where over 90% of the fronting lots are residential. These roads have similar typical capacity to minor arterials, 6,000 to 10,000 ADT. They are intended to provide some relief to the strained arterial system while ensuring a safe residential environment. Residential minor arterials may include on-street parking and traffic calming measures may be applied. Direct access to properties is managed in a manner similar to collector streets. The provision of bike lanes is required.

Collector

Collector streets provide both access and circulation within and between residential and commercial areas. These roads have a typical capacity between 2,000 and 6,000 ADT. Collectors differ from arterials in that they provide more of a citywide circulation function, do not require as extensive control of access (compared to arterials), and penetrate residential neighborhoods, distributing trips from the local street system to minor and major arterials. Collectors may provide on-street parking, may incorporate traffic calming measures, and should be spaced approximately one-half mile apart. Bike lanes are required on collectors.

Local Street

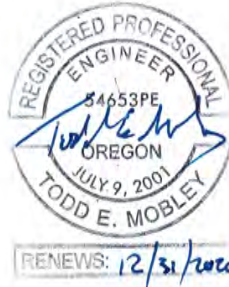
Local streets have the sole function of providing immediate access to adjacent land. These streets have a typical capacity between 800 and 1,000 ADT. Service to through traffic movements on local streets is deliberately discouraged by design. All other City streets in the City of Sandy that are not designated as arterial streets or collector streets are considered to be local streets. Local streets may allow on-street parking and may incorporate traffic calming measures. Bike lanes are not required.



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 Portland, OR 97204
 503.248.0313
 lancastermobley.com

Memorandum

To: City of Sandy Planning Commission
 Copy: Cody Bjugan, Allied Homes & Development
 From: Todd E. Mobley, PE
 Date: January 29, 2020
 Subject: 19-023 SUB/VAR/TREE Bailey Meadows Subdivision



Introduction

This memo is written to offer rebuttal to testimony received in writing and in person at the two Planning Commission hearings that have been held for the subject application.

Trip Generation

Multiple comments were received referring to the new trip impacts from the proposed subdivision, including some opinions that the homes in the Nicholas Glen subdivision generates more traffic than other neighborhoods. It is explained in detail on page five of the Transportation Impact Study (TIS)¹, but the traffic counts conducted on Melissa Avenue as part of the TIS show that trip rates from the existing neighborhood are on average 32 percent lower than the national average trip rates published in the Trip Generation Manual². Still, at the request of the City's contract traffic engineer and to provide a conservative, worst-case analysis, the trip rates from the manual, not the measured local trip rates, were used to estimate trips from Bailey Meadows. Accordingly, the traffic volumes and associated impacts from all of the transportation analyses in the record are likely overstated by approximately 32 percent.

Melissa Avenue Pavement Condition

There are many comments in the record regarding the condition of Melissa Avenue. This includes comments from the neighbors as well as Curran-McLeod³ (the contract City Engineer) as Exhibit Y of the Staff Report. It is noted in Exhibit Y that, "Currently, the street is in bad condition." and "The traffic volumes (sic) increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure." These statements were also addressed by AKS Engineering and Forestry⁴ prior to the January 23, 2020 hearing. There are two important notes regarding the pavement condition on Melissa Avenue:

1. Maintenance was performed on the entire length of Melissa Avenue in September 2019. Attached to this memo is a map provided by the City of Sandy Public Works Department indicating which streets in the City were to receive a slurry sealing treatment in early September of 2019. It is possible that Curran-

¹ Exhibits F, V, and X attached to the Staff Report from Lancaster Engineering (recently changed to Lancaster Mobley)
² Trip Generation Manual, 10th Edition, published in September 2017 by the Institute of Transportation Engineers.
³ Exhibit Y attached to the Staff Report. September 27, 2019 letter from Curran-McLeod, Inc.
⁴ Exhibit GGGG attached to the Staff Report. January 10, 2020 letter from Montgomery Hurley, PE, AKS Engineering & Forestry

McLeod's site visit was conducted prior to this application, but even then the street had received an application crack sealing and did not appear to be in bad condition.

2. It is our finding that the street has undergone appropriate maintenance by the City of Sandy since it was constructed in the late 1990's and like the local residential streets in other neighborhoods of similar vintage (Sandy Bluff, Cascadia Village, etc.), it is generally in good condition. The finding that additional traffic could cause "complete failure" is not substantiated or supported by evidence.

Traffic Control at Melissa Avenue and Rachael Drive

Many comments were also heard regarding concerns for safety and traffic speeds at this intersection after completion of Bailey Meadows and connection to the existing right-of-way stub. Currently there is a stop sign for southbound traffic approaching Rachael Drive, and since this is a "T" intersection, that signing is consistent with standard rules of the road. Multiple neighbors spoke in favor of installing a four-way stop at the intersection.

It is agreed that with the new south leg of the intersection, a stop sign should be installed on at least the new northbound leg of the intersection. Installation of additional signs to implement a four-way stop is at the discretion of the City and based on comments made by City Staff at the hearing, this treatment is already being considered.



January 29, 2020
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Exhibit 8
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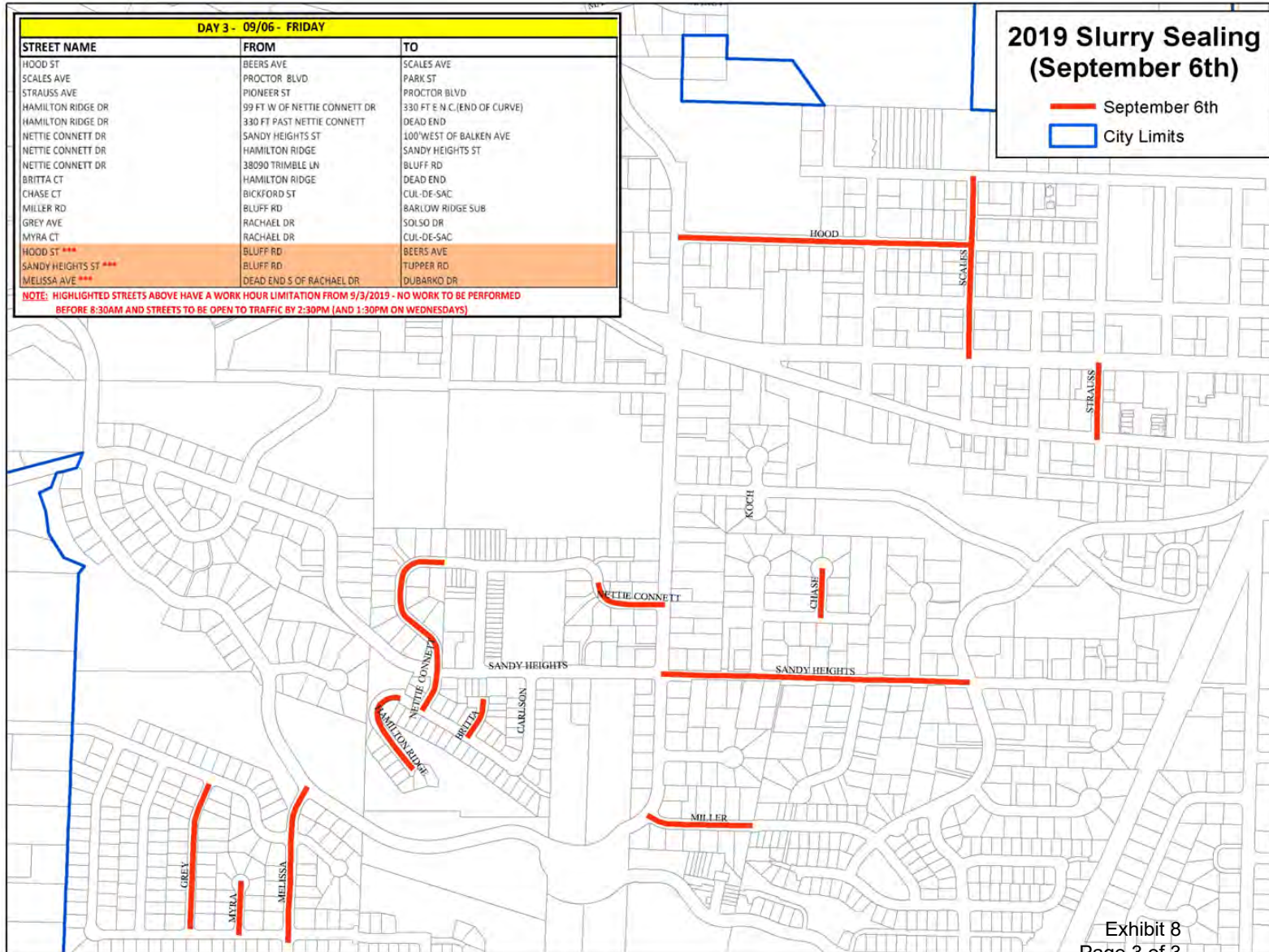


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(13) A city or county may deny an application for residential development based on a lack of school capacity if:

- (a) The issue is raised by the school district;
- (b) The lack of school capacity is based on a school facility plan formally adopted under this section; and
- (c) The city or county has considered options to address school capacity. [1993 c.550 §2; 1995 c.508 §1; 2001 c.876 §1; 2007 c.579 §1]



February 6, 2020

Michael C. Robinson
Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

VIA E-MAIL

Mr. Jerry Crosby, Chair
City of Sandy Planning Commission
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: City of Sandy File No. 19-203 SUB/VAR/TREE; Application by Allied Homes & Development (the "Applicant") for Approval of Bailey Meadows Tentative Subdivision Plan Application; Applicant's second open record period submittal

Dear Chair Crosby and Members of the Sandy Planning Commission:

This office represents the Applicant. This letter is the Applicant's submittal for the second open record period submittal ending on Thursday, February 6, 2020 at 5:00 p.m.

1. Revised conditions of approval.

The Sandy Planning Department (the "Planning Department") submitted revised conditions of approval to the Planning Commission (the "Planning Commission") (**Planning Commission Exhibit AAAAA**). The Applicant has reviewed the revised conditions of approval and agrees with those conditions of approval with one exception. The Applicant asks that the Planning Commission, should it choose to approve this Application, add the following condition of approval:

"In the event a Development Agreement is not entered into between the City and the Applicant, the Applicant is not obligated to construct Gunderson Road even in the event the Urban Growth Boundary amendment is approved."

The Applicant respectfully requests that the Planning Commission consider and add this condition because it is necessary to assure the Applicant that the cost of Gunderson Road is fairly shared with the City.

2. The proposed Development Agreement is not a statutory Development Agreement.

One of the letters submitted to the Planning Commission argued that the proposed development agreement fails to comply with ORS 94.504-94.528. However, ORS 94.504-94.528 governs only statutory land use Development Agreements. The proposed Development Agreement between the Applicant and the City is a non-statutory Development Agreement, which the City has home-rule authority to enter into. Thus, the provisions of ORS 94.504-94.528

Mr. Jerry Crosby, Chair
February 6, 2020
Page 2

are not applicable to the proposed Development Agreement. In any event, the Development Agreement is not an approval criterion for the Planning Commission to consider.

3. Needed Housing is not limited to affordable housing.

Several persons argued that the Needed Housing statutes apply only to affordable housing. This interpretation of the Needed Housing statutes are incorrect. The City Attorney's January 30, 2020 legal memorandum correctly explains the Needed Housing statutes. The use of the word "including" in ORS 197.303(1) means that affording housing is just one of the housing types, not the only housing type.

If the Planning Commission is concerned about the Needed Housing statutes' applicability, the Applicant submits the following documents demonstrating that, as required by ORS 197.303(1) for Needed Housing, it is housing "that is determined to meet the needs shown for housing within the County with a variety of incomes. . ." **Exhibit 1** to this letter is Sandy Comprehensive Plan (the "Plan") Goal 10, "Housing." Housing Policy 1 provides:

"Assure an adequate supply of developable land for low, medium, and high density housing to meet the twenty-year population projections."

Housing Policy 2 provides:

"Encourage the private sector to provide adequate housing choices, including affordable housing types."

The Plan indicates a desire to provide for property zoned housing meeting the City's obligation for a twenty-year housing supply and those zones should provide for "adequate housing choices" including affordable housing types. **Exhibit 2** is the "City of Sandy Urban Growth Boundary Expansion Analysis, Final Report," dated February 2017. The finding for Goal 10, "Housing," includes the finding that the 2015 acknowledged Urbanization Report "concluded the existing UGB did not contain sufficient residential land to meet the City's housing needs to 2034." Further, the finding states: "...the City changed approximately twenty-two acres of low density residential land into another zoning designation to meet an identified need and added approximately 318 acres of low density residential land. To meet the identified medium density residential need, the City changed the zoning designation on approximately twenty-two acres of land zoned in other designation meeting medium density residential. These changes satisfy the City's housing needs through 2034."

Finally, **Exhibit 3** is Ordinance No. 2015-01, "An Ordinance adopting an updated Urbanization Study to address the requirements of Goals 9, 10, and 14 of the Sandy Comprehensive Plan." The Ordinance contains Exhibit B which is the finding supporting the Ordinance. Exhibit B includes several findings on Goal 10, "Housing," including: "Goal 10 generally requires the City to provide an adequate number of housing units containing a mix of housing types and densities at price ranges and rent levels commensurate with financial capabilities with present and future residents of Sandy."

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Mr. Jerry Crosby, Chair
February 6, 2020
Page 3

The Planning Commission can note that Statewide Planning Goal 10, "Housing," repeats the requirements of the Needed Housing statutes (**Exhibit 4**).

Finally, the Exhibit B findings state:

"The Study finds that the City will require 575.7 net acres for housing during that time period. As such, the Study finds a deficit of land available in the UGB to meet the City's residential needs to 2034. In order to meet the demand the Study identifies, the City will need an additional 234.4 net acres of residentially designated land."

The Planning Commission can find that the City expanded its UGB to include the property that is the subject of this Application and eventually annexed the property. The City took these actions in order to meet its twenty-year housing supply which includes an obligation under Goal 10 to satisfy Needed Housing.

For these reasons, the City can find that this Application is subject to the Needed Housing statutes.

4. Oregon case law supports the Applicant's argument regarding Limited Land Use applications and Needed Housing.

The Applicant has submitted evidence demonstrating that the Application is both a Limited Land Use application and a Needed Housing application. As explained in the Applicant's first open record period submittal and its oral testimony at the January 23, 2020 initial evidentiary hearing, those two statutes collectively prohibit the City from applying the Transportation System Plan (the "TSP") policies that are not expressly incorporated into the Sandy Development Code (the "SDC"), the City's acknowledged land use regulations, and prohibit application of subjective terms in the SDC. As explained in the Applicant's first open record period submittal, the TSP that some witnesses relied upon to set a limit on vehicle trips on Melissa Avenue is not incorporated into the City's land use regulations and, even if it were, it uses subjective language.

The City Attorney's legal memorandum (**Planning Commission Exhibit ZZZZZ**) accurately states relevant Oregon law. Both the Oregon Court of Appeals and the Oregon Land Use Board of Appeals have reversed or remanded local government decisions that improperly apply unincorporated provisions of a Plan, including TSPs, and subjective language to applications like this Application.

As the Applicant stated in its oral testimony and its first open record period submittal, while the Applicant recognizes its rights, it is working with the City to expand the UGB to provide for Gunderson Road to be extended to Oregon Highway 211. To that end, the Applicant hopes that most, if not all, of its neighbors, will understand if this Application is approved, will not appeal the decision to the Sandy City Council and will support the UGB amendment. This is the best outcome for everyone because it provides the road that is anticipated in the City's TSP

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Exhibit 9
Page 3 of 15

and provides a second way in and out of the subdivision so that Melissa Avenue is not the only vehicular access to the subdivision.

5. Other issues raised in the first open record period.

A. Traffic issues.

a. Traffic reports.

Without repeating the argument and evidence previously submitted by the Applicant, the Applicant reminds the Planning Commission that the Applicant submitted a qualified traffic study demonstrating that the relevant SDC standards are met, the City's two peer-review studies did not dispute the Applicant's traffic study, there is no contrary traffic report and the Staff Report found the relevant SCD standards to be satisfied.

b. Through traffic.

SDC 17.84.50.C provides that "local streets shall be designed to discourage through traffic." This standard applies to street design and the recommended condition of approval for a stop sign is a design which will discourage through traffic. Additionally, SDC 17.84.50.C defines "through traffic" as "... the traffic traveling through an area that does not have a local origin or destination." This provision is not mandatory because it defines the language calling for through traffic to be discouraged, not prohibited. Second, the vehicle trips are those originating and ending in the two subdivisions. Finally, the words "discourage" and "designed" are subjective.

c. Traffic safety.

This subjective term is not a relevant clear and objective SDC approval standard.

d. TSP Chapter 1.

TSP Chapter 1 is not incorporated into SDC 17.100.60.E.3, one of the six approval standards for a tentative subdivision plan.

B. Goal Post Rule as applied to HB 2001.

ORS 227.178(3) is known as the "Goal Post Rule." The statute provides that the approval criteria for a Limited Land Use application are those in effect on the date that an application is submitted. HB 2001, a statute cited in testimony to the Planning Commission, was not effective on the date that this Application was submitted, so it does not apply to this Application.

Mr. Jerry Crosby, Chair
February 6, 2020
Page 5

C. Parks.

The choice between park land dedication and a fee-in-lieu payment in SDC 17.86.40 is subjective (it uses the phrase “at the City’s discretion”) and may not be applied to this Application. To the extent that the diagram in SDC 17.86.20 is relevant, Planning Director O’Neill told the Planning Commission on January 23, 2020 that the diagram “needed work” and inferred that it was subject.

6. Conclusion.

The Applicant fully appreciates the neighbors’ questions about how this new subdivision will affect them. The Applicant pledges do everything it can to minimize the disruption that change brings. But the property that will be the site for the new homes and their families in this new subdivision has long been planned for this residential use and is in the City because the land was needed to meet the City’s housing needs. The Application meets the relevant approval criteria and the recommended conditions of approval are feasible to be achieved. The approval criteria are limited by the state laws that govern this kind of application.

The Applicant asks that the Planning Commission follow the Planning Department’s recommendation and approve the Application with the recommended conditions of approval.

Very truly yours,



Michael C. Robinson

MCR:jmhi
Enclosures

- cc: Mr. Cody Bjugan (*via email*) (*w/enclosures*)
Mr. Monty Hurley (*via email*) (*w/enclosures*)
Mr. Chris Goodell (*via email*) (*w/enclosures*)
Ms. Marie Holladay (*via email*) (*w/enclosures*)
Mr. Rand Waltz (*via email*) (*w/enclosures*)
Mr. Daniel Stumpf (*via email*) (*w/enclosures*)
Mr. Todd Mobley (*via email*) (*w/enclosures*)
Ms. Emily Meharg (*via email*) (*w/enclosures*)
Mr. David Doughman (*via email*) (*w/enclosures*)

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Goal 10 Housing

This goal is to establish policies to provide for housing needs of the state.

- ① Assure an adequate supply of developable land for low, medium, and high density housing to meet the 20-year population projections.
- ② Encourage the private sector to provide adequate housing choices, including affordable housing types.
3. Encourage innovations in construction, funding, regulation, and siting of housing in order to provide well designed and energy efficient housing.
4. Cooperate and coordinate with the Clackamas County Housing Authority and with the FHA in their efforts to construct low income housing.
5. Make information available on current programs and techniques of construction and housing rehabilitation which will enhance the quality of housing in Sandy.
6. Provide for a balance between the growth in job opportunities and the growth in housing opportunities.

Residential Districts

7. Provide for distinct mixed use villages separate from the central core of the city. Villages are to be developed around a commercial center or other focal point.
8. Residential densities shall generally decrease with distance from village centers.
9. Assure that residential densities are appropriately related to site conditions, including slopes, potential hazards, and natural features.
10. Link housing density and location to reduce automobile travel by locating higher density housing near village centers, schools, and potential transit routes.



City of Sandy
**URBAN GROWTH BOUNDARY
EXPANSION ANALYSIS**

Prepared by the City of Sandy
Planning Department

Final Report

February 2017

*Adopted: February 6, 2017
Ordinances: 2017-01 and 2017-02*

Exhibit 2
Page 1 of 2

Exhibit 9
Page 7 of 15

acknowledged EOA, the City has added approximately 38 acres of commercial land to its UGB and changed the zoning on approximately 18 acres to commercial zoning to satisfy its employment land needs through 2034. In addition, the Council relies on the study and findings contained in the Analysis to conclude that Goal 9 is satisfied.

10. Goal 10 – Housing. The 2015 acknowledged Urbanization Report included an analysis and update of the City's comprehensive plan with respect to Goal 10 and concluded the existing UGB did not contain sufficient residential lands to meet the City's housing needs to 2034. Specifically, the Urbanization Report contains a buildable lands inventory ("BLI") and a housing needs projection ("HNP"), both of which follow the methodologies required by ORS 197.296, Goal 10 and OAR Chapter 660, division 8. Based on the acknowledged BLI and HNP, the City changed approximately 22 acres of low density residential land to another zoning designation to meet an identified need and added approximately 318 acres of low density residential land. To meet the identified medium density residential need, the City changed the zoning on approximately 22 acres of land zoned another designation to medium density residential. These changes satisfy the City's housing needs through 2034. In addition, the Council relies on the study and findings contained in the Analysis to conclude that Goal 10 is satisfied.
11. Goal 11 – Public Facilities. The City's Comprehensive Plan with respect to Goal 11, its public facility plan and its standards governing public facilities in its development code are not affected by the decision. The City's comprehensive plan contains an acknowledged Goal 11 element that contains policies to ensure sufficient and adequate public services are available (or will be available as appropriate) to serve lands within the UGB. The Analysis prioritizes the serviceability of lands and discusses on a parcel-by-parcel basis which lands will be the easiest, least costly and least environmentally harmful to serve with public facilities. For these reasons and based upon the study and findings contained in the Analysis, the Council finds Goal 11 is satisfied.
12. Goal 12 – Transportation. For the lands that the City will bring into the UGB, the City's Comprehensive Plan with respect to Goal 12, its transportation system plan and its standards governing transportation and transportation-related facilities are not affected by this decision. The City's comprehensive plan has an acknowledged Goal 12 element that contains policies to ensure sufficient and adequate transportation facilities and services are available (or will be available as appropriate) to serve lands within the UGB. The City adopted a new transportation system plan in accordance with OAR Chapter 660, division 12 in December of 2011. That plan is now deemed acknowledged in accordance with state law. In addition, OAR 660-024-0020(1)(d) expressly does not require the City to conduct an analysis pursuant to the transportation planning rule ("TPR") prior to adding lands to expand the UGB. This is because the lands that are being added to the UGB will retain their existing county zoning until the owners of the lands choose to annex into the City. At that time, the City will conduct a TPR analysis relative to those lands.

ORDINANCE NO. 2015-01

AN ORDINANCE ADOPTING AN UPDATED URBANIZATION STUDY TO ADDRESS THE REQUIREMENTS OF GOALS 9, 10, AND 14 OF THE SANDY COMPREHENSIVE PLAN.

WHEREAS, on February 18, 2009 the Sandy City Council adopted Ordinance No. 2008-11, an updated Urbanization Study for the city; and

WHEREAS, on April 25, 2013, the Clackamas County Board of Commissioners passed ZDO-242 adopting a coordinated population forecast for rural cities in Clackamas County containing an annual population growth rate higher for the city of Sandy than assumed in the previously adopted, 2009 Urbanization Study; and

WHEREAS, the Sandy City Council desires to update its Urbanization Study ("Study") for residential and employment lands to determine if there is sufficient land in the existing Urban Growth Boundary to accommodate projected growth for the next 20 years; and

WHEREAS, City of Sandy planning and public works staff in consultation with the Department of Land Conservation and Development (DLCD) developed an updated Study per applicable state rules for the planning period 2014-2034; and

WHEREAS, the City of Sandy sent the draft Study to the Department of Land Conservation and Development (DLCD) on October 15, 2014 in anticipation of public hearings before the Planning Commission and City Council; and

WHEREAS, the Planning Commission held a public hearing to review the Study on November 24, 2014 and forwarded a recommendation to the City Council to adopt the Study; and

WHEREAS, the City Council held a public hearing to review the Urbanization Study on February 2, 2015 and adopted the first reading of this Ordinance; and

WHEREAS, the City Council also adopted the second reading of this Ordinance on February 2, 2015.

NOW, THEREFORE, THE CITY OF SANDY DOES ORDAIN AS FOLLOWS:

Section 1. The Sandy Comprehensive Plan is hereby amended by adopting as a background document an updated Urbanization Study dated January 2015, attached as Exhibit A and incorporated herein by reference. The information and data contained in the Urbanization Study supersedes any that exists to the contrary in the Comprehensive Plan or its background documents including the most recent study adopted by Ordinance 2008-11 in 2009.

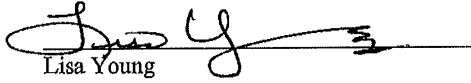
Section 2. These amendments to the Sandy Comprehensive Plan are supported by findings, attached hereto as Exhibit B and incorporated herein by reference.

THIS ORDINANCE ADOPTED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR THIS 2nd DAY OF FEBRUARY, 2015.



William King
MAYOR

ATTEST:



Lisa Young
City Recorder

EXHIBIT B
ORDINANCE NO. 2015-01

1. Goal 1 – Citizen Involvement. The City held a public workshop and two public hearings prior to adopting the Urbanization Study. One public hearing was held on November 24, 2014 before the Planning Commission and another public hearing was held before the City Council on February 2, 2015. All workshops and public hearings were duly noticed in accordance with state law and the City’s development code. Goal 1 is satisfied.

2. Goal 2 – Land Use Planning. With respect to the Study and its related amendments, Goal 2 requires that the City’s decision be coordinated with other governmental entities and be supported by an adequate factual base. The Study and the updated population forecast it contains were adopted in coordination with Clackamas County pursuant to ORS 195.034 and OAR 660-024-0030(4). The Clackamas County Board of Commissioners adopted a coordinated population forecast on April 25, 2013 by passing Ordinance ZDO-242. The county’s projection is included as Appendix A to the Study.

The decision is supported by an adequate factual base as demonstrated in the record, the Study and these findings. An “adequate factual base” requires that substantial evidence exist in the entire record to support the decision – that is, evidence that reasonable persons would rely on in making day-to-day decisions. *1000 Friends of Oregon v. City of North Plains*, 27 Or LUBA 372 (1994). The evidence relied upon by the Council in making the decision was collected by city of Sandy staff, in accordance with procedures and practices formulated and endorsed by the Department of Land Conservation and Development (“DLCD”). Goal 2 is satisfied.

3. Goal 3 – Agricultural Lands. Goal 3 is not applicable to the decision.

4. Goal 4 – Forest Lands. Goal 4 is not applicable to the decision.

5. Goal 5 – Natural Resources. Goal 5 is not applicable to the decision. The decision does not affect a Goal 5 resource under OAR 660-023-0250(3).

6. Goal 6 – Air Water and Land Quality. The City’s Comprehensive Plan with respect to Goal 6 and its development regulations governing land, air and water quality are not affected by the decision. Goal 6 is satisfied to the extent is it applicable to the decision.

7. Goal 7 – Natural Hazards. The City’s Comprehensive Plan with respect to Goal 7 and its development regulations governing natural hazard areas are not affected by the decision. Goal 7 is satisfied to the extent is it applicable to the decision.

8. Goal 8 – Recreational Needs. No resorts are contemplated or authorized by the decision. The City’s Comprehensive Plan with respect to Goal 8, its parks master plan

and its development regulations governing recreational needs (e.g. park dedication/fee in-lieu-of requirements, open space provisions, etc.) are not affected by the decision. Goal 8 is satisfied to the extent it is applicable to the decision.

9. Goal 9 – Economy. The Study includes an analysis and update of the City’s comprehensive plan with respect to Goal 9 and concludes the existing urban growth boundary does not contain sufficient employment lands to meet its employment needs to 2034. Specifically, the Study contains an economic opportunities analysis (“EOA”) that follows the methodology required by OAR 660-009-0015 and will replace the current EOA. The Council relies on the analysis and findings contained in the Study to conclude that Goal 9 is satisfied.

- (10.) Goal 10 – Housing. In accordance with OAR Chapters 660, divisions 008 and 024, the Study includes an analysis and update of the City’s comprehensive plan with respect to Goal 10 and concludes the existing urban growth boundary does not contain sufficient residential lands to meet its housing needs and provide a variety of housing types to 2034.

The Study is extensive and speaks for itself with respect to compliance with Goal 10 and the Goal 10 rule. In the interest of brevity, the Council notes the following points with respect to the Study’s conformance with Goal 10 and the related administrative rule.

Goal 10 generally requires the City to provide an adequate number of housing units containing a mix of housing types and densities at price ranges and rent levels commensurate with financial capabilities of present and future residents of Sandy. In meeting this requirement, the Goal encourages the City to consider the current distribution of housing types within the City, to determine a reasonable vacancy rate, to identify expected housing demand at various price points and to permit a variety of densities and dwelling types.

The Study contains an updated buildable lands inventory classifying lots within the UGB as vacant, undevelopable, developed, and potentially redevelopable, etc. This process seeks to identify the existing buildable land supply within the UGB. The Study finds that Sandy has approximately 582.4 net acres¹ of unconstrained, vacant and redevelopable land within its existing UGB of which 341.3 net acres are in residential plan designations.

The Study also contains an updated housing needs projection. The projection follows DLCD’s methodology for projecting housing needs, as contained in the workbook entitled *Planning for Residential Development*. The projection forecasts housing demands between 2014 and 2034 and determines the housing types and densities needed to meet that demand. The Study finds that the City will require 575.7 net acres for housing during that time period. As such, the Study finds a deficit of land available in the UGB to meet the City’s residential needs to 2034. In order to meet the

¹ 341.3 net residential + 241.1 net employment.

demand the Study identifies, the City will need an additional 234.4 net acres of residentially designated land.

Based on the above discussion and the extensive analysis contained in the Study and the record, Goal 10 is satisfied.

11. Goal 11 – Public Facilities. The City’s Comprehensive Plan with respect to Goal 11, its public facility plan and its standards governing public facilities are not affected by the decision. The City’s comprehensive plan contains an acknowledged Goal 11 element that contains policies to ensure sufficient and adequate public services are available (or will be available as appropriate) to serve lands within the UGB. Assuming the City initiates a UGB expansion based upon the Study’s conclusion that additional lands must be added to the UGB in order to meet land needs to 2034, the City will ensure that public facilities will exist to serve those lands. As such, Goal 11 is satisfied.
12. Goal 12 – Transportation. The City’s Comprehensive Plan with respect to Goal 12, its transportation system plan and its standards governing transportation and transportation-related facilities are not affected by this decision. The City’s comprehensive plan contains an acknowledged Goal 12 element that contains policies to ensure sufficient and adequate transportation facilities and services are available (or will be available as appropriate) to serve lands within the UGB. Assuming the City initiates a UGB expansion based upon the Study’s conclusion that additional lands must be added to the UGB in order to meet land needs to 2034, the City will ensure that transportation facilities will exist to serve those lands. It should be noted that the TPR is triggered when a post acknowledgment amendment “significantly affects” a transportation facility. The City finds the Study does not meet the definition of a “significant effect” pursuant to OAR 660-012-0060(1)(a)-(c) because it will not: (1) change the functional classification of an existing or future facility; (2) change the standards implementing the functional classification system; or (3) result in any of the effects listed in 0060(1)(c)(A)-(C). In essence, the City will need to evaluate these criteria if it adds lands to the UGB to meet the needs the Study identifies. Therefore, Goal 12 is satisfied for the purposes of this decision.
13. Goal 13 – Energy Conservation. The City’s Comprehensive Plan with respect to Goal 13 and its standards governing energy conservation are not affected by the decision. Goal 13 is satisfied.
14. Goal 14 – Urbanization. The Study was prepared in strict conformance with the Goal 14 rule – OAR Chapter 660, division 24. The City undertook the Study in order to evaluate its UGB. The last time the City evaluated its UGB was in 2009. Although such an evaluation is not compelled by law, the City believes that as a matter of sound policy it is the appropriate time to review whether its existing UGB contains enough land to meet its residential and employment land needs for the next twenty years.

Oregon's Statewide Planning Goals & Guidelines

GOAL 10: HOUSING

OAR 660-015-0000(10)

To provide for the housing needs of citizens of the state.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Buildable Lands -- refers to lands in urban and urbanizable areas that are suitable, available and necessary for residential use.

Government-Assisted Housing -- means housing that is financed in whole or part by either a federal or state housing agency or a local housing authority as defined in ORS 456.005 to 456.720, or housing that is occupied by a tenant or tenants who benefit from rent supplements or housing vouchers provided by either a federal or state housing agency or a local housing authority.

Household -- refers to one or more persons occupying a single housing unit.

Manufactured Homes -- means structures with a Department of Housing and Urban Development (HUD) label certifying that the structure is constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 USC 5401 et seq.), as amended on August 22, 1981.

Needed Housing Units -- means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. On and after the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing units" also includes government-assisted housing. For cities having populations larger than 2,500 people and counties having populations larger than 15,000 people, "needed housing units" also includes (but is not limited to) attached and detached single-family housing, multiple-family housing, and manufactured homes, whether occupied by owners or renters.

GUIDELINES

A. PLANNING

1. In addition to inventories of buildable lands, housing elements of a comprehensive plan should, at a minimum, include: (1) a comparison of the distribution of the existing population by income with the distribution of available housing units by cost; (2) a determination of vacancy rates, both overall and at varying rent ranges and cost levels; (3) a determination of expected housing demand at varying rent ranges and cost levels; (4) allowance for a variety of densities and types of residences in each community; and (5) an inventory of sound housing in urban areas including units capable of being rehabilitated.

2. Plans should be developed in a manner that insures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels.

3. Plans should provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.

4. Plans providing for housing needs should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. IMPLEMENTATION

1. Plans should provide for a continuing review of housing need projections and should establish a process for accommodating needed revisions.

2. Plans should take into account the effects of utilizing financial incentives and resources to (a) stimulate the rehabilitation of substandard housing without regard to the financial capacity of the owner so long as benefits accrue to the occupants; and (b) bring into compliance with codes adopted to assure safe and sanitary housing the dwellings of individuals who cannot on their own afford to meet such codes.

3. Decisions on housing development proposals should be expedited when such proposals are in

accordance with zoning ordinances and with provisions of comprehensive plans.

4. Ordinances and incentives should be used to increase population densities in urban areas taking into consideration (1) key facilities, (2) the economic, environmental, social and energy consequences of the proposed densities and (3) the optimal use of existing urban land particularly in sections containing significant amounts of unsound substandard structures.

5. Additional methods and devices for achieving this goal should, after consideration of the impact on lower income households, include, but not be limited to: (1) tax incentives and disincentives; (2) building and construction code revision; (3) zoning and land use controls; (4) subsidies and loans; (5) fee and less-than-fee acquisition techniques; (6) enforcement of local health and safety codes; and (7) coordination of the development of urban facilities and services to disperse low income housing throughout the planning area.

6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.



**Bailey Meadows
Subdivision**

File No. 20-009 AP
Appeal to File No.
19-023
SUB/VAR/TREE

City Council 4/6/20

EXHIBIT DDDDDDD

Hearings

Planning Commission hearings:

- December 17, 2019 (testimony)
- January 23, 2020 (testimony)
- February 11, 2020 (*decision*)

Final Order Issued – February 14, 2020

Appeal – February 26, 2020

Subdivision Location



Subdivision Layout



TSP Identified Alignment

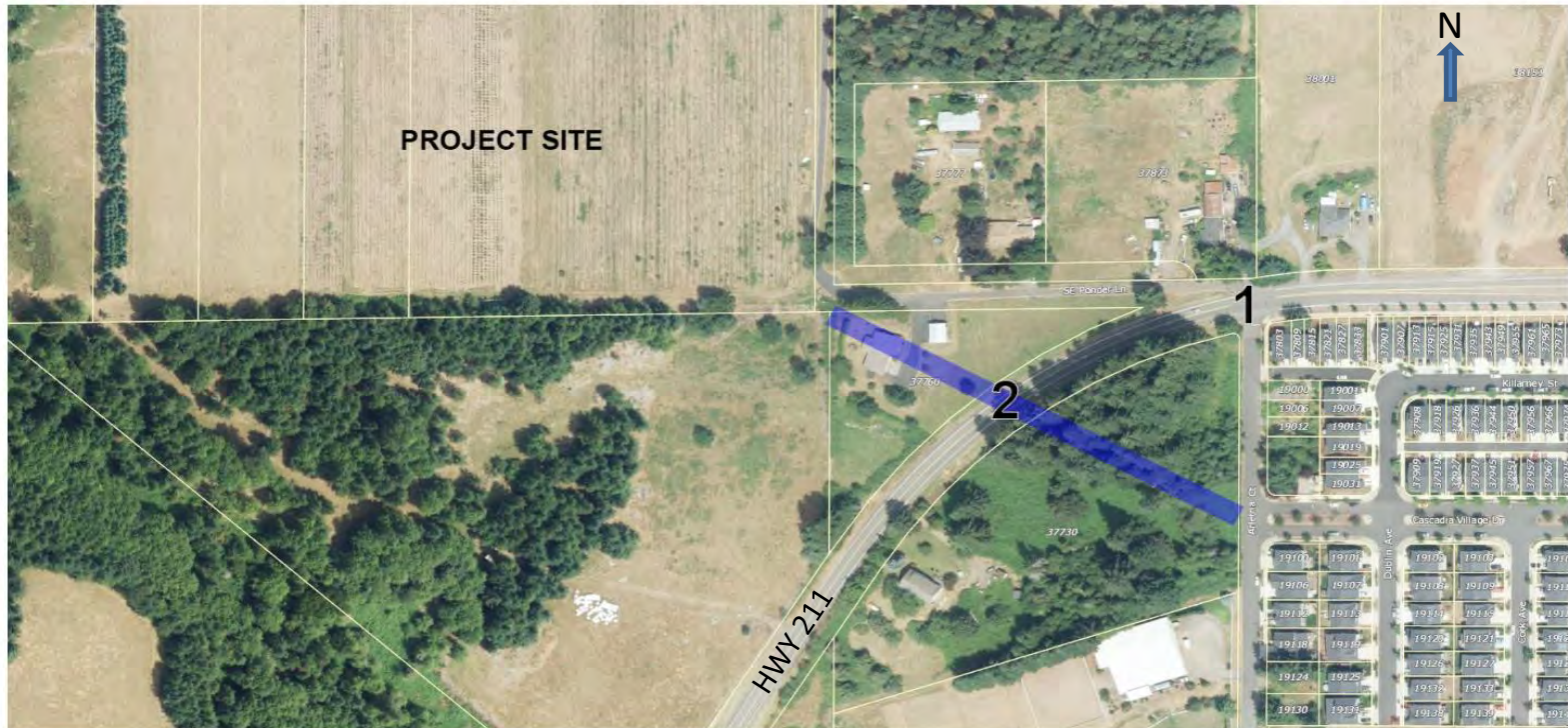


TSP Identified Alignment

EXHIBIT V



SE Ponder Lane/Future SE Gunderson Road Extension

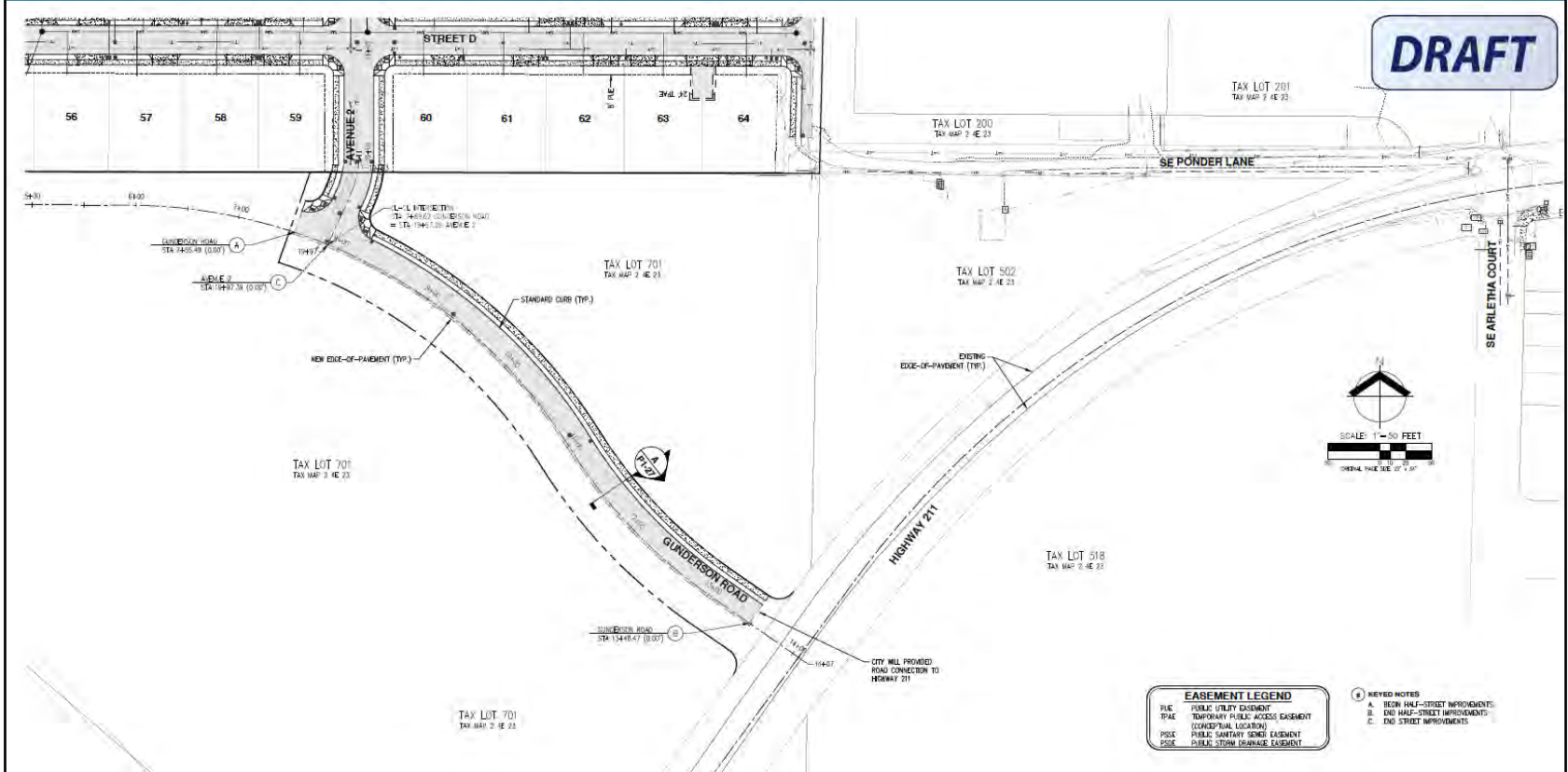


1. Existing Intersection Location
2. TSP-Identified Alignment

Modified Alignment with Park



Gunderson Road Extension



Public Comments

- Items Planning staff cannot address with this application:
 - School capacity and School bus drop off; *staff recommends contacting the Oregon Trail School District (OTSD) to discuss needed modifications to bus routes and drop-off/pickup locations*
 - Icy road conditions; *staff recommends contacting Public Works and ask to apply additional deicer*
 - Property values
 - Fence line disputes; *civil matter between property owners*
 - Fire lane in Nicolas Glen being blocked; *staff recommends contacting the Police Department or Sandy Fire when this occurs*
 - Children playing on adjacent private property

Public Comments

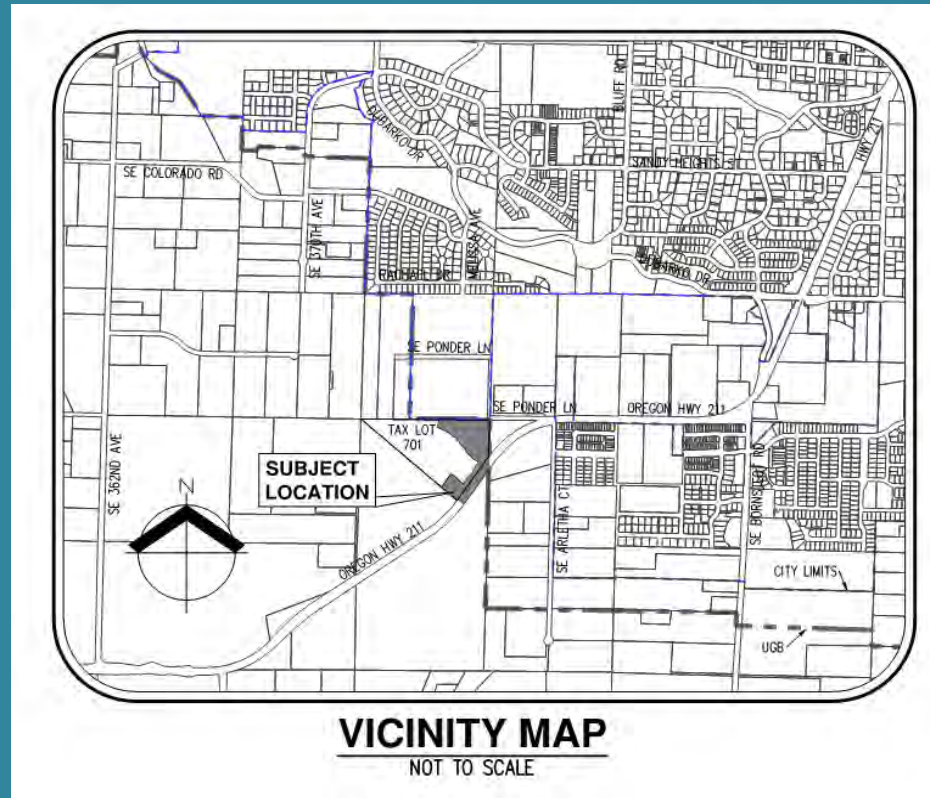
- Additional written testimony the City cannot address:
 - House Bill 2001
 - The accessory dwelling unit portion of House Bill 2001 is now effective.
 - The duplex portion of House Bill 2001 is not applicable until the City adopts the house bill requirements. The City is mandated to adopt the bill requirements for duplexes by June 30, 2021.

Clarification on Public Comments

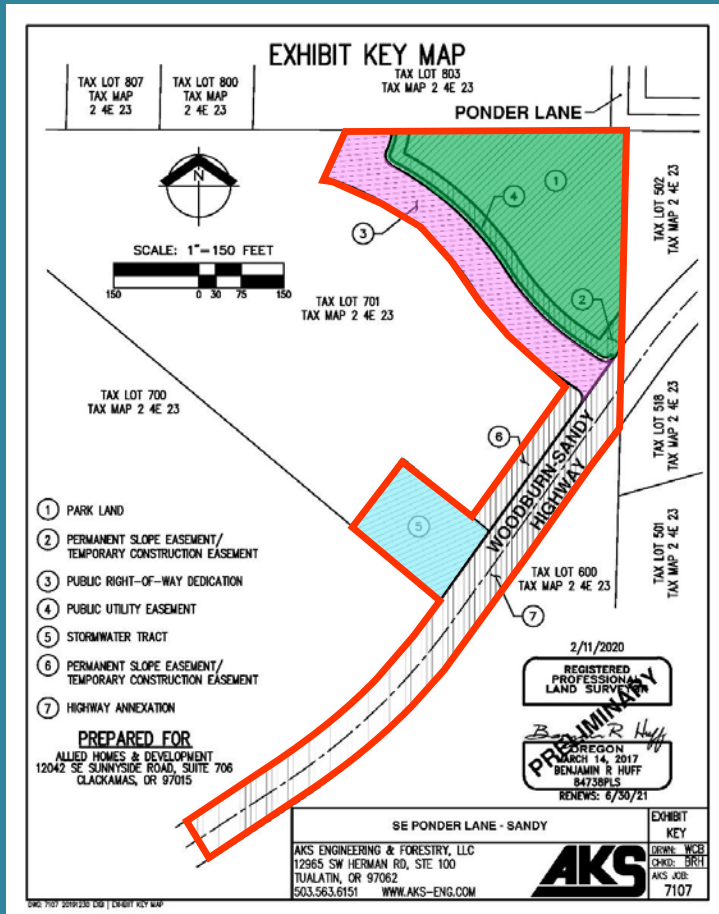
- Written testimony addressed by the Public Works Director in Exhibit FFFFFF (page 1,088):
 - 4 way stop at Melissa and Rachael
 - Speed bumps on Melissa
 - Construction impacts to Nicolas Glen subdivision
 - Expenditures for streets
- Written testimony addressed by the City Attorney in Exhibit EEEEE (page 1,084):
 - Clarification on Needed Housing provisions
 - Clarification on Development Agreement provisions

UGB Expansion hearing dates

- May 6, 2020 – Clackamas County Board of Commissioners



UGB Expansion areas



PUBLIC FACILITY	+/- Acres
Gunderson Rd ROW	1.02
Stormwater Facility	0.69
Park (and adjacent easements)	2.38
Hwy 211	2.05
Easement along Hwy 211	0.28
Total UGB Expansion Area:	6.42

Parkland

- A proposed condition includes the applicant dedicating parkland to the south of Bailey Meadows in the area included in the UGB expansion.
- Alternatively, if the UGB expansion does not occur the applicant would pay a fee in-lieu of \$310,890 for the City to purchase parkland in Sandy in the future.

Gunderson Road Extension

- Melissa Avenue already exceeds the number of vehicle trips typically allowed on a local street.
- The city's Transportation System Plan anticipates the extension of Gunderson to HWY 211 near the southern boundary of the property. If built, the extension would provide a second means of access to the subdivision.

UGB Expansion

- If the UGB is expanded, the applicant would construct the extension and would need to complete it no later than when the City issues the 30th certificate of occupancy.
- If the UGB expansion does not occur, a proposed condition of approval will require the applicant to grant an easement for Gunderson Road to guarantee eventual dedication of the right-of-way and construction of the road.

QUESTIONS?



Marisol Martinez <mmartinez@ci.sandy.or.us>

EXHIBIT EEEEEEE**Fwd: Bailey Meadows Subdivision**

1 message

Jeff Aprati <japrati@ci.sandy.or.us>

Fri, Apr 3, 2020 at 7:58 PM

To: Kelly O'Neill <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <david@gov-law.com>

This has been added as Supplement #7.

Jeff Aprati

City Recorder / Management Analyst

City of Sandy

503-489-0938

japrati@ci.sandy.or.us

----- Forwarded message -----

From: **Shelly Evett** <shelly.evett@gmail.com>

Date: Fri, Apr 3, 2020 at 4:45 PM

Subject: Bailey Meadows Subdivision

To: <recorder@ci.sandy.or.us>

Hello,

I would like to voice my concern about the proposed Bailey Meadow Subdivision. I understand growth is inevitable, but it should not be at the expense of residents safety. I knew when I moved into the Nicolas Glenn Subdivision in Jun 2002 that a neighborhood would be developed on the south side, because Melissa Avenue was left so it could be extended. I never thought that when a new neighborhood would be developed, that having it's own access road was not a consideration. The Nicolas Glenn Subdivision has only one access road and according to previous meetings we already have more traffic trips on Melissa Avenue than is recommended. Also with the addition of 100 homes in the Bailey Meadows Subdivision, it is going to increase the traffic on Dubarko to 362nd, if Melissa Avenue is the only access road. Dubarko to 362 which already has to much traffic going through those neighborhoods since the expansion of the road several years ago.

I would recommend Melissa Avenue be used as a fire access route for Bailey Meadows, but not used as a thoroughfare for the new subdivision. This would maintain the safety in our neighborhood for adults and children. The developers need to have and pay for an access road for Bailey Meadow. This can be done either by getting an exception to the Urban Growth Boundary, on changing the subdivision layout.

Respectfully,
Roberta M. Evett
18192 Rachel Dr.
Sandy, OR



Marisol Martinez <mmartinez@ci.sandy.or.us>

EXHIBIT FFFFFFFF

Fwd: Bailey Meadows Appeal

2 messages

Kelly O'Neill Jr. <koneill@ci.sandy.or.us> Mon, Apr 6, 2020 at 9:43 AM
To: "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>
Cc: David Doughman <David@gov-law.com>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jeff Aprati <japrati@ci.sandy.or.us>

Below is new testimony from one of the property owners in Nicholas Glenn.

Jeff - Please add this to the agenda.

Marisol - Please print a hard copy and save an electronic copy.

Thanks all.

----- Forwarded message -----
From: **Emily Meharg** <emeharg@ci.sandy.or.us>
Date: Mon, Apr 6, 2020 at 9:06 AM
Subject: Fwd: Bailey Meadows Appeal
To: Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

----- Forwarded message -----
From: **Cary Mallon** <cary.mallon@gmail.com>
Date: Sun, Apr 5, 2020 at 7:48 AM
Subject: Bailey Meadows Appeal
To: <emeharg@ci.sandy.or.us>

Testimony for the 4/6/2020 council hearing of Bailey Meadows subdivision.

First, the applicant's counsel has stated frequently that the codes and laws governing the application are objective rather than subjective. He also says that safety is subjective.

This matter is plainly subjective. It's like parenting. You (council) are in the position of arbitrating between two of your children, whom we believe you love equally. You are deciding a family squabble. To parent well, you'll need to consider the rules of the game both in literal terms and their intent. You'll have to hear both sides of the story with equal gravity.

When you cast your votes on this matter, they will be subjective. They will take into account both the intent and literal meanings of the codes and laws as well as your emotions and allegiance to all parties.

Just as our votes to re elect you, or our votes for your opponents or our decisions to promote a candidate to oppose you will be subjective.

Second, the staff report claims in a couple of places that agreements about whether the city or the developer will pay the cost of construction of access roads isn't part of the permit application, as a rule. Why wouldn't it be? Who is going to bear those costs certainly will impact the developers bottom line. Certainly that decision will impact the city budget. Why shouldn't that negotiation happen in the clear light of day? It seems like waiting until the permit is approved steals a lot of the city's bargaining power.

Third, there isn't a clear statement of when the Gunderson Road access needs to be complete. Council must understand that residents of Nicholas Glen are very nervous that if that is not spelled out clearly in the application and it's approval, that it may be a long time before it's even started (the Gunderson Road Access).

Fourth, we appellants feel that the close association between the applicant and the member of the planning commission who contract the traffic study may have tainted the traffic study enough that it should not be considered in the application. We know that

4/7/2020

City of Sandy Mail - Fwd: Bailey Meadows Appeal

the Mayor has expressed displeasure with this close association.

Please, be subjective. And let some sun shine on the dollars and cents negotiations.

Cary Mallon

--

Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
[39250 Pioneer Blvd](#)
[Sandy, OR 97055](#)
(503) 489-2163
koneill@ci.sandy.or.us

Jeff Aprati <japrati@ci.sandy.or.us>

Mon, Apr 6, 2020 at 10:26 AM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>

Cc: "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>, David Doughman <David@gov-law.com>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

This has been added to the agenda packet as Supplement #8.

Jeff Aprati
City Recorder / Management Analyst
City of Sandy
503-489-0938
japrati@ci.sandy.or.us

[Quoted text hidden]

EXHIBIT GGGGGGG

April 6, 2020

Dear City Council and City Planning Staff,

This letter is a request of the Sandy City Council and Planning staff to clarify to the public the development agreement terms for Bailey Meadows as they currently stand. We have heard the developer is willing to build the Gunderson road if Sandy pays him to have it built as they are not willing to pay what should be their majority share of it, despite that it is needed for their 100 proposed homes. We agree the City of Sandy should pay for a small portion of the road, and future development in that area will contribute towards the cost. The applicant should be required to pay for the remaining cost and be given appropriate SDC credit.

If the developer doesn't pay, is the City going to build Gunderson Road? If so, when? The applicant's presentation tonight shows no reference to them building Gunderson and yet the traffic studies done for this application, reference Gunderson being built. This leaves the entire application in limbo. How can the Sandy City Council decide on the approval or disapproval of the subdivision when the primary issue in the appeal, of who pays to build Gunderson, and when it is to be built remain, unanswered? Why is the development agreement cloaked in secrecy? Once the application is approved the City loses all leverage to require financial commitments for Gunderson Road from the applicant.

We completely disagree and challenge the City's position that we have standards in our code and TSP, but you are not willing to use them because the City MAY get appealed to LUBA. A LUBA appeal costs the applicant both time and money. The past LUBA and lawsuits that are cited are all different situations and are not necessarily transferable to Sandy. Even if the City's lawyer is telling you that there is a risk, how is the City able to legally suspend implementing the code as it is written? This sets quite a precedence given the number of new developments on the docket! You cannot legally suspend application of our City's development code and TSP standards, because they MAY not be worded correctly. In other words, you are telling us the rules do not apply to this developer.

The City has two choices: 1) Approve the application and concede their demand of not paying for Gunderson; or 2) Apply the standards you have in the code and the TSP, and require the applicant to pay their fair share of Gunderson as a condition for approval.

There are three possible outcomes: Choice 1 approval results in the City having to pay for Gunderson. Choice 2 non-approval results in a risk for the developer to incur the time and cost of a LUBA appeal. If the City loses the LUBA appeal, the result is the same as choice 1 – the City pays for Gunderson. Choice 2 if the City wins, or even if there is a partial win, the result is the developer pays their share or at least part of their share of Gunderson Rd.

We doubt LUBA will look kindly on the conflict of interest demonstrated by the Sandy planning commissioner that did the traffic study for the developer. The developer

would not have gone to the extent they have, annexing the road, doing a preliminary design, etc. if they believed they would never be required to build Gunderson.

In the Silverton example cited by the developer's lawyer, Silverton officials had a more stringent code "incorporating" their TSP, but did not use the TSP code references when denying the application, Silverton could not use the more applicable code in their appeal. Conversely, Sandy has plenty of pertinent codes "incorporating" the standards found in our TSP for a limited land use decision. In the interest of not repeating testimony from others, I will not repeat all the code references that are spelled out clear and objectively that expressly "incorporate" the TSP references that substantiate the need for the developer to build Gunderson Rd.

We elected you as a Council to look out for our interests. We expect you to use the code and standards we have in place, to allow responsible growth in Sandy. That means just what city code 17.100.310 says: "...Improvements shall be installed at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing....i: streets." Please deny the application, or require the applicant to pay the majority share of the cost of construction of Gunderson Road, as a condition of approval for Bailey Meadows.

Sincerely,

Paul Savage
37506 Rachael Drive
Sandy, Or



EXHIBIT HHHHHHH

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows Tentative Subdivision Hearing; Applicant's Response to Letters from Mr. Savage and Ms. Mallon

2 messages

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Mon, Apr 6, 2020 at 4:05 PM

To: David Doughman <David@gov-law.com>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jeff Aprati <japrati@ci.sandy.or.us>

Jeff and Marisol - The same as usual. This is for the record.

----- Forwarded message -----

From: **Robinson, Michael C.** <MRobinson@schwabe.com>

Date: Mon, Apr 6, 2020 at 3:47 PM

Subject: Bailey Meadows Tentative Subdivision Hearing; Applicant's Response to Letters from Mr. Savage and Ms. Mallon

To: Kelly O'Neill, Jr <koneill@ci.sandy.or.us>

Cc: David Doughman Esq. <david@gov-law.com>, Cody Bjugan <cody@investpdx.com>, Chris Goodell AICP, LEED AP <chrisg@aks-eng.com>, Daniel Stumpf <daniel@lancastermoble.com>, Rand Waltz <rand@aks-eng.com>, Vu Nguyen <VuN@aks-eng.com>, Marie Holladay <holladaym@aks-eng.com>, Monty Hurley PE, PLS <monty@aks-eng.com>

Dear Mr. O'Neil,

Would you please place this email before the City Council for tonight's hearing?

The applicant appreciates the opportunity to address the issues raised in these two submittals.

The applicant would like to again say that the whole reason it has proposed to expand the city's UGB is to provide the street and parkland that the neighbors have asked for but that does not mean that the applicant is legally obligated to do so. The applicant wants to be collaborative with the city to find solutions to the issues that concern the neighbors. The applicant continues to hope that land use can be used to solve problems, not just argue.

1. Response to Mr. Savage's testimony.

A. Mr. Savage asserts that a conflict of interest occurred at the Planning Commission hearing because Mr. Mobley's firm prepared the applicant's traffic impacts analysis. No such conflict occurred because Mr. Mobley recused himself from participating in the hearing. Even if such a conflict did occur, the Appellants requested a de novo hearing before the City Council and a de novo hearing cures any procedural defects-imagined or otherwise-at the Planning Commission. Thus, there is no legal error that the City Council should be concerned with.

B. The Development Agreement is not before the City Council tonight. Further, the applicant is obligated to make off-site improvements only to address the subdivision's impacts. No evidence, including the two City commissioned reviews of the Applicant's traffic impact analysis, concludes that the subdivision's impacts require it to construct or pay for Gunderson Road and in any event, the Planning Director testified to the City Council on March 2, 2020 that the TSP location showing the intersection of Gunderson Road with Oregon Highway 211 cannot be constructed because of sight distance issues since the intersection is on a curve.

C. Sandy Development Code("SDC")17.100.310 does not apply to and require the applicant to construct and pay for Gunderson Road for two reasons. First, SDC 17.84.310 is entitled "Required Improvements ". No evidence shows that Gunderson Road is required by this subdivision and "required" is a subjective term. Second, the list of items in the Code are on-site subdivision items, not off-site items. Finally, SDC 17.100.310 is subject to SDC 17.84. SDC 17.84.050.A2. requires streets only where required to meet level of service. This application meets such standards and the city traffic engineer concurred. SDC 17.84.060.B. generally discusses arterial streets but no arterial streets are shown on this subdivision street.

4/7/2020

City of Sandy Mail - Fwd: Bailey Meadows Tentative Subdivision Hearing; Applicant's Response to Letters from Mr. Savage and Ms. Mallon

Incidentally, the application provides an emergency access to the subdivision in addition to the Melissa Avenue access. We hope to have a third way in and out.

2. Response to Ms. Mallon's testimony.

Ms. Mallon urges the City Council to be subjective(despite what the law clearly requires) and, like Mr. Savage, implies that their future votes for City Councilors are tied to how the City Council votes on this application. The City Council's task in a quasi-judicial hearing(acting like judges)is to apply the law and do so fairly and regardless of how many persons oppose the application.

Thank you.

Sent from my iPhone

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Kelly O'Neill Jr.
Development Services Director

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Development Services Department
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[Sandy, OR 97055](#)
(503) 489-2163
koneill@ci.sandy.or.us

Jeff Aprati <japrati@ci.sandy.or.us>

Mon, Apr 6, 2020 at 4:48 PM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>

Cc: David Doughman <David@gov-law.com>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

This has been added as Supplement #10

Jeff Aprati
City Recorder / Management Analyst
City of Sandy
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[Quoted text hidden]

EXHIBIT IIIIIII

Mayor and Counselors,

I want to start out by saying that as you listen to our appeal tonight, I believe there is one general focus you will hear. That is we are not trying to block this neighborhood from ever being constructed. It is quite the contrary. I will not speculate to the other people in my neighborhood's opinion on growth as a whole, but even in my testimony to the Planning Commission, I stated I believe growth is a chance at opportunity for both old and new citizens. I for one am someone who chose to live in Sandy as an adult because I could see the potential for greatness this City possesses, but as the City matures and grows we must do so in a responsible manner. In this instance that is not happening. Our contention with the Planning Commission's decision is not that we do not want Bailey Meadows built, but the fact there are too many uses of the word "if" and that it feels as if our city representatives are not taking care of their citizens both in terms of safety and fiscal responsibility. Our City Code is being manipulated, by both the applicant (expected) and our own city staff (not expected). Lawyers argue, its what they get paid for. Why is our attorney not arguing for us, the citizens? Add this into the other negative observations of our Planning Commission, that I will discuss later in my testimony, and to me (and others I have spoken to) it paints a corrupt picture of the City's approval process.

I would like say that I have reviewed the letter presented on behalf of the Nicholas Glen Neighborhood, prepared by Carrie A. Richter and support what it says. It paints a clear and objective legal argument on why this matter should be reconsidered. I don't feel that reading its contents again, or rehashing it, is a good use of everyone's valuable time. But I would like point out some points the applicant's attorney seems to gloss over in his rebuttal of this letter.

In Sandy Development Code (SDC) on page 17.84-3 it states

"A. Traffic evaluations may be required of all development proposals in accordance with the following:
1. A proposal establishing the scope of the traffic evaluation shall be submitted for review to the City Engineer. The evaluation requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. Large projects should assess all nearby key intersections. Once the scope of the traffic evaluation has been approved, the applicant shall present the results with and an overall site development proposal. If required by the City Engineer, such evaluations shall be signed by a Licensed Professional Civil Engineer or Licensed Professional Traffic Engineer licensed in the State of Oregon. 2. If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal."

The above words are cut and pasted directly off the City's website, and they, contrary to the applicant's implied statements, are very clear to anyone with a concept of the English language. They clearly refer anyone looking for the standard, in regards to a level of service, to refer to the City's TSP by saying "If the traffic evaluation identifies level-of-service conditions less than the minimum standard in the Transportations System Plan."

By using this as the specific reference in our code, it is clear that it was the City Council's legislative intent at the time the edition of the SDC was adopted, to purposely use and provide the clear and objective standard provided in our TSP. This document, like our SDC is available online and to the public, which includes the applicant.

This intent is further substantiated in SDC 17.84.00 which is titled "Intent" and states "This chapter provides general information regarding improvements required with residential, commercial, and industrial development. It is intended to clarify timing, extent, and standards for improvements required in conjunction with development. In addition to the standards in this chapter, additional standards for specific situations are contained in other chapters." (SDC pg.18.84-1).

The applicant's attorney states "The Staff Report correctly explains that the TSP is not an approval standard for this limited land use application because it has not been incorporated into the SDC as required by ORS 197.195(1). The City Attorney has provided appropriate legal advice on this issue." (Letter from Mr. Robinson dated March 30th, 2020, Section 1a, <https://sandy.civicweb.net/document/15430/3.30.2020%20Letter%20to%20Mayor%20Pulliam.pdf?handle=CBA8E1412AD04565B03BAAC3689B3766>) .

In substance the applicant is stating that the city has not adopted the TSP as required by ORS 197.195(1). This paragraph of the ORS 197.195 states "A limited land use decision shall be consistent with applicable provisions of city or county comprehensive plans and land use regulations. Such a decision may include conditions authorized by law. Within two years of September 29, 1991, cities and counties shall incorporate all comprehensive plan standards applicable to limited land use decisions into their land use regulations. A decision to incorporate all, some, or none of the applicable comprehensive plan standards into land use regulations shall be undertaken as a post-acknowledgment amendment under ORS 197.610 (Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development) to 197.625 (Acknowledgment of comprehensive plan or land use regulation changes). If a city or county does not incorporate its comprehensive plan provisions into its land use regulations, the comprehensive plan provisions may not be used as a basis for a decision by the city or county or on appeal from that decision." (<https://www.oregonlaws.org/ors/197.195>).

What I love about attorneys are their ability to pick and choose specific topics when it seems to fit the agenda of their client. If a person continues to read statute (ORS 197.195) it offers more information about this topic. For transparency ORS 197.195(2) discusses the type of hearing that can be used to address this issue. It is ORS 197.195(3) that is key for this issue. Paragraph (3) states" A limited land use decision is subject to the requirements of paragraphs (a) to (c) of this subsection. In making a limited land use decision, the local government shall follow the applicable procedures contained within its acknowledged comprehensive plan and land use regulations and other applicable legal requirements." (<https://www.oregonlaws.org/ors/197.195>).

The acknowledgement of our comprehensive plan is clearly addressed and acknowledged per statute in our SDC by specifically referencing the outside standard found our Transportation System Plan (TSP). In fact the TSP is referenced 14 times in our SDC's chapter 17, which is the Chapter that outlines the Sandy Development Code (SDC) . This ORS clearly states that the city can use its "acknowledged comprehensive plan and land use regulations and other applicable legal requirements." No where does it say we have to physically place these topics into our SDC, but instead that we must acknowledge them before use or planning. I would like to again state this is clearly done in Chapter 17 to the tune of 14 times where it points references the TSP.

Using the applicant's logic on this matter we would not be able to reference any outside resources to set a standard for a development application approval, which is quite bluntly, nothing but absurd. This type

of referencing is not just referenced in this our traffic section. A good example is SDC 17.100.230 which states "Water lines and fire hydrants serving the subdivision or partition, and connecting the development to City mains, shall be installed to provide adequate water pressure to serve present and future consumer demand. **The materials, sizes, and locations of water mains, valves, service laterals, meter boxes and other required appurtenances shall be in accordance with the standards of the Fire District, the City, and the State**" (SDC pg 17.100-18). I would like to believe that if the applicant was disputing the need for proper fire safety prevention measures, this would be a non-starter, yet it is only referenced to an outside standard in our SDC. So why are we not fighting for the safety of our citizens from the dangers of vehicles? According to the US Fire Administration's data from 2017 (most recent I could find), there were 47 Oregonian killed by fire (https://www.usfa.fema.gov/data/statistics/fire_death_rates.html). Yet, according to the Oregon Department of Transportation, in Oregon in 2017 we tragically lost 403 citizens on our roadways (https://www.oregon.gov/odot/Data/Documents/QuickFacts_2017.pdf).

So why are we even having this discussion right now. Well the fact of the matter is this comes down to money, and I will discuss that in a moment.

The next issue in the applicants March 30th, 2020 letter section 1b which says "SDC 17.100.110 does not incorporate the TSP as an approval criterion. By its express terms, SDC 17.100.110 is a summary of how the functional characteristics of each street type are described in the TSP. It does not expressly or by implication impose any requirement of the TSP as a criterion and does not include any requirement for off-site improvements."(<https://sandy.civicweb.net/document/15430/3.30.2020%20Letter%20to%20Mayor%20Pulliam.pdf?handle=CBA8E1412AD04565B03BAAC3689B3766>)

Again the issue with this statement is the picking and choosing of words by the applicant's attorney. While he is correct by saying "By its express terms" SDC 17.100.110 only summarizes the types of streets listed below, but he is not correct at fully referencing the entire SDC. SDC 17.100.110 states "Street standards are illustrated in the figures included at the end of this chapter. **Functional definitions of each street type are described in the Transportation System Plan as summarized below.**" (SDC 17.100-11). It does not take a person with a Juris Doctorate to figure out this is again referencing you back to the TSP, which again I would like to point out, does set a clear and objective number or standard. Which meets not only the requirements of ORS 197.195, but also the clear and objective standard in ORS 197.307 I hope you can see that too.

How clear is this standard? Well according to the TSP map which can be found on page 16 of the TSP, Melissa Avenue is defined as a Local Street (<https://evogov.s3.amazonaws.com/media/88/media/22057.pdf>).

The "Functional Classification Management Objectives" (TSP pg. 17) defines each of the street types, provides a description and provides a functional average daily trip amount (ADT) for each of the roadway classifications. Specifically for the Local Streets it is defined as "Local streets have the sole function of providing immediate access to adjacent land. **These streets have a typical capacity between 800 and 1,000 ADT.** Service to through traffic movements on local streets is deliberately discouraged by design. All other City streets in the City of Sandy that are not designated as arterial streets or collector streets are considered to be local streets. Local streets may allow on-street parking and may incorporate traffic calming measures. Bike lanes are not required." (TSP page 17). This

is what the applicant is saying is not “clear and objective”, and if we were talking about a number close to 1,000 ADT, I would completely agree. However this is not the case. The applicants Traffic Engineer says Melissa is already at 1160 ADT (Exhibit X, pg. 433, at Bailey Meadows Appeal <https://sandy.civicweb.net/document/15116/20-009%20AP%20Bailey%20Meadows%20subdivision%20appeal.pdf?handle=4B3767E7E861493F887552ED22B1C64E>). According to the City’s own Engineer (Curran-McLeod Inc. Consulting Engineers) in their report they say on page 2 section 7 “Melissa Avenue is classified by the City of Sandy Transportation Plan as a local street and is proposed to be the only access to the development. Currently the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glenn No. 2 is 2,490 trips. The traffic volume increase is deemed to deteriorate the existing cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1000 ADT. The projected capacity exceeds the preferred capacity limitations. We are concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case an evacuation is needed. A review by the Fire Department is needed to confirm is needed or not. However we recommended as a minimum a temporary/emergency access to Hwy 211” (Exhibit Y).

Even the City Planners first and opening slide in his presentation to support the UGB expansion by the applicant said “Melissa Avenue already exceeds the number of vehicle trips typically allowed on a local street.”

Here we have a case where the City Planner is saying Melissa “already exceeds” the traffic trips for this street’s functional capacity. You have the applicant’s own Traffic study showing the capacity is already over and will only exponentially worsen by increasing the ADT to 2,490 trips (over double the functional capacity according to the TSP), and the City’s Engineer saying not only is he concerned about the surface condition of the street, but that the “The traffic volume increase is deemed to deteriorate the existing cross section further and potentially cause a complete failure.” This just seems pretty clear and objective, to at the minimum of a reasonable person standard, that allowing this will violate the above mentioned SDC 17.84(2), that again says “If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.” Again I would like to point out that we are not talking a few additions to the ADT, but a total of 1,490 trips, which is also an overage of 149 percent over the highest functional ADT. Webster defines “typical” to be “a) combining or exhibiting the essential characteristics of a group, b) conforming to a type” (Meriam-Webster Dictionary <https://www.merriam-webster.com/dictionary/typical#other-words>). In reviewing the other words that are listed as synonyms they are “archetypal, (*also* archetypical), average, characteristic, normal, regular, representative, standard, true” (Merriam-Webster Dictionary). This definition only further demonstrates this is a clear and objective standard that a reasonable person can apply. I have trouble believing that any reasonable person would believe that typical ADT would constitute a 149 percent increase.

For this reason it is very clear this land application does violate our comprehensive plan, the TSP, and ultimately our SDC. Therefore this application can be denied because the coverage on a typical street does not meet the minimum standards outlined in our TSP and ultimately the SDC.

With regards to the applicants letter section 1c Mr. Robinson states “ SDC 17.100.310.I, which lists improvements that are required to be constructed as part of a subdivision, does not require off-site improvements.”(<https://sandy.civicweb.net/document/15430/3.30.2020%20Letter%20to%20Mayor%20Pulliam.pdf?handle=CBA8E1412AD04565B03BAAC3689B3766>). In reviewing the applicant’s referenced SDC it is titled “required Improvements” and subsection (I) specifically states streets. But reading the SDC in it’s entirety it states “The following improvements shall be installed at **no expense to the city**, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.” Under this section in paragraph I it lists “Street” (SDC pg. 17.100-18). What the applicant does not say in his letter is the part where this SDC references Chapter 17.84, which again takes us back to the above mentioned traffic evaluation study and the funding strategies mitigation. What the applicant does not say is if you go to SDC 17.84(SDC for Street Requirements) says “Development sites shall be provided with access from a public street improved to City standards in accordance with the following” (SDC pg. 17.84-4) and refer to section D3 it goes on to say “To ensure improved access to a development site consistent with policies on orderly urbanization and extension of public facilities the Planning Commission or Director may require off-site improvements concurrent with development. Off-site improvement requirements upon the site developer shall be reasonably related to the anticipated impacts of the development.” (SDC pg. 17.84-4).

The applicant states that SDC 17.100.310 is subject to the consideration of “oversizing”. Is a 149 percent increase or an additional 1,490 ADT over the high typical not “oversizing”? Even the applicants attorney states “The correct interpretation of this section is that the improvements must be called for in Chapter 17.84 (off-site improvements to arterial streets is not), and the requirement is subject to “oversizing,” which means the requirements in subsection 310 are susceptible to an essential nexus and rough proportionality analysis, which may or may not give the City authority to impose certain off-site improvements.” (March 30th, 2020 letter pg. 3). Even here the applicants is acknowledging the city “may or may not” have the authority to impose certain off-site improvements, but again looking at the above referenced SDC, it is clear the City DOES have the authority to impose the described off site improvement.

The “anticipated impacts” are very clear. They are that Melissa Avenue is already above its high ADT, this is confirmed by the City Planner, The City Engineer, and the applicant’s traffic study. With the additional traffic from this proposed development, this street stands to see a 149 percent increase on the only guaranteed access to the development. Using a reasonable person standard, this is NOT a minimum level or even close to a typical number. Therefore this application can, and most importantly, should be referred back to the planning commission, with a recommendation that “funding strategies” be discussed and clearly outlined in the application approval. This is completely within the city’s rights under the previously cited SDC 17.84(2) with the language of “improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal”.

In the applicant’s rebuttal letter Section 2d, the applicant states that “Neither SDC 17.100.330, 17.84.20(A), nor 17.84.50(A)(2)-(3) require specific improvements.” (March 30th 2020 letter). While he is correct about this specific SDC not making those requirements, several other SDCs previously referenced clearly address this. This section simply provides the applicant a choice of 3 required methods they can use to construct needed improvements. This provides them some control on how they want to fund those improvements, but nowhere in this section does it say the city shall pay. What this section does in SDC 17.100.330, is assist the applicant’s development by providing options, but each one clearly outlines, in a clear and objective manner, the manner in which the improvements may be conducted.

The only problem is the current approved plan does not specify which of these choices the applicant is going to utilize to address the needed improvements. Conversely no language in the current plan instructs the applicant to use one of the prescribed improvement procedures. Also nothing in SDC 17.100.330 says the city is to pay for the off-site improvement. It simply provides the applicant three options to make the required improvements, but again at the cost of the applicant, not the City of Sandy.

Those three options are:”

A. Install Improvements. The applicant may install the required improvements for the subdivision prior to recording the final subdivision plat. If this procedure is to be used, the subdivision plat shall contain all the required certifications except the County Surveyor and the Board of County Commissioners. The City shall keep the subdivision plat until the improvements have been completed and approved by the City Engineer. Upon City Engineer’s approval, the City shall forward the final subdivision plat for certification by the Board of County Commissioners and then to the County Clerk for recording; or

B. Agree to Install Improvement. The applicant may execute and file with the City an agreement specifying the period within which required improvements shall be completed. The agreement shall state that if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense from the applicant. A performance guarantee shall be required. The agreement may provide for the construction of the improvements in increments and for an extension of time under specified conditions; or

C. Form Improvement District. The applicant may have all or part of the public improvements constructed under an improvement district procedure. Under this procedure the applicant shall enter into an agreement with the City proposing establishment of the district for improvements to be constructed, setting forth a schedule for installing improvements, and specifying the extent of the plat to be improved. The City reserves the right under the improvement district procedure to limit the extent of improvements in a subdivision during a construction year and may limit the area of the final subdivision plat to the area to be improved. A performance guarantee shall be required under the improvement district procedure. The formation of a LID is entirely within the discretion of the city.” (SDC pg. 17.100-19 to 17.100-20).

The applicant argues that these are not clear and objective as required by the Needed Housing Statute, but that is completely false. Again these SDCs help the applicant move forward, and reduces bureaucracy in the developmental growth by allowing the applicant pre-determined options to move forward. It is in fact very clear and objective, and if used correctly would assist the applicant by not having to get additional criteria approved. The problem is the applicant does not think the SDCs apply to his development, and wants to misconstrue the very clear and object language it applies. While I would concede these improvements do not need to be completed prior to the Tentative Subdivision application, the language that the application’s needed improvements (both onsite and offsite) must be completed via one of the three clear and objective methods, outlined is SDC 17.100.330. Therefore this application should be either amended to add that language, or referred back to the Planning Commission for the language to be added.

The problem with the current approval is the overuse of the word “if”. By allowing this we are not holding the applicant to our clear and objective standard. It allows the applicant multiple ways to construct this development without the required improvements. It potentially removes the safety net the City has to ensure that Melissa Avenue does not reach the “complete failure” that is addressed by the City’s own Engineer. What the applicant’s attorney does not clearly state is his client is and should be responsible for a significant amount of the cost to construct Gunderson Road. Many times the SDC states these improvements should be constructed at no expense to the City, and clearly outlines why.

Why does this matter, it is because this affects not only current residents, but also our future residents. Our SDC and the above mentioned language from it should and DOES matter to the present residents who pay taxes to this city, to provide services. It protects us from having to pay undue taxes to further the profitability of the developer. Right now you have the ability to be transparent to the citizens of this City, but the current approval wrecks of some backdoor deal.

As demonstrated above, the applicant's attorney, has twisted and selected specific wording from the SDC to fit his agenda. I want to go on the record and say I understand why he is doing this. He advocating for his client's interest, and thus is financially succeeding in doing so. More directly put, he is doing his job. If I was an applicant, I would probably want someone like him advocating for me. What I don't understand is where are the advocates for our citizens? Not only for the citizens who live in the Nicholas Glenn neighborhood, whose personal safety is potentially being placed at risk, but also the other citizens of the City, who as it sits now, potentially will be wrongfully paying for growth. This decision not only affects this specific development, but also sets a precedence, which will potentially allow other developers to profit from this decision. Again I want to come back to I am not against growth, in fact I support it, but it must be done in a responsible manner to protect the Constituents of the City of Sandy. Our SDC, Comprehensive Plans, and TSP allow for these protections, and it is your job, as an elected official to ensure this happens.

What this process has brought to light are significant perceptions that I as a citizen am struggling with. The first is Commissioner Mobley. I think it is important to point out that he performed the traffic study for this application and was chosen and hired by the applicant. The applicant could have hired a different traffic engineer, but more importantly, Commissioner Mobley could have refused the job. He is a current sitting member of the Planning Commission, which is a volunteer position and not his profession. This is a HUGE conflict of interest, and one that Commissioner Mobley, further brought to light when, after meeting a statutory requirement to recuse himself, he unprofessionally walked directly over and sat the remainder of the planning commission's meeting next to the applicant. The following meeting, I personally called out Commissioner Mobley on this unprofessional conduct. How did he respond, when UGB expansion was brought before the City Counsel, Mr. Mobley again was socializing with the applicant at the hearing. At no point did Commissioner Mobley offer any professional testimony at this meeting. What did occur was a conversation with the applicant, where they made a contemptuous joke and laughed, that they needed to sit apart. This behavior from someone who is actively sitting on the City's Planning Commission, is not only unprofessional, but also paints a picture of preferential treatment by the City toward this applicant. For the record I was not the only one to note this,

it was also noted by the Mayor at the same City Council meeting. When Mayor Pulliam attempted to address it, the City Planner seemed to redirect the meeting away from addressing Commissioner Mobley's unprofessional conduct, by redirecting Mayor Pulliam toward the UGB expansion. I want to applaud Mayor Pulliam by pointing this out at the end of the meeting, obviously I am not the only one who saw the conflict of interest.

So outside of being unprofessional, there are other issues I can not seem to understand. Why is the City not listening to its own Engineer as referenced above in regards to Melissa Avenue? Why does it not matter that the City's Engineer states Melissa Avenue is could reach "complete failure"? He even addresses the fact that an emergency regress is needed to provide an escape in the event of a disaster. While everyone seems to be addressing this as needing emergency vehicles to enter, which is essentially what an emergency access accomplishes. It does not address the fact that the citizens in the Nicholas Glenn neighborhood, and potentially the Bailey Meadows subdivision, need an open egress route for evacuation from the location. An emergency access, would require someone to open the access to allow people out, this takes time and potentially removes first responders from other emergency duties that are needed in a time of emergency. As stated above, the SDC clearly outlines this improvement should be addressed by the applicant, but it keeps getting glossed over. If it is predictable, it is preventable. Our own City Engineer is pointing this out, why is the City not listening?

As constituents we implore you to protect the safety of all your citizens, and ensure the process is conducted in a transparent and fair manner. Thus far, this has not occurred. I would ask you to please consider that the applicant's argument is absolutely going to favor his profitability over the safety requirements of your constituents. I would further argue that our SDC clearly outlines you have the authority to protect your citizens both physically and fiscally. Above I stated I would address applicant's money issue in regards to fire safety. The fact of the matter is if he does not put in proper fire mitigation protocol, the houses that would be built would be useless, because no one could get reasonably priced insurance on said houses. On the other hand, the construction of a roadway, is going to be a very costly expenditure for his company. This is why the developer is fighting these legally justified conditions so very hard. While it is costly, it is not an unreasonable cost given the current proposal. As citizens of Nicholas Glen, we are not profiting from this. The reality of it is, it probably will have little impact on our housing value. What it does have an impact on is our safety. That is our massive concern. Again, we are not asking the development not be built, we are asking that the Gunderson Road connection be required for approval of the application. Also, we ask you to review the approved application's plethora use of the word "if". The SDC clearly outlines these improvements are possible and should be done at the applicant's expense. However, if you choose for the City to bear those costs, I would ask that

you, the City Council, be clear and transparent to entire City, because we as a city will all bear that financial burden.



EXHIBIT JJJJJJ

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Sandy City Council regarding File# 20--009 for Council Meeting 4-6-20

2 messages

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Mon, Apr 6, 2020 at 5:03 PM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

Cc: Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

Additional testimony for this evening that needs to be added to the website.

----- Forwarded message -----

From: Gigi Duncan <gigiduncanhome@gmail.com>

Date: Mon, Apr 6, 2020 at 5:02 PM

Subject: Fwd: Sandy City Council regarding File# 20--009 for Council Meeting 4-6-20

To: <koneill@ci.sandy.or.us>

Copy...

----- Forwarded message -----

From: Gigi Duncan <gigiduncanhome@gmail.com>

Date: Mon, Apr 6, 2020 at 5:00 PM

Subject: Sandy City Council regarding File# 20--009 for Council Meeting 4-6-20

To: <recorder@ci.sandy.or.us>

Dear Mr Mayor and City Council and Staff,

I am writing today once again to be heard about the Bailey Meadows Subdivision. Thank you for accepting my letter and comments below and thank you for doing the right thing for the citizens and future citizens of Sandy!

First, I am confused and bewildered that we have come to this point because in my view the number one factor in any decision should be safety. This application should have been denied until the applicant showed a proven plan that did not endanger the citizens. As repeated by Staff multiple times, the City of Sandy TSP clearly states that Melissa Ave already exceeds the safe levels of traffic for a road of it's kind. Staff has stated this fact multiple times during these proceedings and it seems to be being either ignored or minimized in importance.

These numbers are not arbitrary, they are in place for a reason, that reason is our safety and the safety of the future residents as well. For whatever reason, Melissa Ave was not constructed, nor can it be made to, accommodate any more traffic than Nicholas Glen already generates. Therefore adding Any additional traffic to Melissa from another source endangers us and them. The application should be denied unless the applicant provides a clear plan to construct Gunderson Road as the access to and from the subdivision with no vehicle access to Nicholas Glen. We have repeatedly asked the city to protect us and not put us in danger and we will not retreat from this stance.

Second, the application should be denied until the developer has obtained approval for the UGB expansion, shows a plan that their road will be sufficient to handle the 100 homes traffic it will generate and also additional traffic when another subdivision is connected to it to avoid another mistake like Melissa Ave not being able to accommodate additional traffic. The developer should submit a plan for their road (presumably Gunderson) to be constructed before any homes are built and how the developer plans to pay for that construction. This is not a road that will serve the community at large, only this subdivision and therefore should be paid for by the developer as is customary. If the citizens of the City of Sandy must pay for the construction of this road, the citizens should All get to vote on that.

Third, there has been a huge conflict of interest that we feel has either caused or at least swayed the Planning Commission vote to accept with conditions. One of the Planning Commissioners, having recused himself from the vote, physically showed his support for the developer by physically staying and sitting with the developer in the room and at other times being seen physically standing with the developers at other times as well. The fact that he works at the very engineering firm that did the traffic study seems at best very inappropriate and his lack of being able to vote also left us without one more critical voice on the Commission. The traffic study being done by that company made assumptions that the addition of Gunderson Rd, allowing for access down Melissa as well, would cause 30% of the traffic from Nicholas

4/7/2020

City of Sandy Mail - Fwd: Sandy City Council regarding File# 20--009 for Council Meeting 4-6-20

Glenn and and nearly all of the traffic from Bailey Meadows to use Gunderson rather than Melissa during their daily trips. This defies the laws of human behavior as there would be no reason for a person to drive Away from where they are going in order to get there. There is nearly nothing out Hwy 211 to go to. If the citizens of the subdivision wanted to do any of the things the citizens of Nicholas Glen do on a daily basis, they would go straight down Melissa Ave to Dubarko Rd and either Ruben or Bluff Rd. The grocery stores, the fast food places, the fitness center, Starbucks, these places of business are frequented on a daily basis producing multiple car trips per day. The shortest distance between Bailey Meadows and All of those businesses, is Melissa to Dubarko to Bluff or Ruben. That is the way people will go and no assumptions made by the traffic study writer took that into consideration. I find the assumptions at best inaccurate and at worst dubious. Dubarko is already heavily traveled it is traversed by many crosswalks for people using the Tickle Creek Trail. It would be dangerous to add another several hundred car trips per day but none of the people who live adjacent to Dubarko were even notified of this proposed subdivision. Sure that is standard policy but is it right? The amount of traffic coming through our residential streets is already dangerous and now that we are considering developing up against Hwy 211, it's time to direct these mega subdivisions traffic out to an arterial that is designed not only to handle several hundred more car trips per day but that also responsibly circumvents the residential neighborhoods and brings traffic to Hwy 26 on either the West or East side of downtown, as it should be. Don't be fooled into thinking that any form of traffic regulation on Melissa would cause people to go out to Hwy 211 to go into Sandy.

Last, the application was approved by the Planning Commission with conditions that failed to create a provision for denial if the UGB expansion is Not approved and all several hundred car trips are directed down Melissa Ave. The application should be denied if the UGB expansion is denied. Again, reference the traffic counts for Nicholas Glen already beyond what is considered safe by our own city.

To summarize, this development should be denied until it's development does not endanger the citizens of Nicholas Glen by running Any additional traffic down Melissa Ave. It should be denied unless the UGB expansion is approved and the developer demonstrates on paper how and when they will build their access road, at their expense and how and when they plan to address the access for the citizens of Nicholas Glenn while they tear up our street to connect to our services. It should be denied until they demonstrate that their access road will be built to accommodate their citizens traffic and that of the next subdivision that connects to them, lest we have another issue like we are having now with Melissa Ave. For you, our City Council, we are imploring you and yes, kind of demanding that you protect us as you are our only line of defense. We have gone to great lengths and punishing expense to be heard by you. We do not have deep pockets like the developer but we are the ones that will have to live with the consequences of what they want to do, they will not be here to live with it.

This decision you are making should not be taken lightly and it will not be remembered lightly by the citizens of Nicholas Glen. Please take a few minutes and look into your hearts about how you will feel about your decision when there is a fatality. This decision cannot be taken back after the fact. Any consequences will be brought to light and I hope you are on the right side of that decision for your sake and ours.

Thank you for your time and for your careful consideration as this decision will shape the futures of all of us.

Sincerely,

Gigi Duncan
Citizen of Nicholas Glen and the City of Sandy

-

--

*Gigi Duncan, Broker
Licensed in Oregon
Team Manager*

Excellence is in the Details...

*The Horizon Home Team at
Premiere Property Group, LLC*

*503-201-3369 Cell
GigiDuncanHome@gmail.com*

<https://www.premierepropertygroup.com/agent-profile/gigi-duncan-9675941>

<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permthid=thread-f%3A1663269971419604226&siml=msg-f%3A16632699714...> 2/3

4/7/2020

City of Sandy Mail - Fwd: Sandy City Council regarding File# 20--009 for Council Meeting 4-6-20

<https://www.zillow.com/profile/Gigi-Duncan/>

5-Star Excellence Award Winners 10 Years in a Row

<http://oregonrealtors.org/resources/membership-resources/buyer-seller-advisories> - **Oregon Property Buyer/Seller Advisories**

--

Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2163
koneill@ci.sandy.or.us

Jeff Aprati <japrati@ci.sandy.or.us>

Mon, Apr 6, 2020 at 5:22 PM

To: Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>, Kelly O'Neill <koneill@ci.sandy.or.us>

This has been added as Supplement #12.

Jeff Aprati
City Recorder / Management Analyst
City of Sandy
503-489-0938
japrati@ci.sandy.or.us

----- Forwarded message -----

From: **Jeff Aprati** <japrati@ci.sandy.or.us>
Date: Mon, Apr 6, 2020 at 5:11 PM
Subject: Re: Sandy City Council regarding File# 20--009 for Council Meeting 4-6-20
To: Gigi Duncan <gigiduncanhome@gmail.com>

Thank you for submitting your testimony. Your email will be entered into the official record for this matter and will be included for the City Council's consideration at the April 6 public hearing.

Best regards,

Jeff Aprati
City Recorder / Management Analyst
City of Sandy
503-489-0938
japrati@ci.sandy.or.us

[Quoted text hidden]

Bailey Meadows Appellant Presentation

EXHIBIT KKKKKKKKK

Key Appeal Points:

- Construction of Gunderson Rd by developers
- Parkland Dedication
- Dismissal or avoidance of development and comp plan requirements cannot be based on past LUBA decisions (City of Silverton). Need to understand how Silverton lost.
- Sandy residents/voters are concerned about development that does not pay for itself. We elected you to make sure that they pay.



Bailey Meadows Appellant Presentation



Code 17.20.40 B: Burden and Nature of Proof. ...the burden of proof is upon the applicant. The proposal must be supported by proof that it conforms to any applicable elements of the Comprehensive Plan and to provisions of this Code, especially the specific criteria set forth for the particular type of decision under consideration.

City Ordinance 2011-12 adopted the Sandy Transportation Plan as an element of Sandy's Comprehensive Plan.

ORS 195.197: ...cities and counties shall incorporate all comprehensive plan standards applicable to limited land use decisions into their land use regulations.

LUBA decision for City of Silverton: City officials did not cite key code requirements in their denial of the application. LUBA found that they had more clear and objective transportation code language, but did not cite them in the denial and therefore could not use them in the appeal.

"We conclude that the sections of the SDC that the city relied upon to deny the application, SDC 4.3.140(A)(I), (B)(7), and SDC 3.4.010(A), fall far short of incorporating the LOS D traffic performance standard in (the) TSP, ..."

Bailey Meadows Appellant Presentation

Incorporation of TSP into code - clear and objective:

17.84.50 STREET REQUIREMENTS

A1. A proposal establishing the scope of the traffic evaluation shall be submitted for review to the City Engineer. The evaluation requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. ...

A2. If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.

B. Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:

1. Arterial streets should generally be spaced in one-mile intervals.

Bailey Meadows Appellant Presentation

Incorporation of TSP into code - clear and objective:

City of Sandy TSP 2011: Ch 3, p 17 - Functional Classification Management Objectives

TSP: Local Streets - Local streets have the sole function of providing immediate access to adjacent land. These streets have a typical capacity between 800 and 1,000 ADT. Service to through traffic movements on local streets is deliberately discouraged by design.

TSP Tech Memo #3 Page 10: Local Streets: Local streets have the sole function of providing immediate access to adjacent land. These streets have a preferred capacity between 800 and 1,000 ADT. Service to through traffic movements on local streets is deliberately discouraged by design.

Clear and objective? We all can conclude that local streets are intended to accommodate average daily traffic of between 800 and 1000 vehicles.

17.84.50 D2: Half-street improvements are considered the minimum required improvement. Three quarter-street or full-street improvements shall be required where traffic volumes generated by the development are such that a half-street improvement would cause safety and/or capacity problems. Such a determination shall be made by the City Engineer.

Bailey Meadows Appellant Presentation

TSP - Figure 14: Local Street Connectivity



- Gunderson Road alignment in TSP
- Gunderson road alignment proposed

- Gunderson Road not shown as part of this application.
- Traffic engineering studies and staff reports allude to Gunderson being built (to address road capacity issues on Melissa).
- Half of Gunderson Road in TSP is an ON SITE improvement that should be included as part of this application.
- The City puts roads along property lines so that costs are split to either benefitting party. In this case, the developer now appears to own both parcels, so Gunderson Road in the TSP is completely on their property except for its connection with 211.
- They should be building Gunderson across most of south property.
- Revised intersection of Gunderson/211 is standard practice for ground truthing a master plan as part of site planning.

Bailey Meadows Appellant Presentation

City of Sandy Traffic Engineer Report - Exhibit Y - Sept 2019

Contradicted the developer's Traffic Engineering Report and documented the requirement for the new arterial Gunderson Road.

#6. "Gunderson Road is classified in the City of Sandy TSP Figure 5 as a minor arterial street. A minimum off 34 feet right of way dedication will be required along the entire site frontage as per City of Sandy Development Code, chapter 17.84. This roadway will be extended in the future as the surrounding properties develop around this site.

A half improvement would be required on Gunderson Road to include 22 foot wide paved surface, curb cuts on one side, 5 foot planter strips and 6 foot wide sidewalks along the south plat boundary line as per the TSP. At the request of the City we have developed a layout to this site and came up with 98 lots including a 34-foot right of way dedication along Gunderson Road.

Bailey Meadows Appellant Presentation

City of Sandy Traffic Engineer Report - Exhibit Y - Sept 2019

"#7. Melissa Avenue is classified by the City of Sandy TSP figure 5 as a local street and is proposed to be the only access to this development. Currently, the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glen No 2 is 2,490 trips.

The traffic volumes increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1,000 ADT. The projected capacity exceeds the preferred capacity limitations.

We are also concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case evacuation is needed..."

Clearly, 2,490 trips is more than 3 times the minimum and almost 2.5 times the maximum ADT standard of 800-1000.

Bailey Meadows Appellant Presentation

City of Sandy Traffic Engineer Report - Exhibit UUU - Jan. 2020

"...I have reviewed materials submitted in support of the Bailey Meadows Subdivision. .. The proposed accesses are **Melissa Avenue to the north and a new extension of Gunderson Road to the south**. The original TIA evaluated access to the north only; the Addendum provides additional information **including an analysis dependent on an extension of Gunderson Road and a new intersection with Highway 211**. The comments below focus on the revised proposal with the new extension of Gunderson Road and the connection with Highway 211 as described in the Addendum. ..."

Conclusions and Recommendations: The engineer concludes that traffic operations will be acceptable at all study area intersections. **The southern access to the subdivision is dependent on constructing a segment of Gunderson Road, which is specified in the TSP.** The engineering analysis described in the Addendum explains why the location for the proposed Gunderson Road/Highway 211 intersection was selected. The Addendum provides justification for an expansion of the UGB and explains that the proposal complies with the TPR. The engineer recommends the installation of a left-turn lane on Highway 211 for the new intersection of Gunderson Road and Highway 211.

Bailey Meadows Appellant Presentation



17.84.50 H: Location, grades, alignment, and widths for all public streets shall be considered in relation to existing and planned streets, topographical conditions, public convenience and safety, and proposed land use. Where topographical conditions present special circumstances, exceptions to these standards may be granted by the City Engineer provided the safety and capacity of the street network is not adversely affected. The following standards shall apply:

H 1) Location of streets in a development shall not preclude development of adjacent properties. Streets shall conform to planned street extensions identified in the Transportation Plan and/or provide for continuation of the existing street network in the surrounding area.

17.84.50 H2: Grades shall not exceed 6 percent on arterial streets, 10 percent on collector streets, and 15 percent on local streets.

Gunderson Road, which is on the site of this development is in the TSP. Melissa Avenue is at 11%. If Gunderson is not built, then the City is making it a defacto overloaded arterial that shall not exceed 6%

Bailey Meadows Appellant Presentation

17.100.100 STREETS GENERALLY

A. Street Connectivity Principle. The pattern of streets established through land divisions should be connected to: (a) provide safe and convenient options for cars, bikes and pedestrians; (b) create a logical, recognizable pattern of circulation; and (c) spread traffic over many streets so that key streets (particularly U.S. 26) are not overburdened.

B. Transportation Impact Studies. Transportation impact studies may be required by the city engineer to assist the city to evaluate the impact of development proposals, determine reasonable and prudent transportation facility improvements and justify modifications to the design standards. Such studies will be prepared in accordance with the following:

Bailey Meadows Appellant Presentation

17.100.100 STREETS GENERALLY

B 1: A proposal established with the scope of the transportation impact study shall be coordinated with, and agreed to, by the city engineer. The study requirements shall reflect the magnitude of the project in accordance with accepted transportation planning and engineering practices. A professional civil or traffic engineer registered in the State of Oregon shall prepare such studies.

B2: If the study identifies level-of-service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered as part of the land use decision for the proposal.

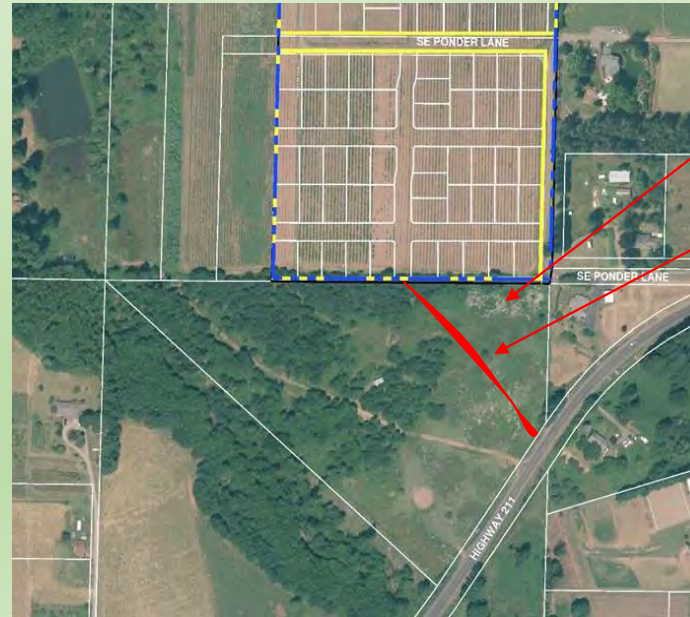
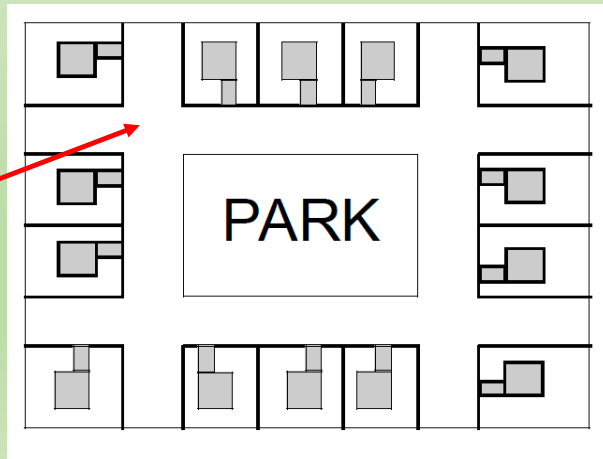
Bailey Meadows Appellant Presentation



Parkland Dedication: Applicant has not proposed any dedication of parkland within this development. Staff has not analyzed off-site parkland dedication. Parkland violates 17.86.20 MINIMUM PARKLAND STANDARDS"

Land required or proposed for parkland dedication shall be contained within a continuous unit and must be suitable for active use as a neighborhood or mini-park, based on the following criteria:

1. Homes must front on the parkland as shown in the example below:



Proposed park land

- **Gunderson Rd. - arterial - no roadside parking.**
- **Homes to the north do not face park. No variance proposed.**

Bailey Meadows Appellant Presentation

Parkland Dedication:



**Tickle Creek "Park" (west end of Tickle Creek Trail)
"Tickle Creek Park" off Dubarko, is a similar example of a park with no road access, and homes not fronting park. It gets little to no use and neighbors use it for dumping dog poop and grass clippings from their back yards.**

- **Condition for approval is unclear as to parkland dedication or fee-in-lieu.**
- **Developer's proposal in planning hearing was unclear which they were proposing. When asked, no variance requested on homes facing park.**
- **An isolated parcel of land, with no parking and no road access does not meet 17.86.20 for parkland dedication.**
- **Require fee-in-lieu of parkland dedication as a condition for approval.**



Carrie A. Richter
crichter@batemanseidel.com
www.batemanseidel.com
Telephone DID: 503.972.9903
Facsimile: 503.972.9043

EXHIBIT LLLLLL

April 6, 2020

VIA EMAIL

Honorable Mayor Pulliam and
Sandy City Council
39250 Pioneer Blvd.
Sandy, OR 97055

Re: Bailey Meadows Subdivision Appeal
City File No. 2020-009

Dear Mayor Pulliam and City Councilors:

This firm represents the Appellants in the above-referenced appeal. These individuals are concerned that the City has not done enough to ensure the provision of the Gunderson Street extension when all agree that Gunderson is critical to provide safe and adequate vehicular access for the future residents within this development. Notwithstanding this agreed-upon necessity, the Planning Commission's approval makes the provision of Gunderson highly contingent and allows completion of new homes without the Gunderson Street improvement. This approach contravenes many of the clear and objective requirements set forth in the Sandy Municipal Code ("SMC") and for the reasons explained below, requires denial or, at the very least, significant revisions to the conditions of approval adopted by the Planning Commission.

What SDC provisions provide both "clear and objective" and "specific policies, action items or performance standards" requiring the provision of the Gunderson extension as necessary to serve the subject development?

The Sandy Transportation System Plan (TSP) includes a map identifying Gunderson Street, a minor arterial, as necessary to serve this rapidly developing southern area of Sandy. The TSP provides clear and objective direction as to the need for and the location for this roadway. The applicant has been willing to pursue a UGB expansion as necessary to accommodate Gunderson and dedicate the land necessary to accommodate it but all of the road construction costs will be shouldered by the City. Although the conditions of approval are convoluted, it appears that the Planning Commission approved conditions would allow all 100 homes to be built and occupied without providing the Gunderson extension. This would leave these new 200+ residents vehicle

access to their homes through a single access point – Melissa Avenue, which is undersized and in poor condition.

Although road adequacy is typically dictated by what the TSP map requires, the City Attorney expressed concern that the City’s development code regulations may not adequately describe road improvements set forth in the TSP to make them applicable, given the type of decision at issue. Ex ZZZZZZ. The City Attorney’s concerns stem from LUBA’s analysis in a recent case, *Oster v. City of Silverton*, where LUBA found that a code requirement to satisfy “all applicable ordinances and regulations” insufficient to require compliance with “specific policies, action items or performance standards.” ____ Or LUBA ____, (LUBA No. 2018-103, May 7, 2019). with this analysis. SMC 17.100.60(E)(4) lacks sufficient clarity to identify The City Attorney noted that the obligation to provide “adequate” public facilities and services set forth in SMC 17.100.60(E)(4) may suffer from the same defect. If SMC 17.100.60(E)(4) was the only applicable criteria, I would be inclined to agree which TSP standards and policies are required (and is not “clear and objective” in any event.) However, the criteria applicable to a subdivision are not so limited.

Rather, the SMC does contain specific standards requiring the construction of Gunderson as necessary to serve this development. SMC 17.84.50(A)(2) requires that where level of service deficiencies are identified, “strategies mitigating the problem shall be considered.”¹ Where mitigation is required: “streets shall conform to planned street extensions identified in the Transportation Plan.” SMC (17.84.50H1); see also (B) and 17.100.100(B)(2).

The City Engineer concluded that significant level of service deficiencies on Melissa Avenue currently exist and the added traffic from this development could cause a complete failure. Therefore, SMC 17.84.50(A)(2) requires the identification of “improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal” and the TSP dictates its location and extent.

In addition to the obligation to mitigate level of service deficiencies in ways that are consistent with the locations set forth in the TSP, the SMC provides additional independent performance standards. SMC 17.100.110 sets forth a detailed list of street classifications and spacing standards that are applicable to ensure adequate connectivity throughout the City. Subsection B of this section requires the provision of minor arterials at 1-mile intervals. This obligation is clear and objective, and it is specifically applicable to all land divisions. The applicant has not identified a minor arterial, or any other roadway, that is adequate to serve its development within these intervals. Therefore, approval of this development requires the provision of a minor arterial such as Gunderson to connect with the proposed local street system.

¹ SMC 17.100.310 requires that all land division requests also comply with the design standards set forth in SMC 17.84.

In other words, public facility adequacy, as prescribed by the SMC, is determined by clear and objective connectivity, location and spacing standards that are directly applicable to the proposed development. As a result, the Planning Commission should have concluded that it can (and in fact, must) require the provision of Gunderson Street to serve this development.

Assuming that the City may require the provision of the Gunderson extension, who is responsible for the cost of construction?

Since the Gunderson extension is required in order to address existing capacity deficiencies on Melissa Avenue, SMC 17.100.310(I) requires that this necessary improvement be “installed at no expense to the city.” This is a clear and objective obligation that is violated by the conditions of approval imposed by the Planning Commission indicating that the City would pay for this improvement.

When must the Gunderson extension be in place?

Finally, the conditions of approval adopted by the Planning Commission provide a convoluted, and sometime contradictory, scheme for the timing and funding of the Gunderson extension to occur, if at all, after the final plat has recorded and the construction of houses has begun. This approach runs afoul of multiple clear and objective provisions in the SMC that require the provision of necessary improvements before final plat approval and concurrently with development. SMC 17.100.330; 17.84.20(A); 17.84.50(A)(2) and (D)(3).

In summary, the City Council could conclude that the Gunderson extension is necessary to serve the proposed development based on the substantial evidence submitted by the City Engineer. If the City Council agrees with this qualified, expert testimony, the SMC requirements to mitigate for transportation system deficiencies at the levels identified in the TSP are not discretionary and the Gunderson extension must be provided. If required, the Gunderson must be provided at the applicant’s expense and in place before the City may grant final plat approval and before any development may occur.

Please place this letter in the record and provide me notice of the City’s final decision.

Very truly yours,

Carrie A. Richter

CAR:kms

cc:Erin Findlay, Cary Mallon, Kathleen Walker, Emily and Richard Sheldon, Midge Wadkins



EXHIBIT MMMMMMMM

Marisol Martinez <mmartinez@ci.sandy.or.us>

Bailey Meadows appeal

2 messages

Mike Schell <c.m.towing2018@gmail.com>
To: "planning@ci.sandy.or.us" <planning@ci.sandy.or.us>

Mon, Apr 6, 2020 at 5:52 PM

Dear Mayor Stan Pulliam and Council,

I reviewed some of the copious parts of the Bailey Meadows record. The applicant has buried the City in paperwork and threatens a LUBA appeal if they are made to pay anything for building Gunderson Road. Our city code, TSP, and Comprehensive Plan clearly identify standards (incorporated by reference in our appeal and our lawyer's letter and for brevity won't be repeated here), that achieve our goals and objectives for allowing development in Sandy that constructs the necessary infrastructure, including roads, to support that development.

The applicant's lawyer has found past lawsuits referencing ORS 197-195, that implies that because an "i" was not dotted, or a "t" was not crossed, and that every standard mentioned in the TSP was not repeated and reiterated "expressly" in the Sandy Development Code, then none of the TSP standards are applicable to them! As someone else pointed out, the required pipe diameters for water and sewer are not spelled out in our City code either, they are put into the appropriate facility master plan that developers have easy access to (just like the TSP), and can use to design their subdivisions. The developer, Mr. Bujan, has apparently spent hundreds of thousands of dollars paying an expensive land use lawyer to find every loophole possible, to avoid as much as legally possible, paying for the necessary infrastructure, in a development that is on the very outside edge of our urban growth boundary. When its right verses might, the City taxpayers are being given the bill instead.

The developers agree that Gunderson should be built, and they are willing to take our City's taxpayer funds to build it for "us" and their future homeowners. They just don't think they should have to pay for it, despite the fact that their 100 new homes will be the primary users. Their share should be well more than 50% of the cost. As other parcels around that area develop, they will pitch in too. I am sure we have more pressing transportation needs in the City to spend our limited road funds on, that will benefit more people. They say that they have not threatened to sue. Instead, they have stated on the record, that they intend to appeal a denial to LUBA and presumably request City tax payers pay their lawyers fees, as was done successfully in Silverton. So not a threatened lawsuit...

In the latest LUBA/Court of Appeals case that the developer's lawyer cited from the City of Silverton, City officials had more stringent code language that could have been cited to deny the application for lack of the needed road improvements, but Silverton did not quote that section chapter and verse in their denial of the applicant, and therefore could not rely on those sections on appeal. Another technical loss. Mr. Robinson has cited ORS 197.195 which dates back to 1991, and numerous LUBA/lawsuits related to it from the past 25 years, in Bend, Salem, Silverton, etc. that were used successfully to avoid constructing critically needed transportation infrastructure based on TSP related standards because those standards were not repeated verbatim in those cities' codes. Our code has clear and objective standards and legitimate references and incorporations of the TSP standards.

If our code had this loophole, how did Jewelberry, Bell Street and other road improvements get built in the last 20 years? We paid for legal representation and planning staff to keep our development code updated, when weaknesses are found in surrounding Oregon cities. If the ORS 195.197 has been repeatedly used against our neighboring cities over the last 25 years, to avoid building development induced transportation needs, what did our paid staff and consultants do?.

Please make public memos or emails to our City from our legal team, that call out the need to close these loopholes for Sandy. Show us the plan and timeline the planning staff has drafted for amending the code. Instead, tonight's second city council agenda item after the Bailey Meadows appeal, is a proposal to eliminate parking lot requirements for businesses in downtown Sandy. It looks like considerable work done by planning staff to benefit businesses. There appears to be no pressing need or desire for the City to close and fix these apparent critical loopholes! It is especially critical with so much more proposed development.

The current mayor ran on a platform of being more "business friendly". So far, the examples I am aware of are:

- Closing a pool that "competed" with the Mt. Hood Athletic Club.
- Using City funds to extend Bell Street to 362nd to lure some big box store and similar big money development.
- Allowing the RV business in the middle of downtown to expand, despite the fact it does not comply with City code.
- Eliminate the need for businesses to provide off-street parking in downtown and force us to park on the overcrowded highway, making it even more dangerous to shop downtown.

While we all work hard to support our local businesses, we elect city council to ensure that businesses do not unfairly stick their operational costs to residents, greatly increase the traffic problems we already experience, or make our town look like a strip mall. Past city councils have followed our code 17.100.310 and required development to pay for itself. If the Bailey Meadows developer will not pay their fair share for Gunderson Road, then you should deny the application. Let them take it to LUBA. We'll remember in November!

Sincerely,

Mike and Corri Schell

4/7/2020

City of Sandy Mail - Bailey Meadows appeal

37524 Rachael Drive

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Mon, Apr 6, 2020 at 5:57 PM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

Cc: David Doughman <David@gov-law.com>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

Additional testimony to add to the website.

[Quoted text hidden]

--

Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2163
koneill@ci.sandy.or.us



EXHIBIT NNNNNNN

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows- was sent previously to planning email per letter -corrected address

1 message

Jeff Aprati <japrati@ci.sandy.or.us>

Tue, Apr 7, 2020 at 5:02 PM

To: Marisol Martinez <mmartinez@ci.sandy.or.us>, David Doughman <David@gov-law.com>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>, "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>

This has been added to the meeting information webpage (<https://www.ci.sandy.or.us/SandyElectronicMeetingInformation>) and will be included with the April 20 council agenda packet.

Jeff Aprati

City Recorder / Management Analyst

City of Sandy

503-489-0938

japrati@ci.sandy.or.us

----- Forwarded message -----

From: **Corri Baldwin** <corrbit@gmail.com>

Date: Mon, Apr 6, 2020 at 8:39 PM

Subject: Bailey Meadows- was sent previously to planning email per letter -corrected address

To: <recorder@ci.sandy.or.us>

Dear Mayor Stan Pulliam and Council,

I reviewed some of the copious parts of the Bailey Meadows record. The applicant has buried the City in paperwork and threatens a LUBA appeal if they are made to pay anything for building Gunderson Road. Our city code, TSP, and Comprehensive Plan clearly identify standards (incorporated by reference in our appeal and our lawyer's letter and for brevity won't be repeated here), that achieve our goals and objectives for allowing development in Sandy that constructs the necessary infrastructure, including roads, to support that development.

The applicant's lawyer has found past lawsuits referencing ORS 197-195, that implies that because an "i" was not dotted, or a "t" was not crossed, and that every standard mentioned in the TSP was not repeated and reiterated "expressly" in the Sandy Development Code, then none of the TSP standards are applicable to them! As someone else pointed out, the required pipe diameters for water and sewer are not spelled out in our City code either, they are put into the appropriate facility master plan that developers have easy access to (just like the TSP), and can use to design their subdivisions. The developer, Mr. Bujan, has apparently spent hundreds of thousands of dollars paying an expensive land use lawyer to find every loophole possible, to avoid as much as legally possible, paying for the necessary infrastructure, in a development that is on the very outside edge of our urban growth boundary. When its right verses might, the City taxpayers are being given the bill instead.

The developers agree that Gunderson should be built, and they are willing to take our City's taxpayer funds to build it for "us" and their future homeowners. They just don't think they should have to pay for it, despite the fact that their 100 new homes will be the primary users. Their share should be well more than 50% of the cost. As other parcels around that area develop, they will pitch in too. I am sure we have more pressing transportation needs in the City to spend our limited road funds on, that will benefit more people. They say that they have not threatened to sue. Instead, they have stated on the record, that they intend to appeal a denial to LUBA and presumably request City tax payers pay their lawyers fees, as was done successfully in Silverton. So not a threatened lawsuit....

In the latest LUBA/Court of Appeals case that the developer's lawyer cited from the City of Silverton, City officials had more stringent code language that could have been cited to deny the application for lack of the needed road improvements, but Silverton did not quote that section chapter and verse in their denial of the applicant, and therefore could not rely on those sections on appeal. Another technical loss. Mr. Robinson has cited ORS 197.195 which dates back to 1991, and numerous LUBA/lawsuits related to it from the past 25 years, in Bend, Salem, Silverton, etc. that were used successfully to avoid constructing critically needed transportation infrastructure based on TSP related standards because those standards were not repeated verbatim in those cities' codes. Our code has clear and objective standards and legitimate references and incorporations of the TSP standards.

If our code had this loophole, how did Jewelberry, Bell Street and other road improvements get built in the last 20 years?

We paid for legal representation and planning staff to keep our development code updated, when weaknesses are found

4/8/2020

City of Sandy Mail - Fwd: Bailey Meadows- was sent previously to planning email per letter -corrected address

in surrounding Oregon cities. If the ORS 195.197 has been repeatedly used against our neighboring cities over the last 25 years, to avoid building development induced transportation needs, what did our paid staff and consultants do?. Please make public memos or emails to our City from our legal team, that call out the need to close these loopholes for Sandy. Show us the plan and timeline the planning staff has drafted for amending the code. Instead, tonight's second city council agenda item after the Bailey Meadows appeal, is a proposal to eliminate parking lot requirements for businesses in downtown Sandy. It looks like considerable work done by planning staff to benefit businesses. There appears to be no pressing need or desire for the City to close and fix these apparent critical loopholes! It is especially critical with so much more proposed development.

The current mayor ran on a platform of being more "business friendly". So far, the examples I am aware of are:

- Closing a pool that "competed" with the Mt. Hood Athletic Club.
- Using City funds to extend Bell Street to 362nd to lure some big box store and similar big money development.
- Allowing the RV business in the middle of downtown to expand, despite the fact it does not comply with City code.
- Eliminate the need for businesses to provide off-street parking in downtown and force us to park on the overcrowded highway, making it even more dangerous to shop downtown.

While we all work hard to support our local businesses, we elect city council to ensure that businesses do not unfairly stick their operational costs to residents, greatly increase the traffic problems we already experience, or make our town look like a strip mall. Past city councils have followed our code 17.100.310 and required development to pay for itself. If the Bailey Meadows developer will not pay their fair share for Gunderson Road, then you should deny the application. Let them take it to LUBA. We'll remember in November!

Sincerely,

Mike Schell (was read in zoom by Rachel Schell)

Sent from my iPhone

Received
4/6/20

EXHIBIT 0000000

COMMENT SHEET for File No. 20-009 AP:

It doesn't seem appropriate that Kelly O'Neill Jr. involved with Allied Homes should be helping the City of Sandy in regard to 20-009 AP.

Building the subdivision is OK if done with respect to all involved. Before it is started there needs to be another accessible road to Nicholas Glen and the subdivision!

Thank you for reading this. Sandy resident

Edith Newton 503-668-3429
Your Name Phone Number

18246 Grey Ave Sandy - Nicholas Glen
Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.80 Additional Setbacks on Collector and Arterial Streets; 17.82 Special Setbacks on Transit Streets; 17.84 Improvements Required with Development; 17.86 Parkland and Open Space; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access; 17.100 Land Division; 17.102 Urban Forestry; and 15.30 Dark Sky Ordinance.

RECEIVED
APR 07 2020
City of Sandy

EXHIBIT P P P P P P P

Marguerite Wadkins
18291 Myra Ct.
P. O. Box 1273
Sandy, OR 97055-1273

March 31, 2020

City Of Sandy
Planning Commission
39250 Pioneer Blvd.
Sandy, OR 97055

To Whom It May Concern:

RE: File #20-009 AP

I want to state my concern regarding Bailey Meadows Subdivision .

Gunderson Road needs to be completely built as the Second Resident Controlled Access prior issuing the FIRST Building Permit for the Subdivision.

The developers should pay for the construction of Gunderson Road and NOT the CITY OF SANDY.

Gunderson Road Should Be completed BEFORE the building starts. This will be required so all the construction equipment will be using Gunderson Road entirely and not rely on MELISSA ROAD.

The Parks should be put in according to the City Of Sandy Code requirements.

Yours Truly,

Marguerite Wadkins
Marguerite Wadkins

EXHIBIT QQQQQQQ

RECEIVED
APR 07 2020

City of Sandy

COMMENT SHEET for File No. 20-009 AP:

Re: File No 20-009, Bailey Meadows Subdivision

My specific concern has to do with City code being met - 1) Additional access to the area in addition to Melissa, which is already at or above code recommendations usage wise.
2) A play area for children in compliance with City code.

Equally of concern to me is PROCESS.

- 1) Is the Planning Commission familiar with city codes? If so, how did this proposed subdivision get ~~this~~^{so} far in it's application that the residents of Nicholas Glenn had to raise code concerns?
- 2) Conflict of interest issues are raised for me when a member of the Planning Commission can use his/her own company to provide information for the developer. Even though this individual did not vote on the final decision, their vote was cast when they sat down with the developer.

Esther Quick

Your Name	Phone Number
18214 Grey Ave	503-482-0255
Address	

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.80 Additional Setbacks on Collector and Arterial Streets; 17.82 Special Setbacks on Transit Streets; 17.84 Improvements Required with Development; 17.86 Parkland and Open Space; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access; 17.100 Land Division; 17.102 Urban Forestry; and 15.30 Dark Sky Ordinance.

- 3) How is Land annexed & made available for development without sufficient access to it?

- 4) On what grounds can the attorney for the developer threaten to sue the City, if they don't approve the development?

Bailey Meadows Appellant Presentation



Key Appeal Points:

EXHIBIT RRRRRRR

- Construction of Gunderson Rd by developers
- Parkland Dedication
- Dismissal or avoidance of development and comp plan requirements cannot be based on past LUBA decisions (City of Silverton). Need to understand how Silverton lost.
- Sandy residents/voters are concerned about development that does not pay for itself. We elected you to make sure that they pay.

Bailey Meadows Appellant Presentation

Developer's main arguments are Sandy violates:

ORS 195.197: ..."cities and counties shall incorporate all comprehensive plan standards applicable to limited land use decisions into their land use regulations." and cites the City of Silverton LUBA appeal as precedence.

Silverton's LUBA decision says the City had more stringent code incorporating the TSP into their code, but DID NOT USE THOSE CODES in denying the applicant and then could not use them in the LUBA appeal.

Sandy Ordinance 2011-12 adopted Sandy's TSP as an element of Sandy's Comprehensive Plan.

We have multiple clear and objective codes incorporating our TSP into the code throughout 17.84 and 17.100 sections cited in this presentation. We need to use them!

The developer's proposal shown on slides and everything documented ON PAPER shows NO GUNDERSON ROAD. They verbally said they will build Gunderson Road, but not pay for it! All presentations by the City Planner on 4/6 concerning Gunderson Road, and a future possible park ARE NOT PART OF THE APPLICANT'S PROPOSAL and should not have even been presented! The City Planner's role was to review the application as it was presented by developers, and show how the application does, or does not meet, our existing code and TSP. Then he should present the Conditions for Approval that are needed to ensure the application meets our Code, TSP and City Engineering recommendations.

CONSTRUCTION OF GUNDERSON ROAD BY DEVELOPER IS NOT PROPOSED AT ALL IN THIS APPLICATION!

Bailey Meadows Appellant Presentation

Incorporation of TSP into code - clear and objective:

17.84.50 STREET REQUIREMENTS

A1. A proposal establishing the scope of the traffic evaluation shall be submitted for review to the City Engineer. The evaluation requirements shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. ...

A2. If the traffic evaluation identifies level-of-service conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.

B. Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:

1. Arterial streets should generally be spaced in one-mile intervals.

Bailey Meadows Appellant Presentation

Incorporation of TSP into code - clear and objective:

City of Sandy TSP 2011: Ch 3, p 17 - Functional Classification Management Objectives

TSP: Local Streets - Local streets have the sole function of providing immediate access to adjacent land. These streets have a typical capacity between 800 and 1,000 ADT. Service to through traffic movements on local streets is deliberately discouraged by design.

TSP Tech Memo #3 Page 10: Local Streets: Local streets have the sole function of providing immediate access to adjacent land. These streets have a preferred capacity between 800 and 1,000 ADT. Service to through traffic movements on local streets is deliberately discouraged by design.

Clear and objective? We all can conclude that local streets are intended to accommodate average daily traffic of between 800 and 1000 vehicles.

17.84.50 D2: Half-street improvements are considered the minimum required improvement. Three quarter-street or full-street improvements shall be required where traffic volumes generated by the development are such that a half-street improvement would cause safety and/or capacity problems. Such a determination shall be made by the City Engineer.

Bailey Meadows Appellant Presentation

TSP - Figure 14: Local Street Connectivity



- Gunderson Road alignment in TSP
- Gunderson road alignment proposed

- Gunderson Road not shown as part of this application.
- Traffic engineering studies and staff reports allude to Gunderson being built (to address road capacity issues on Melissa).
- Half of Gunderson Road in TSP is an ON SITE improvement that should be included as part of this application.
- The City puts roads along property lines so that costs are split to either benefitting party. In this case, the developer now appears to own both parcels, so Gunderson Road in the TSP is completely on their property except for its connection with 211.
- They should be building Gunderson across most of south property.
- Revised intersection of Gunderson/211 is standard practice for ground truthing a master plan as part of site planning.

Bailey Meadows Appellant Presentation

City of Sandy Traffic Engineer Report - Exhibit Y - Sept 2019

Contradicted the developer's Traffic Engineering Report and documented the requirement for the new arterial Gunderson Road.

#6. "Gunderson Road is classified in the City of Sandy TSP Figure 5 as a minor arterial street. A minimum off 34 feet right of way dedication will be required along the entire site frontage as per City of Sandy Development Code, chapter 17.84. This roadway will be extended in the future as the surrounding properties develop around this site.

A half improvement would be required on Gunderson Road to include 22 foot wide paved surface, curb cuts on one side, 5 foot planter strips and 6 foot wide sidewalks along the south plat boundary line as per the TSP. At the request of the City we have developed a layout to this site and came up with 98 lots including a 34-foot right of way dedication along Gunderson Road.

Bailey Meadows Appellant Presentation

City of Sandy Traffic Engineer Report - Exhibit Y - Sept 2019

"#7. Melissa Avenue is classified by the City of Sandy TSP figure 5 as a local street and is proposed to be the only access to this development. Currently, the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glen No 2 is 2,490 trips.

The traffic volumes increase is deemed to deteriorate the existing street cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1,000 ADT. The projected capacity exceeds the preferred capacity limitations.

We are also concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case evacuation is needed..."

Clearly and objectively, 2,490 trips is more than 3 times the minimum and almost 2.5 times the maximum ADT standard of 800-1000.

Bailey Meadows Appellant Presentation

City of Sandy Traffic Engineer Report - Exhibit UUU - Jan. 2020

"...I have reviewed materials submitted in support of the Bailey Meadows Subdivision. .. The proposed accesses are **Melissa Avenue to the north and a new extension of Gunderson Road to the south**. The original TIA evaluated access to the north only; the Addendum provides additional information **including an analysis dependent on an extension of Gunderson Road and a new intersection with Highway 211**. The comments below focus on the revised proposal with the new extension of Gunderson Road and the connection with Highway 211 as described in the Addendum. ..."

Conclusions and Recommendations: The engineer concludes that traffic operations will be acceptable at all study area intersections. **The southern access to the subdivision is dependent on constructing a segment of Gunderson Road, which is specified in the TSP.** The engineering analysis described in the Addendum explains why the location for the proposed Gunderson Road/Highway 211 intersection was selected. The Addendum provides justification for an expansion of the UGB and explains that the proposal complies with the TPR. The engineer recommends the installation of a left-turn lane on Highway 211 for the new intersection of Gunderson Road and Highway 211.

Bailey Meadows Appellant Presentation



17.84.50 H: Location, grades, alignment, and widths for all public streets shall be considered in relation to existing and planned streets, topographical conditions, public convenience and safety, and proposed land use. Where topographical conditions present special circumstances, exceptions to these standards may be granted by the City Engineer provided the safety and capacity of the street network is not adversely affected. The following standards shall apply:

H 1) Location of streets in a development shall not preclude development of adjacent properties. Streets shall conform to planned street extensions identified in the Transportation Plan and/or provide for continuation of the existing street network in the surrounding area.

17.84.50 H2: Grades shall not exceed 6 percent on arterial streets, 10 percent on collector streets, and 15 percent on local streets.

Gunderson Road, which is on the site of this development is in the TSP. Melissa Avenue is at 11%. If Gunderson is not built, then the City is making it a defacto overloaded arterial that shall not exceed 6%

Bailey Meadows Appellant Presentation

17.100.70 LAND DIVISION DESIGN STANDARDS

...The design standards in this section shall be used in conjunction with street design standards included in the City of Sandy Transportation System Plan and standards and construction specifications for public improvements as set forth in adopted Public Facilities Plans and the Sandy Municipal Code.

17.100.100 STREETS GENERALLY

A. Street Connectivity Principle. The pattern of streets established through land divisions should be connected to: (a) provide safe and convenient options for cars, bikes and pedestrians; (b) create a logical, recognizable pattern of circulation; and (c) spread traffic over many streets so that key streets (particularly U.S. 26) are not overburdened.

B. Transportation Impact Studies. Transportation impact studies may be required by the city engineer to assist the city to evaluate the impact of development proposals, determine reasonable and prudent transportation facility improvements and justify modifications to the design standards. Such studies will be prepared in accordance with the following:

Bailey Meadows Appellant Presentation

17.100.100 STREETS GENERALLY

B 1: A proposal established with the scope of the transportation impact study shall be coordinated with, and agreed to, by the city engineer. The study requirements shall reflect the magnitude of the project in accordance with accepted transportation planning and engineering practices. A professional civil or traffic engineer registered in the State of Oregon shall prepare such studies.

B2: If the study identifies level-of-service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered as part of the land use decision for the proposal.

Bailey Meadows Appellant Presentation

17.100.100 STREETS GENERALLY

B 1: A proposal established with the scope of the transportation impact study shall be coordinated with, and agreed to, by the city engineer. The study requirements shall reflect the magnitude of the project in accordance with accepted transportation planning and engineering practices. A professional civil or traffic engineer registered in the State of Oregon shall prepare such studies.

B2: If the study identifies level-of-service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered as part of the land use decision for the proposal.

17.100.310 REQUIRED IMPROVEMENTS

The following improvements shall be installed at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing:

...I Streets

Conclusion: Require developer pay his capacity share for construction of Gunderson Road to 211, prior to development as required in our code!

Bailey Meadows Appellant Presentation

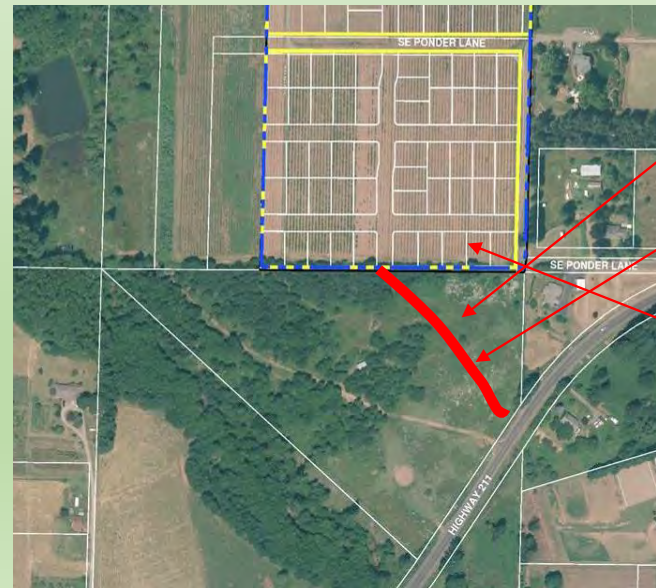
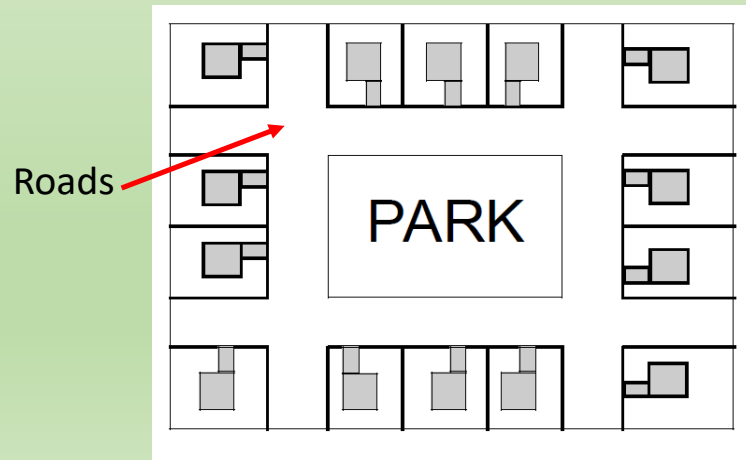
Parkland Dedication: Applicant has not proposed any dedication of parkland within this development (see their appeal presentation slides say fee-in-lieu).

Staff has not analyzed if off-site parkland dedication meets standards as required.

Parkland violates 17.86.20 MINIMUM PARKLAND STANDARDS"

Land required or proposed for parkland dedication shall be contained within a continuous unit and must be suitable for active use as a neighborhood or mini-park, based on the following criteria:

1. Homes must front on the parkland as shown in the example below:



Proposed park land

- **Gunderson Rd. - arterial - no roadside parking.**
- **Homes to the north do not face park. No variance proposed.**

Bailey Meadows Appellant Presentation

Parkland Dedication:



**Tickle Creek "Park" (west end of Tickle Creek Trail)
"Tickle Creek Park" off Dubarko, is a similar example of a park with no road access, and homes not fronting park. It gets little to no use and neighbors use it for dumping dog poop and grass clippings from their back yards.**

- **Condition for approval is unclear as to parkland dedication or fee-in-lieu.**
- **Developer's proposal in planning hearing was unclear which they were proposing. When asked, no variance requested on homes facing park.**
- **An isolated parcel of land, with no on-street parking, no road access and no homes facing park does not meet 17.86.20 for parkland dedication.**
- **Require fee-in-lieu of parkland dedication as a condition for approval.**



EXHIBIT SSSSSSS

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Gunderson Road

1 message

Kelly O'Neill Jr. <koneill@ci.sandy.or.us> Sat, Apr 11, 2020 at 7:05 PM
 To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI...

----- Forwarded message -----
 From: **Andrea Boswell** <andrea.boswell44@gmail.com>
 Date: Sat, Apr 11, 2020, 7:04 PM
 Subject: Gunderson Road
 To: <koneill@ci.sandy.or.us>

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision.

The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

- Half of Gunderson Rd is located on the site of Bailey Meadows in the Transportation System Plan (TSP). This violates Subdivision Approval Criteria in 17.100.60 E3.
- Not requiring Gunderson Rd be constructed in this application, funnels almost 3 times the allowable daily traffic onto Melissa Ave, a local street, in violation of 17.84.50 and 17.100.100.
- The City Engineer identified the need to build Gunderson Rd. to meet code and for life and safety. (Sept, 2019 and Jan 2020 City Engineer Reports).
- Require Bailey Meadows developer build Gunderson Road and pay for the majority of the cost, because his 100 homes will be the primary residents using it, as required in Code 17.100.310.
- Use the existing City of Sandy code language, the TSP, and the City Engineer recommendations to require Bailey Meadows pay for their share of Gunderson Road to Hwy 211 as required in 17.84, 17.100 Let them take it to LUBA if they want to appeal the decision.

Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Sincerely,
 Andrea Boswell
 38434 Redwood Street

4/14/2020

City of Sandy Mail - Fwd: Gunderson Road

<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permthid=thread-f%3A1663730665004385507&simpl=msg-f%3A16637306650...> 2/2

4/14/2020

City of Sandy Mail - Fwd: Bailey Meadows.



EXHIBIT TTTTTTT

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows.

2 messages

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Sat, Apr 11, 2020 at 6:36 PM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI...

----- Forwarded message -----

From: **Brian Fletcher** <fourwheeldrive1@msn.com>

Date: Sat, Apr 11, 2020, 6:30 PM

Subject: Bailey Meadows.

To: koneill@ci.sandy.or.us <koneill@ci.sandy.or.us>

Sent from [Mail](#) for Windows 10

I am a City of Sandy voting resident and I believe **developers should pay their way and not stick the costs of their developments onto City taxpayers.** You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and **deny the approval of Bailey Meadows subdivision.** The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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Sincerely,

Brian Fletcher

[15277 Penny Ave.](#)

[Sandy, Oregon 97055](#)

<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permthid=thread-f%3A1663728847510603949&simpl=msg-f%3A16637288475...> 1/3

Robinson, Michael C. <MRobinson@schwabe.com>

Sat, Apr 11, 2020 at 6:39 PM

To: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>

Cc: Jeff Aprati <japrati@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, David Doughman <david@gov-law.com>, Cody Bjugan <cody@investpdx.com>

Thank you

Sent from my iPhone

On Apr 11, 2020, at 6:37 PM, Kelly O'Neill Jr. <koneill@ci.sandy.or.us> wrote:

FYI...

----- Forwarded message -----

From: Brian Fletcher <fourwheeldrive1@msn.com<mailto:fourwheeldrive1@msn.com>>

Date: Sat, Apr 11, 2020, 6:30 PM

Subject: Bailey Meadows.

To: koneill@ci.sandy.or.us<mailto:koneill@ci.sandy.or.us> <koneill@ci.sandy.or.us<mailto:koneill@ci.sandy.or.us>>

Sent from Mail<<https://go.microsoft.com/fwlink/?LinkId=550986>> for Windows 10

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Sincerely,

Brian Fletcher
15277 Penny Ave.
Sandy, Oregon 97055

This e-mail is a public record of the City of Sandy and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

4/14/2020

City of Sandy Mail - Fwd: Bailey Meadows.

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<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permthid=thread-f%3A1663728847510603949&simpl=msg-f%3A16637288475...> 3/3



EXHIBIT UUUUUUU

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Stand Up For Sandy Citizens

Kelly O'Neill Jr. <koneill@ci.sandy.or.us> Sat, Apr 11, 2020 at 8:14 PM
To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI...

----- Forwarded message -----

From: **Daya Tracy-PCO** <daya_leia@hotmail.com>
Date: Sat, Apr 11, 2020, 7:30 PM
Subject: Stand Up For Sandy Citizens
To: recorder@ci.sandy.or.us <recorder@ci.sandy.or.us>, koneill@ci.sandy.or.us <koneill@ci.sandy.or.us>

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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- Not requiring Gunderson Rd be constructed in this application, funnels almost 3 times the allowable daily traffic onto Melissa Ave, a local street, in violation of 17.84.50 and 17.100.100.
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- Require Bailey Meadows developer build Gunderson Road and pay for the majority of the cost,because his 100 homes will be the primary residents using it, as required in Code 17.100.310.
- Use the existing City of Sandy code language, the TSP, and the City Engineer recommendations to require Bailey Meadows pay for their share of Gunderson Road to Hwy 211 as required in 17.84, 17.100 Let them take it to LUBA if they want to appeal the decision.

Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Sincerely,

Daya Tracy

36470 Orr Circle
Sandy, Oregon 97055

Get Outlook for iOS



EXHIBIT VVVVVVV

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: BAILEY MEADOWS

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Sat, Apr 11, 2020 at 7:01 PM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI...

----- Forwarded message -----

From: **Jessica Burnett** <jessica.burnettsandyor@gmail.com>

Date: Sat, Apr 11, 2020, 6:56 PM

Subject: BAILEY MEADOWS

To: <koneill@ci.sandy.or.us>, <recorder@ci.sandy.or.us>

Cc: <jessica.burnettsandyor@gmail.com>

Mayor Pullman and City Council-

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Sincerely,

Jessica King
 17960 Loundree Drive
 PO Box 1045
 Sandy, OR 97055

Sent from my iPhone



Marisol Martinez <mmartinez@ci.sandy.or.us>

EXHIBIT WWWWWW

Fwd: Gunderson development

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Sat, Apr 11, 2020 at 6:48 PM

To: Marisol Martinez <mmartinez@ci.sandy.or.us>, Jeff Aprati <japrati@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI...

----- Forwarded message -----

From: Kendal Pelton <k_pelton@hotmail.com>

Date: Sat, Apr 11, 2020, 3:08 PM

Subject: Gunderson development

To: <recorder@ci.sandy.or.us>, <koneill@ci.sandy.or.us>

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters! Develop at a rate our infrastructure can support it, including police, fire and medical.

Sincerely,

Kendal Pelton

Sandy, Or



EXHIBIT XXXXXXXX

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows Subdivision Concerns

1 message

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Sat, Apr 11, 2020 at 6:48 PM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI...

----- Forwarded message -----

From: **Lara Maul** <lamaul9@gmail.com>

Date: Sat, Apr 11, 2020, 3:25 PM

Subject: Bailey Meadows Subdivision Concerns

To: <recorder@ci.sandy.or.us>

Cc: <koneill@ci.sandy.or.us>

To Whom It May Concern-

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Additionally, I am very concerned about this development and the additional traffic it will add to Dubarko Rd. The mere safety of that much added traffic with only one evacuation route needs to be considered. Will we need to plan for an evaluation? Probably should! I never expected to plan for a pandemic, but here we are, in the middle of a pandemic.

At least twice a month someone speeds along Dubarko and hits the median near Reich Ct, usually flattening two tires. The driver then limps their car nearby and parks it in the local neighborhood. I worry how many more will speed and hit that median. This is a real concern for the area. There are many children and walkers along this route with the Tickle Creek Trail nearby.

Sincerely,

Lara Maul
37540 Reich Ct
Sandy, Oregon 97055

4/14/2020

City of Sandy Mail - Fwd: Bailey Meadows Subdivision Concerns

No trees were harmed in the sending of this message.

<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permthid=thread-f%3A1663729553663557551&simpl=msg-f%3A16637295536...> 2/2

4/11/2020

City of Sandy Mail - Deny Approval of Bailey Meadows



EXHIBIT YYYYYYY

Jeff Aprati <japrati@ci.sandy.or.us>

Deny Approval of Bailey Meadows

Mandi Rogers <jrkona1981@outlook.com>
To: "recorder@ci.sandy.or.us" <recorder@ci.sandy.or.us>

Sat, Apr 11, 2020 at 6:59 PM

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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Sincerely,

Mandi Rogers

[38804 Cascadia Village Dr. Sandy OR 97055](#)

Sent from my Verizon, Samsung Galaxy smartphone

**EXHIBIT ZZZZZZZ**

Jeff Aprati <japrati@ci.sandy.or.us>

Bailey Meadows Development

Mary Casey <mrs.mary.n.casey@gmail.com>
To: recorder@ci.sandy.or.us

Sat, Apr 11, 2020 at 10:52 PM

DEVELOPMENT ALERT IN SANDY – IMMEDIATE ACTION NEEDED! DUE MONDAY, APRIL 13 by 5PM!!
If you support not paying for developers infrastructure, email this letter or similar one for our City Council to see at:
recorder@ci.sandy.or.us
koneill@ci.sandy.or.us

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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Sincerely,

Mary Casey
[39142 Jerger St](https://www.google.com/maps/place/39142+Jerger+St,+Sandy,+OR+97055)
[Sandy, OR 97055](https://www.google.com/maps/place/39142+Jerger+St,+Sandy,+OR+97055)



EXHIBIT AAAAAAAA

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Developers must pay for cost if their developments.

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Sat, Apr 11, 2020 at 8:15 PM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI...

----- Forwarded message -----

From: **Mary Yousaf** <weetziebat@icloud.com>

Date: Sat, Apr 11, 2020, 7:48 PM

Subject: Developers must pay for cost if their developments.

To: <koneill@ci.sandy.or.us>

DEVELOPMENT ALERT IN SANDY – IMMEDIATE ACTION NEEDED! DUE MONDAY, APRIL 13 by 5PM!!

If you support not paying for developers infrastructure, email this letter or similar one for our City Council to see.

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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Sincerely,
 Mary Yousaf
 37019 Dubarko Road
 Sandy, Oregon 97055

**EXHIBIT BBBB BBBB**

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows Subdivision

1 message

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Sat, Apr 11, 2020 at 8:16 PM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI...

----- Forwarded message -----

From: <rlphanton@gmail.com>

Date: Sat, Apr 11, 2020, 8:11 PM

Subject: Bailey Meadows Subdivision

To: <recorder@ci.sandy.or.us>, <koneill@ci.sandy.or.us>

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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Sincerely,

RL Phanton
46185 SE Wildcat Mountain Drive
Sandy, OR. 97055



EXHIBIT CCCCCCCC

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Gunderson Road

Kelly O'Neill Jr. <koneill@ci.sandy.or.us> Sat, Apr 11, 2020 at 10:09 PM
To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI...

----- Forwarded message -----
From: **tania richards** <teeterjaye@gmail.com>
Date: Sat, Apr 11, 2020, 9:17 PM
Subject: Gunderson Road
To: <koneill@ci.sandy.or.us>

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Sincerely,
Tania Richard's
37360 Goldenrain Street
Sandy OR 97055

4/11/2020

City of Sandy Mail - Bailey Meadows subdivision



Jeff Aprati <japrati@ci.sandy.or.us>

EXHIBIT DDDDDDDDD

Bailey Meadows subdivision

1 message

William Bliesner <wbliesner1@gmail.com>
To: recorder@ci.sandy.or.us

Sat, Apr 11, 2020 at 4:36 PM

Please deny approval of the Bailey Meadows subdivision. We don't want more traffic problems and paying for the road. We can't afford more taxes for additional city services. Thankyou.

William Bliesner

[16470 Bluff Rd, Sandy, OR 97055](#)

EXHIBIT EEEEEEEE

Mayor and Council Members,

I plan to keep this rebuttal letter short, as I believe that I have outlined my main points in my first documents submitted April 6th, 2020. I would like to discuss some observations from the April 6th, 2020 meeting, and offer my rebuttal in regards to the record they paint.

First is the applicant and his counsel both raised points saying they are doing everything they can, within reason, to work with the neighbors of their proposed development. They also painted a picture that implied we are constantly changing our issues and thus implying we are creating a moving goal post for them. The fact of the matter, this is false.

The applicant stated they held a pre-application meeting with the neighbors. They implied they did this out of the kindness of their heart. This is a disingenuous statement on their part. While I will concede they are not “required” to have a neighborhood meeting, with the affected citizens, Sandy Development Code (SDC) 17.20.40 outlines the “Applicants Responsibilities” in regards to Public Hearing for Development Applications. While there are a few, the paragraph C states “Neighborhood Meetings. Applicants intending to develop a major project within the City are strongly urged to conduct their own informational meetings in the neighborhood affected prior to submitting their application to the City.” (SDC 17.20.40 (C), Pg. 17.2-2). Again, while clearly not required, the words “strongly urged” do not imply they had this meeting out of the kindness of their heart but were instead just checking a box for the forward of their development.

During this strongly urged meeting the same issues that were brought to the Planning Commission, were brought up at that time. I wish there was a record to prove this, but unfortunately you will have to rely upon the plethora of letters and testimony provided from your citizens. These same issues were echoed at the Planning Commission meeting, and all other meeting around this issue. In fact many of the same citizens who are voicing issues with this appeal, are speaking in favor of the UGB expansion for Gunderson Road and the parkland. The only questions being brought forward in this regard is who is going to pay for Gunderson Road, because the applicant has said the City is obligated to pay, and will the parkland meet the requirements in our SDC?

I will admit as this application has evolved, we have found additional issues that paint a very disturbing picture. Issues like Planning Commissioner Mobley conducting the traffic survey, and after recusing himself, sitting next to the applicant in front of the Planning Commission. The fact that no one is addressing that the City Engineer stated that Melissa Avenue is already over the typical ADT maximum, and the additional traffic could cause a complete failure. The fact that Gunderson Road’s construction requires many ifs. The City’s Planning and Building Director created an unclear record during his staff rebuttal. The applicant’s attorney routinely quotes partial sections of our SDC to argue his point, but if one reads further, you will clearly see our SDC is not being accurately depicted.

I again want to say, I am NOT against the construction of Bailey Meadows. I am against the citizens paying for a bill that should be paid for by development. I am also against a developer manipulating our process and SDC by coercively providing a Quid Pro Quo application contract that he greatly finically benefits from at our expense. I believe there is a compromise out there,

and our code even allows for this to occur. I also believe this should be outlined in a transparent format, so they citizens can have a chance to voice their opinion. This maybe done at the meeting or the polls, but we should know who to give credit or blame to.

This was my first issue that I have addressed before a Planning Commission or City Council, so I have been learning as I go. I say this because I offered my testimony at the Planning Commission via oral testimony, and was told it carries the same weight as written testimony. To make sure my point is clearly articulated in this letter, I am going to include my written statement that I presented to the Planning Commission then. While I did not read this word for word, it paints a clear picture of the points I addressed. When the applicant stated at first citizens started by talking about Gunderson, then changed to parks, and keep evolving, this is completely false. I was only one of many who raised all these issues from the start. The only change is, we want Gunderson Road to be a condition of approval and we want clear and transparent guidance on how the project will be funded. In my first letter I described this project as reminding me of a story called the Emperor's New Clothes. In this story the Developer's are filling the role of the two weavers, who convince the Emperor (The City) that his new suit (the development plan) is invisible to those who are unfit for their positions, stupid, or incompetent. The reality of it is these two were not making clothes at all, but instead convinced the people around the Emperor of their false story. It took an outside observer, (the citizens) to point out the Emperor was not wearing any clothes and had been manipulated by the two weavers.

This story is a great metaphor for what the applicant is doing to the City. As I have already outlined on the record, we have a clear and objective code that clearly outlines the basis to ensure that development makes the necessary improvements and further pays their fair share of the cost (improvements and funding strategies mitigating the problem shall be considered **concurrent** with a development proposal).

Thank you,

Richard Sheldon

EXHIBIT FFFFFFFF

Members of the Board and fellow residents of Sandy,

In starting I would like to address a few issues and formally get them on the record before going into depth about them. Those issues are as follows:

The safety of our neighborhood and surrounding areas will be deteriorated due to a lack of traffic safety.

The fact that our neighborhood is being denied a park, and instead the City is willing to accept a fee paid by the developer.

The approval process is being made prior to producing a comprehensive staff report and chance to offer further public comment record following its release.

In depth:

1. Traffic access and egress routes from both neighborhoods would solely rely upon Melissa Ave. After the September 26th meeting, the developer has “agreed to explore a UGB expansion that would, **if approved**, permit the construction of Gunderson Road and provide a second access into and out of the proposed subdivision.” This agreement is following a meeting where the county has denied an exception to their rules to allow access. The words “**IF APPROVED**” has left the developer an out in the event of another denial by Clackamas County and/or the State. This seems to be a way to appease the current citizens who have raised a reasonable argument in attempting to maintain a reasonable and safe living environment. I would request that this secondary route not be an “if approved” but a mandated requirement of approval.
2. In reviewing, what I could of the over 500 pages of materials provided by the city on this matter, I noticed in crash analysis summary there are only four intersections discussed (Dubarko at 362nd), (Dubarko at Ruben), (Durbarko at Bluff) and (Dubarko at Melissa). I would question why they did not evaluate the impact of additional traffic on Dubarko and Hwy 211. Even on page 441 ODOT requests the City of Sandy “require” the applicant to update their traffic analysis to include the impact this development would have on the surrounding highways. It should be noted that, according to ODOT, Hwy 211 between Dubarko Road and 362nd had 52 accidents between 2013 to 2016. Of those accidents 31 involved injuries. This development is sure to have significant impact and cause these numbers to rise. What happens if ODOT or the County fails to approve the planned new intersection? To me this feels as if this development is being pushed upon us, before an informed decision can be made about the impacts of this development. My follow up to that would be why is there such a hurry? Furthermore, the complete lack of disregard for the safety of the residents of the Nicholas Glenn neighborhood as well as the future residents of Bailey Meadows is disappointing. One entrance/exit does not allow for safe evacuation during a disaster and also impedes the ability for first responders to safely enter the neighborhood in case of fire or any other emergency.
3. I further question if the stats used in the study paint a truly accurate picture of each of the studied intersections. In the snow storm of December 2016 I specifically remember hearing a Sandy Police Officer state he had to close down 362nd at Industrial Way due to so many crashes

occurring at 362/Dubarko. Further it states there were no reported crashes at Dubarko and Bluff Road, and I remember less than one year ago seeing the fence at this intersection was damaged due to a car crashing through it. Using DMV crash reports is not always the best gauge of the crash data, because certain criteria must be met before the crash is reported via a DMV Crash Report. One could get a more accurate picture by looking reviewing the dispatch logs for police and fire in regards to crashes.

4. The hill going down 362nd toward Dubarko is smaller in size than the one on Melissa, and it is especially dangerous in icy conditions, that happen on a frequent enough basis, to warrant concerns that should be addressed. The fact there is a chance that Melissa Ave maybe the only entrance and exit to both neighborhoods seems very negligent to approve. I believe this is further addressed on page 2 section 7 of the report from Curran-McLeod Inc. Consulting Engineers when they state "Melissa Avenue is classified by the City of Sandy Transportation Plan as a local street and is proposed to be the only access to the development. Currently the street surface is in bad condition. This site is generating an additional 944 trips while the combined AADT generated from this site and the existing Nicholas Glenn No. 2 is 2,490 trips. The traffic volume increase is deemed to deteriorate the existing cross section further and potentially cause a complete failure. The TSP alludes to a traffic capacity on local streets between 800 and 1000 ADT. The projected capacity exceeds the preferred capacity limitations."
5. These streets are used by my neighbors, your citizens, your CONSTITUENTS everyday. They are also used by our children who play and ride bikes in the area. Following the September meeting, my wife specifically spoke to the Developer, and asked him how he would feel if his children had to play in an area such as this. His response was that he was not going to answer that. This only further solidifies my belief this is a business decision only for him, and he does not truly have the welfare of this community's members on the top of his mind. I can understand this is about making money and maximizing his profit, but this is why we have rules and government. It is why we have a City Code and laws, so that we can balance livability in growth. As the plan is now, it fails to provide this security and balance.
6. Moving on from traffic the next consideration I would like you to look at is the lack of dedicated park space. On page 442 attached is the minutes from the October 9th, 2019 Parks and Trails Board meeting. In there the board specifically addresses the hardships our neighborhood already deals with in regards to reasonable accessible park space. In the minutes the board states that the construction of another 100 homes in this area would "put undue strain on existing facilities and create unsafe routes to Bornstedt Park."
7. City Code 17.86.40 states "At the city's discretion only, the city may accept payment of a fee in lieu of land dedication". My very direct question to you is why should our neighborhood and our property values suffer so that this developer can make a better profit margin. The acceptance of this money goes against our own park master plan, since there is no known willing seller in the area to use the funds for. I have also heard that the city council has approved taking money from the developer instead of enforcing a park being built. Yet when I researched this statement

it is nowhere to be found in any of the city's minutes and goes against the city's codes and master plan.

8. Lastly I would like to address the fact that you intend to close the record for public comment following this meeting. This should not be done until a comprehensive and well informed staff report is prepared and available for public review. This is a matter that affects not only my fellow neighbors, but the city as a whole. I would ask what precedent this type of process sets for future development and livability issues in Sandy. Also, since this process is putting our safety and home values in jeopardy, if the process is not correctly followed, we will be appealing the decision to the City Counsel.

9. In closing I want to say that I am not opposed to development in Sandy, or this specific area. What I am against is the fact this seems to be being railroaded without proper planning and assessment. If you read the many concerns of the citizens on my street, we are all requesting the same thing, which is very similar to what the Curren-McLeod stated; "we are concerned that the increase in traffic volumes through one access is detrimental to the overall life and safety in case an evacuation is needed." I would further add the increase would have potentially severe adverse impact during inclement weather which happens nearly annually. We are also perplexed to why the City is allowing the developer to pay slightly over \$300,000 dollars in lieu of providing a park. The City Code clearly outlines this is at the City discretion, and according to the Parks Board there is no willing seller known in the area. What is the plan for this money to enhance the livability of the current citizens? I ask you to please listen to what we are asking, and please consider it. I also ask that if this application is approved the right to appeal this decision be recognized. This whole thing reminds me of a story called the Emperor's New Clothes.

Thank you for your time and consideration,

Richard Sheldon

EXHBIT GGGGGGGG

DEVELOPMENT ALERT IN SANDY – IMMEDIATE ACTION NEEDED! DUE MONDAY, APRIL 13 by 5PM!!

If you support not paying for developers infrastructure, email this letter or a similar one to

recorder@ci.sandy.or.us

kopel@ci.sandy.or.us

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision because the Bailey Meadows application shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

- Half of Gundeson Rd is located on the site of Bailey Meadows in the Transportation System Plan (TSP). This violates Subdivision Approval Criteria in 17.100.60 E3.
- Not requiring Gunderson Rd be constructed in this application, funnels almost 3 times the allowable daily traffic onto Melissa Ave, a local street, in violation of 17.84.50 and 17.100.100.
- The City Engineer identified the need to build Gunderson Rd. to meet code and for life and safety. (Sept, 2019 and Jan 2020 City Engineer Reports).
- Require Bailey Meadows developer build Gunderson Road and pay for the majority of the cost, because his 100 homes will be the primary residents using it as required in Code 17.100.310.
- Use the existing City of Sandy code language, the TSP, and the City Engineer recommendations to require Bailey Meadows pay for their share of Gunderson Road to Hwy 211 as required in 17.84, 17.100 and out TSP. Let them take it to LUBA if they want to appeal the decision.

Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Sincerely,

Your Name

Your Address

*Margaret L Wadkins
18291 Myra Ct.
PO Box 1273
Sandy OR 97055*

EXHIBIT HHHHHHHH

recorder@ci.sandy.or.us

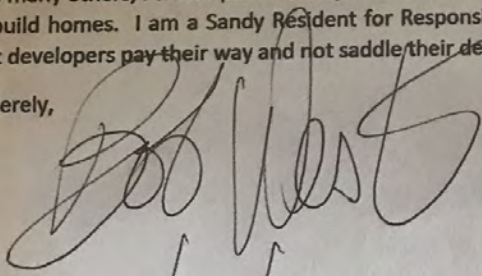
koneill@ci.sandy.or.us

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Sincerely,



39773 OLSON
SANDY OR

4/12/2020



EXHIBIT IIIIIII

Jeff Aprati <japrati@ci.sandy.or.us>

Fw: Bailey Meadows subdivision appeal

Bill King <king540@frontier.com>
 To: "recorder@ci.sandy.or.us" <recorder@ci.sandy.or.us>

Sun, Apr 12, 2020 at 1:37 PM

Subject: Bailey Meadows subdivision appeal

Mayor Pulliam and Council members,

As former Mayor of Sandy and a voter in the City of Sandy I believe **developers should pay their way and not stick the costs of their developments onto City taxpayers.**

It has long been a policy of the city that development pay its own way , as a way to protect the taxpayers from having to "foot the bill " ! You have all been elected to do what is in the best interests of the residents of this great city.

Therefore, I ask you to uphold the appeal and **deny the approval of Bailey Meadows subdivision.** The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it.

The rationale for your decision should be:

- Half of Gunderson Rd is located **on the site** of Bailey Meadows in the Transportation System Plan (TSP). This violates Subdivision Approval Criteria in 17.100.60 E3.
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- Use the existing City of Sandy code language, the TSP, and the City Engineer recommendations to require Bailey Meadows pay for their share of Gunderson Road to Hwy 211 as required in 17.84, 17.100

Should the developer chose to challenge your properly warranted decision to uphold the appeal, LUBA should see that development without proper access should not be allowed !

. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Please do the right thing here for the people you represent !

4/12/2020

City of Sandy Mail - Fw: Bailey Meadows subdivision appeal

Sincerely,

Former Mayor William King

<https://mail.google.com/mail/u/0?ik=e71d092bd2&view=pt&search=all&permmsgid=msg-f%3A1663800659489041625&simpl=msg-f%3A16638006594...> 2/2

4/12/2020

City of Sandy Mail - Bailey Meadows development



EXHIBIT JJJJJJJJ

Jeff Aprati <japrati@ci.sandy.or.us>

Bailey Meadows development

philgrable via City Recorder <recorder@ci.sandy.or.us>

Sun, Apr 12, 2020 at 10:24 AM

Reply-To: philgrable@aol.com

To: recorder@ci.sandy.or.us, koniell@ci.sandy.or.us

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Sincerely,

Phil Grable

17730 Bluff Rd
Sandy Or 97055

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com



EXHIBIT KKKKKKKK

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: To Sandy City Council regarding File# 20--009 for Council Meeting 4-6-20

1 message

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Mon, Apr 13, 2020 at 9:30 AM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>

Cc: "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI...

----- Forwarded message -----

From: **Gigi Duncan** <gigiduncanhome@gmail.com>

Date: Sun, Apr 12, 2020 at 5:30 PM

Subject: To Sandy City Council regarding File# 20--009 for Council Meeting 4-6-20

To: <recorder@ci.sandy.or.us>

Cc: Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Dear Mr Mayor and City Council and Staff,

I am writing you one last time to offer a suggestion that might be just what you are looking for.

Staff has stated multiple times that they are just trying to find a way to make this application work for all parties and after many meetings and presentations, I believe I have a solution that will create a win-win-win and those are my favorite. First, the City knows that it needs to create more housing and have brought the subject property into the UGB for this purpose.

The developer wants to exercise their right to build a subdivision for their profit.

The citizens of Nicholas Glen are asking the City to please not endanger them by doubling or even tripling the amount of traffic down our one street that they city has already identified as beyond the safe levels of traffic already.

The developer has stated that they are confident that they will achieve a UGB expansion and "have pledged" to build Gunderson Rd as an access for the new subdivision to Hwy 211.

Staff also seems convinced that this will happen. They have stated that they have "\$200,000 invested" in this intent already.

The developer is not backing down and the city literally has the safety of it's citizens (and the future citizens of Bailey Meadows) in one hand, and the litigious laden demands of the developer in the other.

What a decision!!

I have been following this since the beginning and have been trying to figure out a way that this can work for all parties and I think I have it.

Here it is:

The developer, with Gunderson Rd has their street. They do not need Melissa.

The citizens of Nicholas Glen are their only opposition and that is because of Melissa.

The developer has stated they will not back down and they will force this development.

So, give both what they want.

Approve the subdivision with the conditions that staff has recommended but add the condition that access to Melissa is off the table and that Gunderson will be built out before any building permits are issued.

This completely removes the opposition to the subdivision that exists.

It provides the citizens of Nicholas Glen and those of Dubarko, etc with protection they deserve from the city and it moves everything forward full steam ahead.

If you allow the developers to move forward with their project, they will get what they want and no doubt be grateful.

If the citizens of Nicholas Glen are provided the protection they deserve, they will be grateful and all will move forward.

You can sleep at night knowing the developer won't sue the city.

You can sleep at night knowing that when there is a serious injury or fatality in Nicholas Glen that it won't be because of a decision you made when you were between a rock and a hard place.

There is nothing greater than a subdivision full of grateful voters!

I again implore you to think of the safety of all of the citizens of our city, present and future and please craft the kind of growth we can be proud of and have a clear conscience about for years to come!

Thank you for your time and for doing right by us!

Respectfully,

<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permthid=thread-f%3A1663875609369936852&simpl=msg-f%3A16638756093...> 1/2

4/14/2020

City of Sandy Mail - Fwd: To Sandy City Council regarding File# 20--009 for Council Meeting 4-6-20

Gigi Duncan

Citizen of Nicholas Glen of the City of Sandy and Person Working and Living in our Community every day.

|

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Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
[39250 Pioneer Blvd](#)
[Sandy, OR 97055](#)
(503) 489-2163
koneill@ci.sandy.or.us



EXHIBIT LLLLLLLL

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Infrastructure

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Mon, Apr 13, 2020 at 9:22 AM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>

Cc: "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI....

----- Forwarded message -----

From: **Danielle Barnard** <dvpbarnard@gmail.com>

Date: Sun, Apr 12, 2020 at 6:53 AM

Subject: Infrastructure

To: koneill@ci.sandy.or.us <koneill@ci.sandy.or.us>, recorder@ci.sandy.or.us <recorder@ci.sandy.or.us>

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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- Use the existing City of Sandy code language, the TSP, and the City Engineer recommendations to require Bailey Meadows pay for their share of Gunderson Road to Hwy 211 as required in 17.84, 17.100 Let them take it to LUBA if they want to appeal the decision.

Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Sincerely,

Devon Barnard

18185 Antler Ave
Sandy, OR 97055

--

Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2163
koneill@ci.sandy.or.us

4/14/2020

City of Sandy Mail - Fwd: Infrastructure

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4/12/2020

City of Sandy Mail - Input on Bailey Meadows Appeal



Jeff Aprati <japrati@ci.sandy.or.us>

EXHIBIT MMMMMMMM

Input on Bailey Meadows Appeal

Cary Mallon <cary.mallon@gmail.com>
To: recorder@ci.sandy.or.us

Sun, Apr 12, 2020 at 11:19 AM

I am a City of Sandy voting resident and election activist. I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision because the Bailey Meadows application shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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- Those of you on the council are representatives of everyone who attended the hearing, EXCEPT the developer and his employees.

Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Sincerely,

Cary Mallon

37537 Rachael Dr

Sandy, OR 97055

EXHIBIT NNNNNNNN

DEVELOPMENT ALERT IN SANDY – IMMEDIATE ACTION NEEDED! DUE MONDAY, APRIL 13 by 5PM!!

If you support not paying for developers infrastructure, email this letter or a similar one to

recorder@ci.sandy.or.us

koneill@ci.sandy.or.us

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Sincerely,

Your Name

Your Address



Marisol Martinez <mmartinez@ci.sandy.or.us>

EXHIBIT OOOOOOOO**Fwd: Bailey Meadows**

1 message

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Mon, Apr 13, 2020 at 11:16 AM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI...

----- Forwarded message -----

From: **Brittany Cardoza** <brittanycardoza@gmail.com>

Date: Mon, Apr 13, 2020 at 11:12 AM

Subject: Bailey Meadows

To: <koneill@ci.sandy.or.us>, <recorder@ci.sandy.or.us>

Mayor Pullman and City Council-

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore, I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision. The Bailey Meadows application on paper, shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

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Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Sincerely,

Brittany Bradfield
17383 Aubin Street
Sandy, OR 97055

--

Kelly O'Neill Jr.
Development Services Director

City of Sandy

4/14/2020

City of Sandy Mail - Fwd: Bailey Meadows

Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2163
koneill@ci.sandy.or.us

<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permthid=thread-f%3A1663882284646932177&simpl=msg-f%3A16638822846...> 2/2



EXHIBIT P P P P P P P P

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows Appeal Complaint

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Mon, Apr 13, 2020 at 10:55 AM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, Cody Bjugan <cody@investpdx.com>, "Robinson, Michael C." <MRobinson@schwabe.com>

FYI...

----- Forwarded message -----

From: **emilina moon** <emilina moon@gmail.com>

Date: Mon, Apr 13, 2020 at 10:49 AM

Subject: Bailey Meadows Appeal Complaint

To: Jordan Wheeler <jwheeler@ci.sandy.or.us>, Kelly O'Neill Jr. <koneill@ci.sandy.or.us>, <recorder@cisandy.or.us>

Dear Mr. Mayor, City Council Members & City Manager,

While my husband will send a more eloquent & fact based letter; I would like to personally state on the record that I feel that my individual rights as an appellant were violated during the appeal hearing regarding Bailey Meadows.

I signed my name to the group appeal because I feel passionate about the need for a second access into Bailey Meadows & Nicholas Glen. As a taxpayer, I also feel passionate that developers should be paying for development.

Prior to the appeal meeting, as an appellant, I was not advised by anyone...including Mr. O'Neill about time restraints during the meeting. Not right before, not a day before...not in the weeks before. I believe that someone dropped the ball in advising ALL appellants that we would only have 20 minutes to speak. Or even that we would have 3 minutes. Also, prior to the meeting, we were not advised that we had to elect a spokesperson to speak or any further information regarding etiquette. Just before the meeting, ONLY two of the other appellants were sent Zoom links as panelists to participate. No one else in our group was advised by the City of Sandy that the meeting would be held in such a manner. I should have received an email with instructions & invitation to participate. My husband should have received instructions. My neighbors who signed the appeal should have received them as well.

Because we were not invited as panelists, there was no way to comment during the meeting about this violation of our rights. This is concerning...I know during a Pandemic things are a little hectic. But, in the attachments I have included screenshots of the emails I sent to Mr. O'Neill, my only point of contact during the meeting. Mr. O'Neill states he notified Kathleen Walker. Why did he not notify anyone else? Her name was not even listed first on the appeal. Because our rights were violated, I feel that the city owes us either a redo...or something on the record that states that every appellant was not permitted to participate. This needs to be done immediately. Furthermore, because this meeting was allowed to proceed electronically, I feel that it was not equitable for all members of our community. Our school districts have had to go through a rigorous process in order to achieve equality. Why is the City of Sandy not held to the same standards? This is horrifying.

Next...it is my personal opinion that the relationship between Mrs. Walker & the city (metaphorically, as a thorn in their side) caused an unfortunate bias on how the other appealing citizens were notified & heard (not heard) during this meeting. Benjamin Franklin said "it is the first responsibility of every citizen to question authority," yet in this matter it appeared that it was held against the appellant group. Either way we were not adequately communicated with by the City, either as an individual or as a group.

When I referred to the City Council Meeting record, I am also disturbed that the Zoom transcript was not provided. Without the transcripts, once again, the lense is blurred. What is being hidden? Private messages or communication between the Applicant & the City? This needs to be made public record. And if it has been, could you please point me in that direction. The City's online platform is difficult at best.

Lastly, I would also like to request a formal investigation into the matter of Mr. Mobley as the Planning Commissioner & the Traffic Engineer. I cannot believe this hasn't happened already. The traffic study should be redone or at least formally scrutinized by an outside party.

4/14/2020

City of Sandy Mail - Fwd: Bailey Meadows Appeal Complaint

Thank you for your time,

Emily Sheldon

--

Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
[39250 Pioneer Blvd](#)
[Sandy, OR 97055](#)
(503) 489-2163
koneill@ci.sandy.or.us

EXHIBIT QQQQQQQQ

recorder@ci.sandy.or.us

koneill@ci.sandy.or.us

I am a City of Sandy voting resident and I believe developers should pay their way and not stick the costs of their developments onto City taxpayers. You are elected to ensure that happens. Therefore I ask you to uphold the appeal and deny the approval of Bailey Meadows subdivision because the Bailey Meadows application shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:

- Half of Gundeson Rd is located on the site of Bailey Meadows in the Transportation System Plan (TSP). This violates Subdivision Approval Criteria in 17.100.60 E3.
- Not requiring Gunderson Rd be constructed in this application, funnels almost 3 times the allowable daily traffic onto Melissa Ave, a local street, in violation of 17.84.50 and 17.100.100.
- The City Engineer identified the need to build Gunderson Rd. to meet code and for life and safety. (Sept, 2019 and Jan 2020 City Engineer Reports).
- Require Bailey Meadows developer build Gunderson Road and pay for the majority of the cost, because his 100 homes will be the primary residents using it as required in Code 17.100.310.
- Use the existing City of Sandy code language, the TSP, and the City Engineer recommendations to require Bailey Meadows pay for their share of Gunderson Road to Hwy 211 as required in 17.84, 17.100 and out TSP. Let them take it to LUBA if they want to appeal the decision.

Like many others, I would prefer Sandy to stay a small town, but I know that state laws allow developers to build homes. I am a Sandy Resident for Responsible Growth! I want our City Council to make sure that developers pay their way and not saddle their development costs on us voters!

Sincerely,

Jim Hillst
39773 Alan Road
Samely
Oregon

EXHIBIT RRRRRRRR

April 12, 2020

Re: Bailey Meadows Appeal

Sandy City Council:

Repeating what I said in the in the April 6, 2020 council meeting:

...As conceived, the proposed (and Development Commission approved) Bailey Meadows subdivision is an ill-conceived subdivision island of 100 homes, with 200-250 automobiles, surrounded by private property of multiple owners **leveraging a single existing residential street, Melissa Avenue**. In addition, with automobiles parked in front of the homes on both sides of the street, Melissa Avenue is literally a single lane road not designed to accommodate the additional traffic of the proposed Bailey Meadows subdivision...

Daily travel use of Melissa Avenue already exceeds TSP traffic requirements, a violation of 17.84.50 and 17.100.100

The proposed Gunderson road into the proposed subdivision from HWY 211 will help minimize the increased traffic use of Melissa Avenue from the proposed Bailey Meadows subdivision. **Gunderson Road must be a requirement before the Bailey Meadows subdivision is approved to proceed.**

In September 2019 and January 2020, City of Sandy Engineering recommended Gunderson Road be built if the Bailey Meadows subdivision is to proceed.

I am a new resident of Sandy. I don't understand the need to push the approval of the ill-conceived Bailey Meadows development island of homes until the following are known:

- 1.) The proposed Gunderson Road is approved by the City of Sandy
- 2.) The funding of the Gunderson Road project is known

Per the Bailey Meadows developer's proposal as approved by the Planning Commission, Gunderson Road is not listed. By default the developer is expecting the City of Sandy to pay for the construction of the Road when/if it is approved.

Again, I'm a new voting resident of Sandy. I don't understand the need for the city of Sandy to concede to the needs of a developer over the safety and concerns of the residents of Sandy. We had to appeal the decision of the Planning Commission and feel our voice was not heard!

Please uphold the appeal to make sure the City of Sandy is not burdened with the cost to build Gunderson Road and as an acknowledgement you as are listening to the people you are representing over the interest of an individual and his company that are not residents of Sandy nor really care about our great city of Sandy.

Thank you,

Paul Savage
37506 Rachael Dr.
Sandy, OR 97055

April 13, 2020

Michael C. Robinson

Admitted in Oregon
T: 503-796-3756
C: 503-407-2578
mrobinson@schwabe.com

**VIA E-MAIL (SUBMITTED TO THE CITY RECORDER ON
APRIL 13, 2020 BEFORE 5:00 P.M.)**

Mr. Stan Pulliam, Mayor
City of Sandy City Council
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: City of Sandy File No. 20-0009AP; Appeal of Planning Commission Decision
Approving Bailey Meadows Tentative Subdivision Application; Applicant's
Letter Submitted Prior to the Close of the Open Record Period on April 13, 2020
at 5:00 p.m.

Dear Mayor Pulliam and Members of the Sandy City Council (the "City Council"):

This office represents the Applicant. This letter and its exhibit is the Applicant's submittal prior to the close of the written record on Monday, April 13, 2020 at 5:00 p.m.

The City Council closed the public hearing on April 6, 2020. The City Council will deliberate to a tentative decision without public testimony at its public meeting on April 21, 2020. The Applicant extended the 120-day period in ORS 227.178(1) until April 28, 2020.

1. Introduction.

The City Council has a large record before it. This letter will not address every issue but will address the main issues presented in the appeal, the City Council appeal hearing on April 6, 2020 and argument and evidence received since April 6, 2020.

The Applicant disagrees with the Appeal. All of the reviews by the City – the Planning Director, three City engineer reviews and a unanimous Planning Commission – concluded that the Application met its legal burden of proof by showing that the relevant approval criteria are met. The Applicant has worked with the City to provide Gunderson Road when it is not legally obligated to do so. Without Gunderson Road and an approved Development Agreement to require it, all of the subdivision's vehicle trips will use Melissa Avenue.

The Applicant wants to be respectful of the Appellants but their arguments are contrary to the law and the evidence in the record.

The Appellants want the City Council to decide the Appeal simply because they are voters. If that were the proper basis for this decision, then there would be no need for the approval

Mr. Stan Pulliam, Mayor
April 13, 2020
Page 2

standards or review by the City and its Planning Commission. In fact, the approval process requires the City Council, while listening to everyone, to make its decision based on the Applicant satisfying the relevant approval criteria by evidence, not deciding based on who and how many oppose an application.

Finally, the Appellants urge the City Council to deny the Application and challenge the Applicant to appeal a denial. This result does not respect the land use approval process and it is contrary to the Planning Director's and City Attorney's advice. In fact, the City Attorney's last two paragraphs in his January 30, 2020 memorandum notes the risk of a denial being overturned and the loss of Gunderson Road's construction.

2. Main issues in Appeal.

A. Is the Application a limited land use application subject to ORS 197.195(1) and a Needed Housing application subject to ORS 197.303(1), 197.307(4) and 197.522?

B. If the answer to the above question is "yes," does the application meet relevant clear and objective standards in the Sandy Development Code (the "SDC")?

C. Is Sandy Transportation System Plan ("TSP"), Chapter 3, "Modal Plans," Page 17, describing the "typical capacity" of local streets specifically incorporated into the SDC and if it is, is it clear and objective?

D. Is Gunderson Road required to be constructed by the Applicant in order to meet the level of service ("LOS") performance standards for street intersections in SDC 17.84.50.A.2 (TSP, Page 31, LOS "D" for all intersections)?

E. Can the City meet its legal burden of proof to require the Applicant to dedicate and construct Gunderson Road?

F. Can the City meet its legal burden of proof to require the Applicant to dedicate parkland within the subdivision?

3. Evidence and argument that the City Council can rely on to find that the Applicant has satisfied the relevant clear and objective approval standards in the SDC.

A. The Application narrative and its exhibits, the Applicant's letters to the Sandy Planning Commission (the "Planning Commission") and the City Council including letters dated January 30, 2020, February 6, 2020, March 10, 2020, March 30, 2020 and April 2, 2020.

B. The Applicant's June 20, 2019 and updated November, 2019 Traffic Impact Analysis ("TIA") submitted with the Application, the Lancaster Mobley January 5, 2020 TIA addendum and the January 29, 2020 memorandum.

C. The January 17, 2020 Staff Report to the Planning Commission.

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D. The March 9, 2020 written Staff Report and the April 5, 2020 oral Staff Report to the City Council.

E. The memoranda from the City Attorney dated January 30, 2020 and February 6, 2020.

F. The City Engineer's report dated February 6, 2020.

G. The Curran-McLeod report dated September 27, 2020.

H. The John Replinger report dated January 20, 2020.

I. The Planning Commission Decision.

4. Responses to main issues in Appeal.

A. The Application is a limited land use and Needed Housing application which means that many of the SDC and TSP provisions that the Appellants raise cannot be applied to the Application because they either are not incorporated into the SDC or are not clear and objective.

B. The Application meets all clear and objective approval criteria. The Planning Department and the Planning Commission have reviewed the Application and have found that it meets the approval criteria.

C. The TSP's ADT standards are not the same as the City's LOS standards, which is pointed out by Mr. Replinger, Mr. O'Neill and the City Attorney. The TSP's ADT standards are not incorporated into the SDC, so they cannot be applied to the Application. The City Council should note that the Planning Department Staff Report, the City-commissioned reviews of the Applicant's TIAs and the Applicant's TIA's referred to the TSP as "alluding" to the ADT level as applying but no one reviewing this Application except the Appellants have described the ADT levels as required. This means that even if the number of vehicle trips on Melissa Avenue exceed the "typical" ADT levels, this is not a violation of an approval standards and cannot be used to deny the Application. The Application meets the LOS performance standards for street intersections, including intersections on Dubarko Road, based on a Traffic Impact Analysis ("TIA") approved by two City-commissioned reviews of the Applicant's TIAs.

D. Gunderson Road is not required to be constructed by the Applicant to meet approval standards. The Applicant's first TIA showed that without Gunderson Road, the LOS performance standards would still be met. The January, 2020 TIA addendum was prepared to show that adding Gunderson Road would reduce vehicle trips on Melissa Avenue while continuing to meet LOS performance standards.

E. The City has not attempted to meet its legal burden of proof to require the Applicant to construct Gunderson Road and relevant Oregon and federal court decisions require

Mr. Stan Pulliam, Mayor
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cities to have the legal burden of proof to require dedication and construction of off-site streets. The Appellants have not submitted a contrary traffic study to show that the Applicant must construct Gunderson Road. Mr. Replinger's report simply agrees with the Applicant's TIA addendum that Gunderson Road be constructed as the Applicant has offered to do, provided the Planning Commission's conditions of approval are adopted.

F. The same legal test applies to the dedication of parkland. While the Applicant has offered to provide parkland if the UGB is expanded, the record does not contain any evidence showing that the subdivision requires dedication of parkland.

5. Response to issues raised in generally identical April 11, 2020 email submitted by twelve persons.

A. **SDC 17.100.310**, "Required Improvements," is met by the Application. This standard does not prohibit the City entering into a Development Agreement (the "DA") with the Applicant nor does it require the Applicant to construct Gunderson Road because SDC 17.100.310 is subject to SDC 17.84 and provides "except as otherwise provided in relation to oversizing." See City Attorney's February 6, 2020 memorandum at Pages 1 and 2. SDC 17.84.50, "Street Requirements," are met because 17.84.50.A.1 and 17.84.50.A.2 (LOS standards) are satisfied. See January 17, 2020 Staff Report to Planning Commission, finding 36, Pages 9 and 10, stating that all studied street intersections will meet City LOS standards and will not create any significant safety issues and finding 32 at Page 9 showing that the City Engineer did not require Gunderson Road based on unincorporated TSP provision. TSP Chapter 3, "Modal Plans," Page 17, describes local streets as having an average daily trip ("ADT") "typical capacity" but this TSP provision is not specifically incorporated into the SDC and even if it were, "typical capacity" is not clear and objective. Further, ADT is not the same as LOS and while the City Council can apply the LOS standard, it cannot apply the ADT standard from the TSP. Also, the Planning Commission found the Application satisfied SDC 17.84 (Decision findings 30-39 at ages 6-8, Decision findings 51-57 at Pages 11-15 and Decision finding 111 at Pages 21-22). The Applicant addressed these issues in its March 30, 2020 letter at Page 3.

B. **SDC 17.100.60.E.3**, one of six subdivision approval criteria in SDC 17.100.50.E.1-6, is met to the extent it is clear and objective. However, the words "consistent" and "official street plan" are not clear and objective. The TSP, Figures 1-15, does not contain an "official street plan." Further, neither the TSP, its appendices nor the Comprehensive Plan are incorporated into the SDC. The January 17, 2020 Staff Report finding 83 at Page 19 did not find this standard not met. The Planning Commission decision, finding 80-112 at Pages 16-22 found SDC 17.100 met.

C. **SDC 17.84.50** is met. While this standard requires that that local streets be designed to discourage through traffic, it expressly defines through traffic to exclude traffic with a local origin and destination, such as the traffic from the subdivision but it is also subjective because "discourage" is not clear and objective. Further, SDC 17.100.100(F) requires the subdivision to be connected to Melissa Avenue. See Applicant's February 6, 2020 letter to Page 4.

Mr. Stan Pulliam, Mayor
April 13, 2020
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D. Traffic safety is not a clear and objective term but even if it were, the evidence before the City Council shows that traffic safety is not harmed by the Application. Mr. Walker's February 6, 2020 report states that there have been no crashes at the intersection of Melissa Avenue and Rachael Drive for the five years preceding 2017. The Applicant's TIA did not find a safety issue. Mr. Replinger's January 20, 2020 memorandum did not find a traffic safety issue. There is no traffic study to the contrary in the record.

E. TSP provisions and subjective approval criteria cannot be approval criteria for this Application. The City Attorney's January 20, 2020 memorandum at Page 3 states "I am not certain that [SDC 17.100.60.E.E and E.4] are "clear and objective for the purposes of ORS 197.307(4)." Further the City Attorney notes at Page 4 that the TSP's ADT standards are not adequately incorporated into the Code.

F. The Planning Commission found that the Application satisfied all of the relevant approval standards in the SDC that are clear and objective and properly incorporated, as did the Staff Report. The Planning Commission includes feasible conditions of approval including C2 (emergency access), D7 (stop sign at Melissa Avenue and Rachael Drive), D10 (dedication or easement for Tracts A and B depending on UGB approval), D12 (fee-in-lieu or dedication for parkland in UGB expansion area) and G1 and G2 (Gunderson Road improvement depending on UGB approval, subject to DA).

G. Parkland dedication within the subdivision was not required by the Planning Commission and it found SDC 17.86, "Parkland and open space," met at findings 61-65, Pages 13 and 14. The January 17, 2020 Staff Report to the Planning Commission, finding 62 at Page 15, found that the Parks Master Plan shows no park in the subdivision site (and the Applicant notes that the Parks Master Plan is not specifically incorporated into the SDC), that a conceptual park location is shown on the Nicholas Glen Subdivision (and the Applicant notes that the City did not require a park in that subdivision) and that the City Council decided in 2019 that a fee-in-lieu was acceptable (and the Applicant notes the Parks Advisory board made a recommendation without allowing the Applicant to appear). Further, the Staff Report to the City Council, finding 17, notes that the local standards for parkland dedication are not met. The City Attorney's February 6, 2020 memorandum addresses the SDC standards requiring houses to face the park. He concluded, as did Mr. O'Neill in his April 6, 2020 Staff Report, that the houses will face the area to be dedicated.

H. The Staff Report to the City Council addressed of the reasons for the appeal and concluded that the Planning Commission did not err in approving the Application with conditions of approval. The Staff Report concluded: ". . . Staff continues to believe that the Planning Commission made the best decision it could, which preserves the best opportunity for the neighborhood to have a second access into the subdivision and for the City to complete the Gunderson Road connection to Oregon Highway 211, as identified in the TSP."

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6. The Development Agreement.

The Development Agreement is not before the City Council for approval in this Application but an approved Development Agreement is required by the Planning Commission's conditions of approval if the Applicant is to construct Gunderson Road.

The Appellants want the City Council to require the Applicant to pay for Gunderson Road. First, the record does not contain the evidence to allow the City to impose this requirement. Second the City cannot implement its TSP without the Applicant's assistance to expand the UGB. Third, Gunderson Road is not needed to meet the approval criteria and the SDC requires Melissa Avenue to be connected to the subdivision, which means that without Gunderson Road, all of the subdivision's vehicle trips will use Melissa Avenue.

7. Procedural violation.

The Appellants assert that Mr. Mobley had a conflict of interest which led to a procedural violation in the Planning Commission hearing. No such violation occurred and the Appellants did not explain how it violated their substantial rights. Even if it had occurred, the City Council's *de novo* hearing "cured" any procedural violations at the Planning Commission.

Ms. Emily Sheldon argued in an April 13, 2020 email that her substantial rights were violated by not allowing her to testify, by the City Council holding a virtual hearing, by Mr. Mobley's alleged participation in the Planning Commission hearing, and by alleged *ex parte* communications between the Applicant and the City Council.

The City Council must reject Ms. Sheldon's arguments for the following reasons. First, a failure to raise procedural objections at the hearing when they can be cured waives the procedural objections. Ms. Sheldon did not object to the hearing format nor did she object to not being allowed to speak as part of the Appellants' presentation. Next, the City Council did not disclose any *ex parte* contacts between it and the Applicant and there have been none. Finally, Mr. Mobley complied with SDC 17.20.110.E for an abstaining or disqualifying member of the Planning Commission.

8. Response to April 6, 2020 Appellants' presentation.

The Planning Director reviewed the Appeal and recommended that the City Council deny the Appeal. After listening to the hearing, he made the same recommendation. He noted that ADT is not same thing as LOS and the City Engineer found that LOS is met. He noted that the Curran-McLeod and John Replinger studies are not legal documents and the City Attorney's legal advice should be relied upon. He said that the Application addressed the standards in SDC 17.86 for parkland dedication and that the Staff is not "manipulating" the SDC but simply applying it.

Ms. Walker made the Appellants' presentation. She first attempted to distinguish the *Silverton* decision. No amount of argument can change the fact that LUBA applied state law and the Court

Mr. Stan Pulliam, Mayor
April 13, 2020
Page 7

of Appeals decision in *Paterson v. City of Bend* to find that standards not incorporated into land use regulations cannot be applied to a limited land use decision.

Ms. Walker also argued that the Applicant's TIA said that Gunderson Road is needed to meet LOS performance standards. She is incorrect. None of the Applicant's TIAs or the City studies concluded that Gunderson Road is needed to meet LOS performance standards. The January, 2020 TIA addendum simply pointed out that Gunderson Road will reduce vehicle trips on Melissa Avenue.

Ms. Walker also advised that the Applicant must pay for and construct Gunderson Road and must dedicate parkland. She is wrong on both points for the reasons described above.

Nowhere in Ms. Walker's presentation did she cite an SDC provision that limits vehicle trips on local streets and she conceded this point by acknowledging that the TSP ADT levels are not specifically incorporated into the SDC.

Ten other persons also testified on behalf of the Appellants. Their arguments, while well-intentioned, are not a basis for denying the Application. There is no basis in the record for requiring the Applicant to dedicate Gunderson Road. There is no applicable standard limiting vehicle trips on Melissa Avenue. Safety is not a clear and objective standard but no credible evidence shows that safety will be affected and the subdivision will have an emergency access with or without Gunderson Road.

9. Response to issues raised in ten submittals received on April 13, 2020 at 6:57 a.m.

The submittals from Mr. Weisz, Cary Mallen, Mr. Grable, Mr. West, Ms. Watkins, Brittany Bradfield and Mr. Barnard are essentially the same. No evidence meets the legal standard requiring the Applicant to construct Gunderson Road. The City Engineer has not said that Gunderson Road is required to meet the ADT performance standards. The January, 2020 John Replinger report simply acknowledges the Applicant's January, 2020 TIA addendum which concluded that adding Gunderson Road would reduce vehicle trips on Melissa Avenue but not that it was required to meet LOS performance standards.

The submittals by Ms. Duncan, Mr. King and Mrs. Sheldon raise issues addressed elsewhere in this letter.

Mr. Paul Savage also testified with a letter submitted on April 13, 2020. Mr. Savage's letter raises issues addressed elsewhere in this letter.

10. Transportation analysis.

Exhibit 1 to this letter is an April 13, 2020 letter by Lancaster Mobley responding to the Appeal as required by ORS 197.522(3).

Mr. Stan Pulliam, Mayor
April 13, 2020
Page 8

The exhibit demonstrates that the relevant approval standards relating to traffic are met by the Application.

11. Conclusion.

The City Council can find that the Application meets the relevant approval standards. The Applicant has offered to help the City provide Gunderson Road but the City cannot legally require the Applicant to do so. The Application meets the relevant standards in SDC 17.86 for parkland. The Application meets the relevant standards for streets but these do not include the ADT levels on local streets.

The Appellants' arguments are primarily about requiring the Applicant to build Gunderson Road. The approval criteria and the evidence do not allow the City to require that result but the Applicant has nevertheless proposed a way to assist the City in obtaining Gunderson Road. Since the construction of Gunderson Road is not required to address the Applicant's impacts related to the relevant approval criteria (because the LOS performance standards are met with or without Gunderson Road), the Applicant cannot be legally compelled to pay for the road. However, the Applicant is obtaining and providing the right-of-way that could not otherwise be obtained and has made the applications for the land use approvals necessary to allow the construction of Gunderson Road. Denying the Application or imposing an unenforceable condition could, as the City Attorney said, result in no opportunity to obtain Gunderson Road.

Finally, deciding the Application based on citizen approval or disapproval cannot be how the City Council makes its decision.

The Applicant respectfully requests that the City Council reject the Appeal and approve the Application with the Planning Commission conditions of approval.

Very truly yours,



Michael C. Robinson

MCR:jmhi
Enclosure

Cc Mr. Cody Bjugan (*via email*) (*w/enclosure*)
Mr. Chris Goodell (*via email*) (*w/enclosure*)
Mr. Daniel Stumpf (*via email*) (*w/enclosure*)
Mr. David Doughman (*via email*) (*w/enclosure*)
Mr. Kelly O'Neill (*via email*) (*w/enclosure*)

PDX\27731734.1.docx

Memorandum

To: City of Sandy Recorder's Office
From: Daniel Stumpf, PE
Date: April 13, 2020
Subject: Bailey Meadows Subdivision
City Council Hearing – Response to Appellants Presentation



Introduction

This memorandum is written in response to the Appellant's presentation regarding the Bailey Meadows Subdivision during the City of Sandy City Council Meeting on April 6th, 2020. The hearing was an appeal of the Planning Commission's approval of the Bailey Meadows Subdivision.

The following rebuttal was prepared in response to the appellant's presentation, focusing on three specific aspects of the presentation:

1. Clarification on the definitions and applications of level of service (LOS) and average daily traffic (ADT);
2. Emphasize the validity and accuracy of the applicant's Traffic Impact Analysis (TIA).
3. Clarify approval of the application is not dependant on the Gunderson Road connection to Highway 211.

Response

Level of Service & Average Daily Traffic

During the appellant's presentation regarding Melissa Avenue, the appellant utilized the terms LOS and ADT, and was referencing the two terms interchangeably during their presentation. For clarification, ADT is a term used to describe traffic volumes that may be traveling through or along a transportation facility over the course of an average day. LOS is a metric generally used for measuring delay of a transportation facility and is different from ADT. LOS, or delay, is commonly evaluated for intersections, where the City of Sandy's performance standards require intersections operate at a minimum of LOS D for both signalized and unsignalized intersections.

Regarding the operation the nearby transportation system, the TIA evaluated the LOS of four nearby intersections of significance to the project:

1. SE 362nd Drive at Dubarko Road;
2. Ruben Lane at Dubarko Road;
3. Melissa Avenue at Dubarko Road; and
4. Bluff Road at Dubarko Road

These intersections were scoped with the City of Sandy's transportation engineer and were approved for analysis within the TIA. Based on the analysis findings, all study intersections were found to operate well within City of Sandy's mobility standards, with the highest delay intersection operating at 19 seconds of average control delay, or LOS C.

In fact, the intersection of Melissa Avenue at Dubarko Road was found to operate at LOS B even with the subdivision at full build out and no connection of Gunderson Road to Highway 211. The connection of Gunderson Road to Highway 211 was addressed in the addendum to the TIA, which shows that the connection of Gunderson Road will decrease traffic volume on Melissa Avenue and improve intersection performance.

Validity and Accuracy of the Transportation Impact Study

The validity and accuracy of the Traffic Impact Analysis (TIA) was brought to question on several occasions via verbal and submitted public statements. The TIA was scoped with the City's transportation engineer and subsequently reviewed by both the City's traffic engineer (Replinger & Associates) and the City Engineer (Curran-McLeod). Neither party found error with the findings of the TIA and the City's transportation engineer concurred with the operation and safety analysis findings within the study (*Review of Transportation Impact Analysis – Bailey Meadows Subdivision*, dated January 20th, 2020). Additionally, there is no evidence in the record from any other traffic engineer that refutes the validity of the TIA or its addendum.

Application Approval is Not Dependant on Gunderson Road

During the appellant's presentation, the appellant had indicated that the application is dependent on the Gunderson Road connection; however, this is not the case. As described in the TIA, dated June 20th, 2019, all four study intersections along Dubarko Road were projected to operate well within City of Sandy's performance standards by the buildout and occupancy year of the proposed subdivision, without the Gunderson Road connection. The intended purpose of proposing the Gunderson Road connection was to reduce projected ADT impacts along Melissa Avenue, but the connection of Gunderson Road is not needed to meet the applicable approval criteria for the subdivision.

If you have any questions regarding this narrative, please don't hesitate to ask.





EXHIBIT TTTTTTTT

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Resident of Nicholas Glen - Appeal Letter

Jeff Aprati <japrati@ci.sandy.or.us> Mon, Apr 13, 2020 at 4:55 PM
To: Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <David@gov-law.com>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>, Kelly O'Neill <koneill@ci.sandy.or.us>

FYI

Jeff Aprati
City Recorder / Management Analyst
City of Sandy
503-489-0938
japrati@ci.sandy.or.us

----- Forwarded message -----
From: **Tim Sellin** <tim.sellin@gmail.com>
Date: Mon, Apr 13, 2020 at 4:53 PM
Subject: Resident of Nicholas Glen - Appeal Letter
To: <recorder@ci.sandy.or.us>, <koneill@ci.sandy.or.us>
Cc: Nicole Sellin (ICE) <nicole.sellin@gmail.com>

From:
Tim Sellin
[18256 Melissa Avenue](mailto:tim.sellin@gmail.com)
[Sandy, OR 97055](mailto:tim.sellin@gmail.com)

April 13th, 2020 - 4:53pm PST

Attn:
City of Sandy Council Members
c/o Mr. Aprati and Mr. O'Neill
City of Sandy
[39250 Pioneer Blvd](mailto:tim.sellin@gmail.com)
[Sandy, OR 97055](mailto:tim.sellin@gmail.com)

Dear Council Members,

This email/letter is in response to the most recent appeal hearing regarding the Bailey Meadows application. I am on the record as a vocal participant in past a City Hall public hearing, but since have only stood in solidarity with my neighbors in Nicholas Glen [as such, I'll be borrowing some of their hard work, ie - wording, code referencing and other testimony herein]. My wife [Nicole] and I watched the entire Zoom meeting and have been observing the process likewise or in person prior to COVID-19. Being in the construction industry myself, I'd like to think that I'm a bit more objective than others, but still err on the side of caution when it comes to the safety of our community.

It's my hope that the City Council would seriously consider the potential by-product of allowing the Bailey Meadows subdivision to 'proceed as planned'. With using the 'main street' into teh Nicholas Glen development [Melissa Avenue] as the sole construction access up to the point of 30 homes with occupancy, I foresee massive logistical issues. I'm a professional in the landscape construction industry. I've worked at companies where we installed the front yard landscape on spec-homes for the better part of 3 years. I've seen how quickly these homes are built, in fact, I worked directly with the proposed builder... Lennar Homes. My experience is that they work on about 3 homes at a time [dig out, foundation, underground utilities, framing, etc]. The process of building those homes in tandem [again my observation], takes between 3-6 months. Let's assume the developer wants to move twice as fast in

the building process, and work on 6 at a time. I could be off on all these assumptions [and am open to correction], but the premise remains... if that were multiplied by a factor of 5 [6 homes at a time, 5 sets to get to 30 dwellings with approved occupancy]... it could be 15 to 30 months of construction until they are required to generate their own access off of Hwy 211.

Let that sink in a bit. Not only is that a HUGE inconvenience to residents along Melissa Avenue [I count 13], but the entire neighborhood really, as the intersection of Melissa Avenue and Dubarko Road is the ONLY access into our neighborhood. This all feels a bit 'cart before the horse' to me. If approved and construction of the new Bailey Meadows subdivision is granted, our lives will be impacted LONG TERM. Due to this, we've considered selling our home prior to this all happening, because we simply cannot fathom to what extent our private property access, well-being and livelihood will be affected.

For these reasons, I believe construction AND future vehicular access needs to be developed [and substantially paid for by the developer] PRIOR to breaking ground on a single home. I am not averse to the development in and of itself, but using an already taxed residential road [at a less-than-desirable gradient to boot]... to me, seems foolish on all fronts. I implore you to ensure the following components are CLEAR and ABSOLUTE within the Bailey Meadows application -- prior to your approval:

- Do not allow any development, until the UGB is expanded.
- Once the UGB is expanded, do not allow any development until it is clear who will pay for the construction of Gunderson and where those funds will come from. If the city must pay, do not allow development until the city can pay...and still provide sufficient infrastructure on all other levels.
- An easement is not sufficient for resident safety. ***A resident-controlled fire access (Gunderson) is necessary.
- A spokesperson for the City of Sandy Fire Department would not have provided testimony for the UGB expansion hearing in Clackamas County, if there did not exist "expert-level" concerns on this issue.

As a member of Nicholas Glen neighborhood, I'm including additional, shared testimony below. To make sure that applicable codes are followed BY THEIR INTENT and not lightly referenced and [in my opinion] manipulated and questioned to fit the narrative of the developer, I ask that you:

- Uphold the appeal and deny the approval of Bailey Meadows subdivision because the Bailey Meadows application shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:
 - Half of Gunderson Rd. is located on the site of Bailey Meadows in the Transportation System Plan (TSP). This violates Subdivision Approval Criteria in 17.100.60 E3.
 - Not requiring Gunderson Rd to be constructed in this application, funnels almost 3 times the allowable daily traffic onto Melissa Ave, a local street, in violation of 17.84.50 and 17.100.100.
 - The City Engineer identified the need to build Gunderson Rd. to meet code and for life and safety. (Sept, 2019 and Jan 2020 City Engineer Reports).
 - Require Bailey Meadows developer build Gunderson Road and pay for the majority of the cost, because his 100 homes will be the primary residents using it as required in Code 17.100.310.
 - Use the existing City of Sandy code language, the TSP, and the City Engineer recommendations to require Bailey Meadows pay for their share of Gunderson Road to Hwy 211 as required in 17.84, 17.100 and out TSP. Let them take it to LUBA if they want to appeal the decision.

Your decision on this application will likely set an informal precedent for future development. Please send the message that the City of Sandy welcomes development and stands by its codes. Make an ethical decision on safety. Quite often, best-practice and strong, ethical decisions must be made while waiting for the flaws of legal code and language to "catch up". The term "subjective criteria" becomes irrelevant the moment you stand up, and choose to make an ethical decision on this matter.

Thank you for your consideration and performing your civic duty.

Tim Sellin
503.799.7195

EXHIBIT UUUUUUUU

Nicole Sellin
18256 Melissa Ave
Sandy, Oregon 97055
503.887.6284
nicole.sellin@gmail.com
April 13th, 2020

City of Sandy, Planning Division
39250 Pioneer Blvd.
Sandy, OR 97055
recorder@ci.sandy.or.us; koneill@ci.sandy.or.us

Re: Bailey Meadows Subdivision Appeal File No. 20-009 AP

Dear Sandy City Council,

I am writing this letter in regards to the proposed subdivision, Bailey Meadows, and its possible impact on our Nicholas Glen community, as well as the city of Sandy. As a resident of Nicholas Glen, and specifically a resident on Melissa Avenue, I am quite concerned with the approval of this proposed development and the conditions.

First of all, I feel that the application and proposal is not ready for approval. There seem to be too many unknowns and what ifs. It is hard to really understand what is being proposed and how it will impact our beloved city, because things keep changing and the original proposal does not necessarily show the updates. I understand that the city must encourage growth and allow the building of homes to meet an anticipated population within the next 20 years, but in my opinion, the current Bailey Meadows application is not quite ready. I am not against growth at all, but I feel that we need to be responsible and plan well for it. For this reason, I would ask that the City Council consider denying the application until a cohesive plan is set.

These are my specific concerns with regard to the proposal of the Bailey Meadows subdivision:

- One Access with Melissa Ave: One way in and one way out, using only Melissa Avenue, is going to cause a huge traffic increase for our neighborhood, the surrounding neighborhoods, and the city. It is not safe for the Nicholas Glen Neighborhood with 160ish homes, plus Bailey Meadows with 100 homes, to use only one main street for access in and out. In the event of an emergency, one access would be a nightmare and may lead to life endangerment.
 - According to the City of Sandy's Transportation plan, local streets have the typical capacity of 800-1000 average daily car trips. The new development of 100 proposed homes would add approximately 944 additional car trips on Melissa Avenue. Traffic on Melissa Avenue will be double the typical capacity of a local street. City Code 17.100.100 states "the pattern of streets should be connected in such a way will spread traffic over many streets so that key streets are not overburdened." With only one access point, Melissa Avenue will be overburdened and this extra burden will sprawl onto Dubarko and other arterial streets with connections to US 26.
 - An additional 944 car trips per day will increase drive time not only on Melissa Avenue, but also on Dubarko, Bluff, Ruben, and 362nd Ave. The intersections of Dubarko/OR 211, Dubarko/362nd, 362nd/US 26, Ruben/US 26, and Bluff/US 26 are currently rated as a C or D for their level of service according to our transportation plan mobility standard. With added development that has no other alternative route, those intersections will become much more

overwhelmed and their level of service will decrease, possibly reaching the point of failing mobility according to the city standard.

- Gunderson Road: Developers are looking into second access connecting the new Bailey Meadows neighborhood to OR 211. This is a great show of character in that they are trying to work with our neighborhood and city to do something right. However, Gunderson Road is not a sure thing and we do not know how it will be paid for.
 - The property for most of Gunderson Road is outside the Urban Growth Boundary currently. Because of this, it may be awhile before Gunderson Road happens. When development begins before Gunderson is constructed, the construction traffic and equipment alone will cause issues for Melissa.
 - Who will pay for Gunderson Road? The residents of Sandy are already taxed quite a bit, and there are more proposals of bonds coming on the ballot for things including our schools, parks, etc. Our water and sewer bills just doubled because of rapid growth on an already overwhelmed system that could not handle it. Our pocketbooks are not endless and are getting hit quite hard with all of these expenses. There is also the economic hit the coronavirus is causing all around. The city and its citizens cannot afford to pay for Gunderson Road, nor should we have to, because we have other things already prioritized. The road is being built because of a new development, therefore that new development should pay for the road.
 - One of our neighbors raised the idea that Bailey Meadows should have its own entrance and exit using Gunderson Road to Highway 211 once all of that area is entered into the UGB; their idea was that it would not even have access to Melissa Ave. We heard from Staff that the Commission would be in violation for not punching Melissa through to a new neighborhood, but how were they not in violation when they built Nicholas Glen in the first place? It seems to me if the Nicholas Glen neighborhood could be built with only one access, couldn't Bailey Meadows have only one access to Highway 211? I am not sure if it is possible, but it seems like an idea that could be further explored if it is.
- Park: Developers are looking into adding a 2+ acre park. I am very thankful for their effort, but I do not believe it is enough as it is proposed.
 - Developers are proposing to give land for a park on the section of land that is not inside the Urban Growth Boundary. It, again, is not a sure thing.
 - The proposed area for the park is right next to a highway. The idea of children playing next to Highway 211 just does not seem safe.
 - If a park were to be built, who will pay for the park? Does the city have enough money to pay for the park if the developers do not have to build it fully, or will it just be an unused piece of property?

The Nicholas Glen neighborhood was allowed to be built with no park and only 1 access road. It is currently at the HIGH end of what is considered a "safe" level of traffic. Adding ANY additional traffic from the proposed subdivision will raise traffic to an unsafe level on Melissa Ave. Lives are at stake. In the event of an emergency, only one access could mean life endangerment or loss of life. It will also ruin our street physically at a much quicker rate and will bring a higher likelihood of accidents. Adding an additional neighborhood without a second access is IRRESPONSIBLE and would further the problem. We ask the Planning Commission to weigh the safety of our neighborhood vs. the requirement to connect our already taxed road. We feel the safety of the citizens should always be the #1 factor in any decision of this kind.

1) PLEASE do not run any additional traffic through our neighborhood, if at all possible. Look at alternative options if there are any. If you must include access to Melissa, please add a 4 way stop at the top of Rachael and Melissa. A 3 way stop at the crossing of Dubarko and Melissa would be great too.

2) The UGB expansion and access from the proposed subdivision out to Hwy 211 MUST be a condition of approval. CHANGE THE wording on the conditions to say that Gunderson Road MUST be approved and paid for by the developers for the application to be approved. This will create a safe access for the citizens of the Bailey Meadows subdivision and a needed park. We feel that the park is imperative in keeping with the vision of the City of Sandy and the State of Oregon. Please consider moving the park to a safer area for our children, between the two neighborhoods so that both neighborhoods have access.

Many of the citizens living in Nicholas Glen are concerned about our safety with the intrusion of another subdivision. We feel that the spirit and vision of our city are very much in line with the State of Oregon in desiring parks, green space, and responsible growth. I think perhaps we could learn from the mistakes when creating our Nicholas Glen subdivision that we did not have a dedicated park and our street was not created to handle more traffic than our current subdivision has. I am hoping that the Planning Commission, our only line of defense, will recognize the need to protect our community by demanding the new subdivision have a main access off Highway 211 with little burden added to our one street. With the new subdivision having another access, it's own park, and adequate roads for future growth extending to it's parameters, the City will be setting up the next few developments for success.

Sincerely,
Nicole Sellin

EXHIBIT VVVVVVVV

Erin & Jason Findlay

37616 Rachael Drive
Sandy, OR 97055
(503) 312-2608
stewstac@hotmail.com

April 13th, 2020

Jeff Aprati; Kelly O'Neill

(via email: recorder@ci.sandy.or.us; koneill@ci.sandy.or.us)

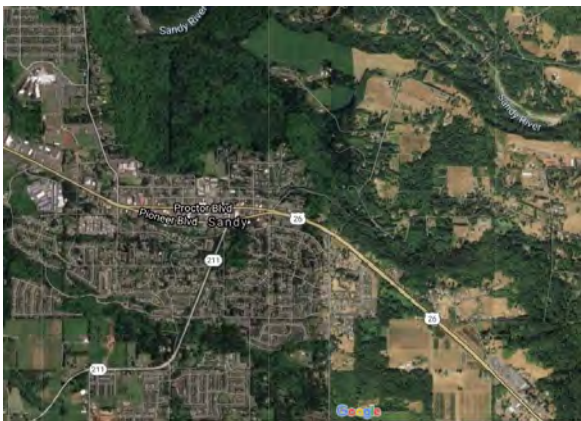
City of Sandy
39250 Pioneer Blvd.
Sandy, OR 97055

Dear Council Members:

This is our follow-up letter in response to the Bailey Meadows application and appeal. We have struggled a bit with technology and the overall process. As a result, we did not get to provide spoken testimony during the most recent City of Sandy Council Meeting.

It is our hope that our City Council will have time to read and consider this letter. With the decision to move forward with a “de novo” hearing, we are not clear on whether or not our Council will be reviewing testimony from the planning commission meetings that occurred prior to our appeal. We apologize if, for this reason, our letter feels repetitive. We write this letter as both individual residents of Sandy, and as members of an unofficial, Nicholas Glenn Neighborhood Group.

As individual residents, we ask you to consider the City of Sandy as your canvas. With every land use application that you approve, you apply paint to a small city canvas that will grow exponentially over the next decade. Please apply the “paint” carefully. Speaking from experience, we can tell you that it is much more difficult to build needed infrastructure after the fact -- even with the expected revenue that will come from new, residential developments.



**With our vote, we have entrusted you with our safety.
Please apply the “paint” carefully to our shared canvas.**

Please ensure the following components are clear and absolute within the Bailey Meadows application -- prior to your approval:

- Do not allow any development, until the UGB is expanded.
- Once the UGB is expanded, do not allow any development until it is clear who will pay for the construction of Gunderson and where those funds will come from. If the city must pay, do not allow development until the city *can* pay...and still provide sufficient infrastructure on all other levels.
- Do not wait until you are sitting in an emergency session, discussing the results of a fire that has devastated our neighborhood. Paint a canvas now -- that protects residents in the unforeseen future. An easement is not sufficient for resident safety. ***A resident-controlled fire access (Gunderson) is necessary.
- A spokesperson for the City of Sandy Fire Department would not have provided testimony for the UGB expansion hearing in Clackamas County, if there did not exist "expert-level" concerns on this issue.

As a member of an unofficial Nicholas Glenn Neighborhood Group, I've pasted additional, shared testimony below. I am not one for referencing codes but appreciate the hard work of neighbors who have done so. We ask that you:

- Uphold the appeal and deny the approval of Bailey Meadows subdivision because the Bailey Meadows application shows no Gunderson Road being constructed and developers have refused to pay for it. The rationale for your decision should be:
 - Half of Gunderson Rd. is located on the site of Bailey Meadows in the Transportation System Plan (TSP). This violates Subdivision Approval Criteria in 17.100.60 E3.
 - Not requiring Gunderson Rd to be constructed in this application, funnels almost 3 times the allowable daily traffic onto Melissa Ave, a local street, in violation of 17.84.50 and 17.100.100.
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 - Require Bailey Meadows developer build Gunderson Road and pay for the majority of the cost, because his 100 homes will be the primary residents using it as required in Code 17.100.310.
 - Use the existing City of Sandy code language, the TSP, and the City Engineer recommendations to require Bailey Meadows pay for their share of Gunderson Road to Hwy 211 as required in 17.84, 17.100 and out TSP. Let them take it to LUBA if they want to appeal the decision.

Your decision on this application will likely set an informal precedent for future development. Please send the message that the City of Sandy welcomes development and stands by its codes. Make an ethical decision on safety. Quite often, best-practice and strong, ethical decisions must be made while waiting for the flaws of legal code and language to "catch up". The term "subjective criteria" becomes irrelevant the moment you stand up, and choose to make an ethical decision on this matter.

With gratitude and faith,

Erin & Jason Findlay
37616 Rachael Drive
Sandy, OR 97055
(503) 312-2608
stewstac@hotmail.com

EXHIBIT WWWWWWWWWW

Kathleen Walker
15920 SE Bluff Rd.
Sandy, OR 97055

April 13, 2020

Dear City Council Members,

I am writing this letter to ask you to consider the whole of our letters, our testimony, and our PowerPoint presentation. I incorporate by reference the power point presentation, appeal letter, and code and TSP references into this letter. We have cited the numerous examples of our City Development Code, that clearly and objectively incorporates our TSP, its standards, and the intent that developers shall pay their share of needed infrastructure. We have spoken to the City Planner in Silverton to find out what happened on their appeal and they admitted they had more stringent code, but overlooked citing those when denying the appeal. Sandy can avoid that.

I am sure that this case has been a challenge for all of you, to plow through the application, staff reports, testimony and presentations. Yet what has amazed me in the entire process, is the shell-game like tactics that have been used in this process. It was most apparent when the developer power point showed maps and slides with no mention of Gunderson and proposing a fee-in-lieu payment for parks. Then the planning director presents a bunch of other "proposed actions" that are not proposed by the developer, or building Gunderson and a park. It boils down to the application. The application shows no Gunderson Road and no commitment from the developer to pay their share of Gunderson Road. All the other proposals (including commitments from the developer to build, but not pay for building Gunderson Road) are outside the Bailey Meadows application and your decision space on it. Your decision space is whether to approve or deny the application as submitted, and if approved, what conditions are, for approval.

Later in the April 6 meeting, the planning director stated that after the new Council members were sworn in, he was given direction for his department to be more business and developer friendly. This has led to the planning director failing to implement the code as it is written. From the Nicholas Glen neighbors' perceptions, it has apparently led to our legal representative following the same direction. The downside to this direction is that the City and the voting taxpayers are being asked to subsidize a majority cost of a road improvement that is necessary for this developer to meet our code and TSP.

Regarding the Gunderson Road options you could:

- 1) Deny the application and require the developer to re-submit the application showing Gunderson Road as part of the development. This option could result in an edited version of their application as they alluded to in their last lawyer's letter. It could result in them filing a LUBA appeal.
- 2) Approve the application with a condition for approval that the developer pay for Gunderson Road, as was done on Bell and Jewelberry. The public works and City engineer can determine the developer's share of the improvements and work on the various options available to the developer to get funds for future adjacent developments.

- 3) Approve the application with the existing conditions for approval which will appear to stick the cost of Gunderson Road development on the City taxpayers, or the City will obtain easements, and choose not to build Gunderson Road. This will force all the new traffic onto overburdened Melissa Ave. Neither of those outcomes will be “resident friendly”.

The outcome of a LUBA appeal, if they choose to file one in Option 1 or 2, should be that LUBA agrees with us, and the Council decision is upheld. If the City loses in a LUBA appeal, the results are the same outcome as Option #3. So we really have little to lose by enforcing our City Code as we have enforced it for all of Sandy Bluff developments in the past. The worst case scenario is the City ends up paying to build Gunderson Road or the City chooses to not build Gunderson Road and dump all the traffic onto Melissa – see Option 3.

If you choose to allow some homes to be developed prior to completion of Gunderson, I encourage you to use building permits rather than occupancy permits. Occupancy permits put City officials as the bad guys while a new resident has the moving van in the driveway and is being told they cannot occupy because of some needed road construction by the developer.

You were elected to represent the residents of this town, not the developers. While we all understand development is inevitable, we have all agreed in the past, that we need to ensure that regulations are in place to mitigate the impacts of developments on current and future residents. It is very troublesome that our new City Council has chosen to take direction for changing our City Code from developers, rather than the business owners and especially the public. Sandy residents support responsible growth.

When a landowner requests to annex into the UGB in 2017, and then develop property on the outer edge of our UGB, they must understand that it will cost more to develop. That additional cost should be on them, and certainly not the City and its taxpayers.

As City Council members, I know you work long hard hours in unpaid, volunteer elected positions, because you want the best for Sandy. I also know that we can all agree to disagree respectfully, about what we believe, is best for Sandy. I believe that development that pays for itself, and does not leave the existing residents, or the future new residents in the new development, complaining about the traffic, parking, and other infrastructure, is a win-win for both developers and Sandy residents. I hope you agree. Require the developers pay the majority share of Gunderson prior to developing Bailey Meadows.

Sincerely,

Kathleen Walker

Kathleen Walker



EXHIBIT XXXXXXXX

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows Testimony

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Mon, Apr 13, 2020 at 4:15 PM

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, David Doughman <David@gov-law.com>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

Thanks Mike. Marisol, please add this email to the record.

----- Forwarded message -----

From: **Robinson, Michael C.** <MRobinson@schwabe.com>

Date: Mon, Apr 13, 2020 at 4:08 PM

Subject: Fwd: Bailey Meadows Testimony

To: Jeff Aprati <japrati@ci.sandy.or.us>, Kelly O'Neill, Jr <koneill@ci.sandy.or.us>, David Doughman <david@gov-law.com>

Cc: Cody Bjugan <cody@investpdx.com>, Chris Goodell AICP, LEED AP <chrisg@aks-eng.com>

This email is submitted on behalf of the Applicant. I am responding to the Findlay's April 13, 2020 testimony.

First, I agree that the city should follow its applicable land use regulations but that means approving the application because no clear and objective standard in the SDC is not met by the application.

Second, quasi-judicial decisions do not establish precedents.

Third, safety is not a clear and objective term and the TSP is not an approval standard because it is not specifically incorporated into the SDC. Additionally, this testimony does not cite relevant SDC standards to support these arguments. This does not mean that the Applicant is not concerned about traffic safety; it is. It means that safety cannot be an approval standard because it is a subjective term.

The Application provides a second emergency access to the subdivision and it is doing its best to help the City provide Gunderson Road. Incidentally, Nicholas Glen Subdivision has existed for years as a "dead-end" subdivision. This application will cure that deficiency by allowing a second way in and out for first responders and residents in case of an emergency. It means that safety cannot be an approval standard because it is a subjective term.

Making an "ethical" decision means we all have to play by the rules that are in place when a limited land use application is submitted. In this case, the City's rules don't require the results that the neighbors want. Making a decision to deny or improperly condition the Application on things not legally required is not an ethical decision.

The Applicant respectfully requests that the City Council approve the Application.

Sent from my iPhone

Begin forwarded message:

From: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>

Date: April 13, 2020 at 3:49:45 PM PDT

To: Jeff Aprati <japrati@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <david@gov-law.com>, "Robinson, Michael C." <MRobinson@SCHWABE.com>, Cody Bjugan <cody@investpdx.com>

Subject: Fwd: Bailey Meadows Testimony

FYI...

----- Forwarded message -----

4/14/2020

City of Sandy Mail - Fwd: Bailey Meadows Testimony

From: E F <stewstac@hotmail.com<mailto:stewstac@hotmail.com>>
Date: Mon, Apr 13, 2020 at 3:44 PM
Subject: Bailey Meadows Testimony
To: recorder@ci.sandy.or.us<mailto:recorder@ci.sandy.or.us> <recorder@ci.sandy.or.us<mailto:recorder@ci.sandy.or.us>>, Kelly O'Neill <koneill@ci.sandy.or.us<mailto:koneill@ci.sandy.or.us>>

Attached as a .pdf and also pasted below from our family to yours:

Erin & Jason Findlay

[37616 Rachael Drive](#)

Sandy, OR 97055

(503) 312-2608

stewstac@hotmail.com<mailto:stewstac@hotmail.com>

April 13th, 2020

Jeff Aprati; Kelly O'Neill

(via email: recorder@ci.sandy.or.us<mailto:recorder@ci.sandy.or.us>; koneill@ci.sandy.or.us<mailto:koneill@ci.sandy.or.us>)

City of Sandy

[39250 Pioneer Blvd.](#)

Sandy, OR 97055

Dear Council Members:

This is our follow-up letter in response to the Bailey Meadows application and appeal. We have struggled a bit with technology and the overall process. As a result, we did not get to provide spoken testimony during the most recent City of Sandy Council Meeting.

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As individual residents, we ask you to consider the City of Sandy as your canvas. With every land use application that you approve, you apply paint to a small city canvas that will grow exponentially over the next decade. Please apply the "paint" carefully. Speaking from experience, we can tell you that it is much more difficult to build needed infrastructure after the fact -- even with the expected revenue that will come from new, residential developments.

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--
Kelly O'Neill Jr.
Development Services Director

<https://mail.google.com/mail/u/0?ik=256091e41c&view=pt&search=all&permmsgid=msg-f%3A1663901084125033453&simpl=msg-f%3A16639010841...> 2/3

4/14/2020

City of Sandy Mail - Fwd: Bailey Meadows Testimony

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2163
koneill@ci.sandy.or.us

4 attachments



6AC6B2DEAFF1431094079B03BE7FE9A4.jpg
56K



ATT00001.htm
11K



04_13_20 Bailey Meadows Letter of Concern - Google Docs.pdf
197K



ATT00002.htm
1K

4/14/2020

City of Sandy Mail - Fwd: Final letter from K Walker for record



EXHIBIT YYYYYYYY

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Final letter from K Walker for record

Robinson, Michael C. <MRobinson@schwabe.com>

Mon, Apr 13, 2020 at 4:33 PM

To: Jeff Aprati <japrati@ci.sandy.or.us>

Cc: Marisol Martinez <mmartinez@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <david@gov-law.com>, Cody Bjugan <cody@investpdx.com>, "Kelly O'Neill, Jr" <koneill@ci.sandy.or.us>, "Chris Goodell AICP, LEED AP" <chrisg@aks-eng.com>

Response to Ms. Walker's Testimony Submitted on April 13, 2020 on Behalf of the Applicant.

I have reviewed Ms. Walker's most recent testimony. The Applicant has addressed her issues in prior testimony and will not repeat that testimony here.

However, one comment merits a response. Ms. Walker asserts that the Applicant has not been transparent about trying to solve Gunderson Road. The record speaks for itself: the Applicant began assessing how to solve the problem because, as Mr. O'Neill told the City Council, the TSP's location for Gunderson Road cannot be constructed. The Applicant applied for at its cost the applications to expand the UGB and has pursued these approvals in good faith. Mr. Bjugan told the City Council why he did this: to try to solve a problem that the neighbors identified.

Denying this Application or imposing conditions that should not be imposed under applicable law does not solve the problem; it just continues the problem and disagreement. On the other hand, approving the application with the DA solves the problem of providing Gunderson Road and resolves the development of this property with this application.

Thank you for your consideration of the Applicant's testimony.

Sent from my iPhone

On Apr 13, 2020, at 4:05 PM, Kelly O'Neill Jr. <koneill@ci.sandy.or.us> wrote:

[Quoted text hidden]

koneill@ci.sandy.or.us<mailto:koneill@ci.sandy.or.us>

This e-mail is a public record of the City of Sandy and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

<Final Appeal letter from K Walker.docx>

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EXHIBIT ZZZZZZZZ

Sir,

I am writing to you to request some clarification following the City Council's hearing the other night by your staff. In the hearing, your Planning and Building Director provided some guidance to the City Council that I would like some clarification to. I saw you were there so I know you saw the same thing first hand.

For the record I would like to point out this matter can be found on YouTube at https://www.youtube.com/watch?v=PLi-sB_qoQQ . The specific issue I have with Mr. O'Neil is the fact that he presented a very biased staff report that was misleading, and not true. This takes place at 2:49:42 in the video.

During this time Mr. O'Neil stated he wanted to point out that when he received the PowerPoint from Mrs. Walker, he asked if she was going to use the 20 minutes for the entire applicant presentation. He continued and stated "I did pre-warn them that they have twenty minutes as the appellant, and it is just not one person, it is all the appellants."

After hearing this my wife emailed Mr. O'Neil informing him that he failed to notify "ALL" the appellants prior to the meeting that we would only get 20 minutes. She advised this was not fair, and that it would have changed our approach to presenting this matter. Mr. O'Neil replied to my wife that his definition of an advisement is "Kathleen-Are you taking the entirety of the appellant's testimony time of 20 minutes?" He then stated that she could have let the other appellants know, or they could have asked Attorney Carrey Richter. He further relied on an email sent to Mrs. Walker and Mrs. Findlay that stated "In anticipation that you will both wish to speak during the 20 minute portion of the public hearing this evening allotted for the Appellants' presentation, you should have received an email from Zoom". My wife then advised Mr. O'Neil that we were also listed as appellants and did not receive an email from Zoom . She then asked who dropped the ball? You? Or the City Recorder? She went on and said she would like to know who is responsible for this oversight. Mr. O'Neil replied "No one dropped the ball. Your husband spoke and the appellants actually got 23 minutes. I really have nothing else to say on this matter."

In both of these statements, especially the first one that was presented to the City Council on the record as staff testimony, Mr. O'Neil implied on the record that he provided advisement that he "pre-warned them that they have twenty minutes as the appellant." He took it one more step further to say "and it is just not one person, its all the appellants." If you read the following emails provided to me by Mrs. Walker, this is NOT TRUE.

Following this I spoke to Mrs. Walker, who felt extremely mislead by your staff, and after being provided with the communication between Mr. O'Neil and Mrs. Walker, as do I. What Mr. O'Neil considers advisement is an email conversation between Mrs. Walker and Mr. O'Neil on April 6th, 2020 at 5:14PM . I should note this is 1 hour and 46 minutes before the council meeting start, and it was a conversation started by Mrs. Walker. At that time Mrs. Walker presented Mr. O'Neil her slide presentation and requested it be available for viewing. Mr. O'Neil replies at 5:25PM "Kathleen-Are you taking the entirety of the appellants testimony time of 20 minutes?"

At 17:40 hours Mrs. Walker replied “No we were told we can do a presentation for 20 minutes and then folks can testify for 3 minutes each.”

I reviewed the Zoom Meeting invitation sent to Mrs. Walker on April 6th, 2020 at 09:39:50. In summary it again does not at all advise that the 20 minutes provided are the only chance for those who signed the appeals opportunity to testify. In fact it only states the “appellant’s presentation” and they can participate as a panelist. Yet this is something that Mr. O’Neil used to justify his statement to the City Council that the appellants were “pre-warned” that their testimony would be restricted to the 20 minute time frame.

The City of Sandy Type II appeal form listed at <https://www.ci.sandy.or.us/media/Departments/Planning%20&%20Building/Planning%20&%20Development/Planning%20Requirements/Appeal%20Type%20III%20Requirements.pdf> does not provide guidance on this matter. The Notice Intent to Appeal found at <https://www.ci.sandy.or.us/media/Departments/Planning%20&%20Building/Planning%20&%20Development/Other%20Land%20Use%20Permits/Notice%20of%20Intent%20to%20Appeal.pdf> also does not advise this. Lastly SDC 17.28 (Sandy Development Code-Appeals) also does not advise of this restriction on citizen speech.

Given this information that I was provided, I highly question the ON THE RECORD statement made by Mr. O’Neil. I can not see where the appellants in this case were “pre-warned”. In fact if any thing I would say it was the opposite. The City Councilors and Mayor advised they wanted to hear citizen feedback on this matter, which is reflected in the City Council Meeting draft minutes on March 2, 2020 (<https://sandy.civicweb.net/document/15105/City%20Council%20-%2002%20Mar%202020.pdf?handle=38087C42F9A9462CA61E3595F19F902F> page 6 of 14).

I realize the Mayor made the decision to restrict the speech of his citizens, and that Mr. O’Neil’s statement followed that. My main concern is again, why does the City seem to be lobbying for this developer, and why did Mr. O’Neil feel compelled to manipulate the record with this statement. Because that is exactly what his statement of advisement does, it manipulates the record. The word manipulate is very specifically used because Mr. O’Neil added this statement after the Mayor had made his decision to restrict Mrs. Findlay's speech.

This behavior is continued when he talks about Level of Service (LOS) and Average Daily Trips (ADT). In his on the record staff report Mr. O’Neil attempted to provide clarification that seemed to attempt to try and imply that we were mischaracterizing LOS, implies that we were misusing this and that it is not a basis of approval. I would again disagree with Mr. O’Neil. SDC 17.84 (2) states “ If the traffic evaluation identifies **level-of-service** conditions less than the minimum standard established in the Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered concurrent with a development proposal.”(pg. 17.84-3). Here Level of Service is ABSOLUTLY discussed, and this is key to what our issue is. What are the mitigating funding strategies? This statement again paints a picture that Mr. O’Neil seems to be levying for the applicant, and misconstruing our City Code. His statements seem more like an applicant rebuttal than impartial professional, whose job is to advise if the development’s designated plan meets do or do not meet City Development Code.

He also addressed that my statement on the record did not portray this, well here is another example. It is either this, or he does not seem to be actively listening to the statements that are being provided.

Mr. O'Neil is the City Planning and Building Director. His words matter to the Council and they have a significant influence on their opinion in regards to this matter. His comments should fall under a higher level of scrutiny, because they carry significant impact. Given the facts that I have presented above, I would like to hear your opinion on this matter? Is there additional communication that I have to found. Also I would like to know what will be done to rectify the inconsistent record that has now been established?

Thank You,

Richard Sheldon



Fwd: Re: Appellant Response Presentation

1 message

Walker Trails <walkertrails@gmail.com>
To: richesheldon@gmail.com

Fri, Apr 10, 2020 at 9:23 AM

— Forwarded Message —

Subject: Re: Appellant Response Presentation
Date: Mon, 6 Apr 2020 17:40:15 -0700
From: Walker Trails <walkertrails@gmail.com>
To: Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

No we were told we can do a presentation for 20 minutes and then folks can testify for 3 minutes each.

On 4/6/2020 5:25 PM, Kelly O'Neill Jr. wrote:

Kathleen - Are you taking the entirety of the appellants testimony time of 20 minutes?

On Mon, Apr 6, 2020 at 5:14 PM Walker Trails <walkertrails@gmail.com> wrote:
Please add this to the site and have it ready for Council and all participants to view it. Thanks.

Kathleen Walker

—
Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2163
koneill@ci.sandy.or.us

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Fwd: Zoom Meeting Invitation Emails for Bailey Meadows Hearing

1 message

Walker Trails <walkertrails@gmail.com>
To: richesheldon@gmail.com

Fri, Apr 10, 2020 at 10:22 AM

— Forwarded Message —

Subject: Zoom Meeting Invitation Emails for Bailey Meadows Hearing
Date: Mon, 6 Apr 2020 09:39:50 -0700
From: Jeff Aprati <japrati@ci.sandy.or.us>
To: stewstac@hotmail.com, walkertrails@gmail.com

Good Morning,

In anticipation that you will both wish to speak during the 20 minute portion of the public hearing this evening allotted for the Appellants' presentation, you should have received an email from Zoom inviting you to participate as a "panelist" at the meeting. Please let me know if the email didn't come through.

To help everything go smoothly, **it's important to join the meeting using the link in the invitation email** (rather than using the link available to the general public). We want you to join the meeting as "panelists," not "attendees."

Thank you - please let me know if you have any questions.

Best regards,

Jeff Aprati
City Recorder / Management Analyst
City of Sandy
503-489-0938
japrati@ci.sandy.or.us

This e-mail is a public record of the City of Sandy and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

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FW: Re: Time as appellant

1 message

emilina moon <emilina moon@gmail.com>
To: richesheldon@gmail.com

Mon, Apr 6, 2020 at 10:33 PM

Sent from my T-Mobile 4G LTE Device

— Original message —

From: "Kelly O'Neill Jr." <koneill@ci.sandy.or.us>
Date: 4/6/20 10:25 PM (GMT-08:00)
To: Emily Sheldon <emilina moon@gmail.com>
Cc: Jeff Aprati <japrati@ci.sandy.or.us>
Subject: Re: Time as appellant

No one dropped the ball. Your husband spoke and the appellants actually got 23 minutes. I really have nothing else to say on the matter.

On Mon, Apr 6, 2020 at 10:15 PM Emily Sheldon <emilina moon@gmail.com> wrote:
Kelly,

I, nor my husband Richard received an email from zoom. And we were listed as appellants. Who dropped the ball? You? Or the city recorder?
I would like to know who is responsible for this oversight.
Thanks.

On Mon, Apr 6, 2020, 10:12 PM Kelly O'Neill Jr. <koneill@ci.sandy.or.us> wrote:
Emily - Kathleen Walker was told, and I quote: " Kathleen - Are you taking the entirety of the appellants testimony time of 20 minutes?" She could have let the other appellants know. They also had an attorney, Carrie Richter, they could have asked. The City Recorder, Jeff Aprati told Kathleen and Erin Findlay this morning the following: "In anticipation that you will both wish to speak during the 20 minute portion of the public hearing this evening allotted for the Appellants' presentation, you should have received an email from Zoom."

I am CCing the City Recorder.

On Mon, Apr 6, 2020 at 8:55 PM emilina moon <emilina moon@gmail.com> wrote:
Kelly, you failed to notify ALL of the appellants prior to the meeting that we would only get 20 minutes. This was not clear, we would not have given all of the time to one person. So disappointed.

Sent from my T-Mobile 4G LTE Device

—
Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055

Scanned with CamScanner

(503) 489-2163
koneill@ci.sandy.or.us

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—
Kelly O'Neill Jr.
Development Services Director

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2163
koneill@ci.sandy.or.us

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EXHIBIT AAAAAAAAAA

**Bailey Meadows
Subdivision**

File No. 20-009 AP
Appeal to File No.
19-023
SUB/VAR/TREE

City Council 4/20/20

Key dates prior to hearings

Application Submitted – July 5, 2019

Deemed Incomplete – August 1, 2019

Completeness Requested – August 22, 2019

Neighborhood Meeting – September 18, 2019
(Library)

Planning Commission Hearings

- December 17, 2019 (testimony)
- January 23, 2020 (testimony)
 - Open Record Period #1
 - Jan 24th - 30th (Exhibits NNNN – ZZZZZ)
 - Open Record Period #2
 - Jan 31st – Feb 6th (Exhibits AAAAAA – FFFFFFF)
- February 11, 2020 (*decision*)

Appeal

Final Order Issued – February 14, 2020

Appeal – February 26, 2020

City Council Hearings

- Originally March 16, 2020
(canceled due to COVID-19 pandemic)
- April 6, 2020
7 day open record period through April 13
(Exhibits PPPPPP – ZZZZZZZZ)

April 28, 2020

Michael C. Robinson

Admitted in Oregon

T: 503-796-3756

C: 503-407-2578

mrobinson@schwabe.com

**VIA E-MAIL (SUBMITTED TO THE CITY RECORDER ON
APRIL 28, 2020 BEFORE 5:00 P.M.)**

Mr. Stan Pulliam, Mayor
City of Sandy City Council
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: Proposed Condition of Approval pursuant to ORS 197.522(3) to Address City
Council April 20, 2020 Comments

Dear Mayor Pulliam and Members of the Sandy City Council (the “City Council”):

This law firm represents the Applicant. This letter is the Applicant’s proposed condition of approval offered pursuant to ORS 197.522(3) and timely submitted on April 28, 2020 by 5:00 p.m. This letter does not propose an amendment to the Application.

The City Council’s comments on April 20, 2020 indicated that its members believed that the Applicant should construct Gunderson Road at its cost in order to provide a second access to the proposed subdivision. The Applicant is not waiving any of its arguments made regarding the need for a second access, the applicability of the Sandy Development Code sections cited by the City Council, or any other argument or issue by offering the condition of approval.

The proposed condition of approval is shown below:

“a. The Applicant shall construct Gunderson Road between the south boundary of the proposed subdivision and Oregon Highway 211 in the location shown in **Exhibit W**. The City shall provide the maximum extent of Transportation System Development Charges credits and waiver of applicable City fees as determined by the City Manager to the Applicant for Gunderson Road. In addition, the Applicant shall pay up to \$500,000.00 for the Oregon Highway 211 improvements as a City project, as determined in the Development Agreement.”

The City Council provided for public comments limited to the proposed condition of approval to be submitted by May 4, 2020 at 5:00 p.m. and a Staff Report to be issued on May 13 at 5:00 p.m.

Mr. Stan Pulliam, Mayor
April 28, 2020
Page 2

Very truly yours,



Michael C. Robinson

MCR:jmhi

cc Mr. Cody Bjugan (*via email*)
Mr. Jordan Wheeler (*via email*)
Mr. Chris Goodell (*via email*)
Mr. David Doughman (*via email*)
Mr. Kelly O'Neill (*via email*)

PDX\133569\245146\MCR\27848058.1



EXHIBIT CCCCCCCCCC

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows Subdivision

Kelly O'Neill Jr. <koneill@ci.sandy.or.us>
To: Marisol Martinez <mmartinez@ci.sandy.or.us>

Wed, Apr 29, 2020 at 10:55 AM

Fyi

----- Forwarded message -----

From: Kelli Acord <kacord@ridesta.com>
Date: Wed, Apr 29, 2020, 10:09 AM
Subject: Bailey Meadows Subdivision
To: recorder@ci.sandy.or.us <recorder@ci.sandy.or.us>
Cc: Kelly O'Neill Jr. <koneill@ci.sandy.or.us>

Good morning,

Student Transportation of America still stands on the fact that this subdivision does not allow for enough room on the streets to allow buses (or potential large vehicles) to pass thru, turn or maneuver thru the subdivision to accommodate the additional students that will be transported. In addition, there is no "good" or safe loading/unloading place designated for this bus or larger vehicles to stop on Hwy 211 (Gunderson Rd) and students would have to walk down to Dubarko Rd/Melissa Ave area. If approved, I would also add that sidewalks must be a condition to adding Gunderson Rd to Hwy 211, so that pedestrians can safely get to a bus stop (whether its city or school). Without sidewalks, student transportation would be pushed back down to Dubarko Rd/Melissa Ave, increasing the pedestrian traffic to an already busy road.

The roadway is only designated for 25 feet on each lane (some are listed less than that), that does not accommodate cars parking on both sides of the road and would require a passing vehicle to either wait or travel across the middle of the road to safely pass those parked vehicles. i.e. 50 feet is the approximate allowance currently, buses (and emergency vehicles) are approximately 11 feet wide, cars are at a minimum 8 feet wide (x2), you are already looking at spacing of at least 27 feet of a 50 feet area. That does not give much room for passing vehicles and/or an emergency and that doesn't take into consideration cars that park away from the curb, losing feet, not inches of space.

Student Transportations primary focus is safety. If we cannot load or unload students safely in an area, we are not going to be able to provide reliable service. We have run into this situation in the area across the highway off of Cascadia Village Dr, Arletha Ct and Village Dr. The vehicle accumulation made it unsafe and unable to drive through this area with a 11 feet wide, 40 foot long bus, due to the fact cars were parked on both sides of the roads and the tailswing of the buses made it "close" to having an accident by hitting a parked car or even a running student. We changed our stop to the Hwy 211 and in between Village and Arletha Ct.

As you know, the city of Sandy is only going to grow. Safety of the next generations are important and if we can lay out the best, safest way possible, I think we could all sleep a little better at night, knowing we made the right decision.

I would encourage the city to consider this in the decision process.

Again, if you have any further questions on how we can make this better, I would be willing to meeting with you at anytime.

Thank you,

Kelli Acord

Operations Manager

36366 Industrial Way Ste B

Sandy, OR 97055

503-668-8855

503-662-7290 (Fax)

 538729B2

2 attachments



image001.jpg
7K



image001.jpg
7K



EXHIBIT DDDDDDDDD Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: BAILEY MEADOWS DEVELOPMENT

2 messages

Jeff Aprati <japrati@ci.sandy.or.us>

Fri, May 1, 2020 at 4:52 PM

To: Kelly O'Neill <koneill@ci.sandy.or.us>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <david@gov-law.com>, Marisol Martinez <mmartinez@ci.sandy.or.us>, Cody Bjugan <cody@investpdx.com>, "Robinson, Michael C." <MRobinson@schwabe.com>

FYI

Jeff Aprati

City Recorder / Management Analyst
City of Sandy
503-489-0938
japrati@ci.sandy.or.us

----- Forwarded message -----

From: **Jessica Burnett** <jessica.burnettsandyor@gmail.com>
Date: Fri, May 1, 2020 at 4:37 PM
Subject: BAILEY MEADOWS DEVELOPMENT
To: <recorder@ci.sandy.or.us>
Cc: <jessica.burnettsandyor@gmail.com>

Mayor Pulliam and City Council-

Following are points in addition to the points and code citations made in our appeal and incorporated here by reference that address the proposal submitted by the Bailey Meadows lawyer.

Not clear and objective proposal- The developer's proposed amendment does not contain clear and objective conditions for approval. Those critical condition details are in a yet to be finalized secret development agreement that is unavailable to the public. We are being asked to comment by May 4th, on some vague paragraph, when the key points of who pays for Gunderson and when does it get built – the main point of our appeal – is still unanswered. And the developers get more time and the development agreement may or may not be public before your May meeting.

Secret agreement lacks transparency - With Council's intention of being transparent, this development agreement should meet requirements under ORS 97.504 for local governments entering into development agreements. The developer has had months to finalize a development agreement. We were told it was the goal to finalize the agreement before the April 6th meeting. Now we are being told it would "likely" be finalized before the May meeting. April 29th was the deadline to finalize conditions for approval outlined in the development agreement. They gave us their final answer.

The proposal still has the City paying for the road – The developer's proposal continues to call for the City to pay for most or all, of Gunderson Road and the Hwy 211 turn lane. The developer's commitment of \$500,000 towards the project, is offset by the insistence that almost \$340,000 of transportation SDC's they owe the City, plus "waiver of (other) applicable City fees" be credited. The total cost of the Gunderson Road project is not found in the 1500 pages of the record. We were just told it was between \$1.5-\$1.8 million dollars. Most of you quoted the existing city code we have, that requires developers to pay for streets. Developers are require to pay for the necessary streets AND pay transportation SDC's. There are two exception to that where SDC credits can be given.

Gunderson Road SDC credits should be minimal – Sandy City Code 15.28.030(7) and 15.28.130 spell out where TSP credits can be given for a capital improvement required as a condition of development approval: 1) where an improvement is built larger or with greater capacity than is necessary for the particular development project; or 2) where an improvement is not located on or contiguous to property that is the subject of development approval. "Credit for qualified public improvements ... may be granted only for the cost of that portion of such improvements that exceeds the City's minimum standard facility size or capacity needed to serve the particular development project or property." Half of Gunderson Road in the TSP is located on the Bailey Meadows site. Their plan does not show building any of Gunderson to the west. The section they are building to the south is contiguous with the Bailey Meadows subdivision and owned by the same landowner. The nearby intersection of SE Village Blvd and Hwy 211, with similar road and Hwy 211

requirements to Gunderson Rd., was built and paid for by that developer. No SDC credits were issued.

Don't use public funds to build developer's roads - Limited Sandy public road funds should not be used to pay for roads that developer's are responsible for building under our city code. Looking at Sandy's online budget and Council notes, the road fund has about \$3 million and you just allocated \$1 million of that, for survey and design of the Bell Street to 362nd project. That project will also require land acquisition and construction costing millions of dollars. The sidewalks on Vista Loop also have been prioritized for funding and are badly needed.

Given that the developer failed to submit a clear or reasonable proposal, or negotiate a timely and mutually agreeable development agreement, the City has two choices:

- 1) Uphold our appeal and deny the application; or
- 2) Approve the Bailey Meadows with the following additional conditions for approval:
 - a) Require the developer to pay for the cost and build Gunderson Road, including the Hwy 211 interchange, as was done on SE Village Blvd. nearby. Transportation SDC credits should be minimal if any.
 - b) For safety reasons, require the development construction traffic to use Ponder Lane until Gunderson is available for use. Open Melissa after nearly all the homes are constructed to avoid construction traffic on this steep local street.
 - c) Include the other suggested conditions regarding parkland and other matters found in our appeal presentation.

We greatly appreciate the time and effort that all of you volunteer, to helping forge Sandy's future. Elections matter and we want to make sure that Sandy grows responsibly and that developers (who make their money and leave our town) pay for their developments and not saddle those costs onto local voting taxpayers.

Sincerely,

Jessica King
17960 Loundree Drive #1045
Sandy, OR 97055
593-314-6455

Sent from my iPhone

Jeff Aprati <japrati@ci.sandy.or.us>
To: Marisol Martinez <mmartinez@ci.sandy.or.us>, Kelly O'Neill <koneill@ci.sandy.or.us>

Fri, May 1, 2020 at 4:54 PM

I have this as "DDDDDDDDDD: Email from Jessica King - 5.1.2020"
[Quoted text hidden]



EXHIBIT EEEEEEEEEEE

Marisol Martinez <mmartinez@ci.sandy.or.us>

Bailey Meadows Amendment Testimony

2 messages

Sarah Bettey <sarahbettey2978@hotmail.com>

Sat, May 2, 2020 at 1:22 PM

To: "recorder@ci.sandy.or.us" <recorder@ci.sandy.or.us>, "planning@ci.sandy.or.us" <planning@ci.sandy.or.us>

May 2, 2020

Attn: Mayor Stan Pulliam, Sandy City Council and Kelly O'Neill Jr.

RE: 20-009 AP Bailey Meadows Subdivision Appeal

My name is Sarah Bettey and my husband and I are homeowners in the Nicholas Glen neighborhood off Melissa Ave and Dubarko Rd in Sandy, Oregon. I am writing to you again regarding the potential planned project for the Bailey Meadows subdivision. We hope you will continue to keep our concerns in mind when it comes time for you to review the appeal and proposed amendments.

The mayor and city council expressed during their April 20, 2020 meeting that they would likely decline the application if the developers of the subdivision, Allied Homes and Development, did not pay for the construction of Gunderson Road. The mayor and council members each recognized that the 2nd entry was a necessity because directing all traffic down Melissa Ave poses a huge traffic safety hazard.

Since that April 20th meeting, the developers have sent an amendment proposing that they will put in the road and \$500K towards the necessary highway improvements. However, as a part of their proposal they also are trying to get credits from the city for the Transportation System Development charges as well as a waiver for any other fees that are imposed by the city for the road construction, which I understand to be approximately \$340K. To allow the developer the credits, waiving fees and taking on any of the costs of their project is not in the best interest of our community.

I could not find anywhere in the planning documents how much it will cost to build Gunderson, but the mayor and city council stated during the April 20th meeting that Sandy can not afford to pay for the road. Why should the city and its taxpayers pay, whether it is directly or by credits and waiving fees, for any part of this development for it to be approved?

Nowhere in any of the statements made by council or by the applicant have I heard when the construction of the road will be required. This is an issue that needs to be addressed as well. The road needs to be built before they start with any other development construction. Construction vehicles going up Melissa Ave needs to be kept to a bare minimum – only to connect existing utilities.

It is also my understanding that this may not be the final proposal and that there could still be amendments being proposed without public knowledge and involvement. I hope that this is not true. All plans and amendments should be made public so that a final decision can be made after all parties, including the community, are able to speak their concerns or approvals.

The developer has had months to come up with a plan to satisfy the city and public. Upon imminent denial of their application they were granted an extension until April 29th to amend that plan. Time is up. The amended plan still has way too many unknowns and loopholes. It does not have the city or neighbors best interest at heart. It is unsafe to send all the traffic down Melissa Ave, which is already over capacity. The city cannot afford to pay for Gunderson Road to be built for the developers. For these reasons I encourage city council to uphold the community appeal and deny the application.

Thank you once again for your time,

Sarah Bettey
18195 Melissa Ave
Sandy OR 97055
Sarahbettey2978@hotmail.com
971-246-2974

Jeff Aprati <japrati@ci.sandy.or.us>

Sat, May 2, 2020 at 1:29 PM

To: Cody Bjugan <cody@investpdx.com>, David Doughman <david@gov-law.com>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, Kelly O'Neill <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, "Robinson, Michael C." <MRobinson@schwabe.com>

FYI

[Quoted text hidden]

--

Jeff Aprati
City Recorder / Management Analyst
City of Sandy
503-489-0938
japrati@ci.sandy.or.us



EXHIBIT FFFFFFFF

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Bailey Meadows

Jeff Aprati <japrati@ci.sandy.or.us>

Sun, May 3, 2020 at 9:52 AM

To: Cody Bjugan <cody@investpdx.com>, David Doughman <david@gov-law.com>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, Kelly O'Neill <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, "Robinson, Michael C." <MRobinson@schwabe.com>

FYI

----- Forwarded message -----

From: **Brian Fletcher** <fourwheeldrive1@msn.com>

Date: Sun, May 3, 2020 at 9:02 AM

Subject: Bailey Meadows

To: recorder@ci.sandy.or.us <recorder@ci.sandy.or.us>

The City should require the developer to build and pay for Gunderson Road, just like a different developer paid and built SE Village Blvd. to Hwy 211, just down the road. Don't let this developer stick us voting taxpayers with their development costs – either directly, or by a shell game that gives them numerous “credits” that stick the costs on us!

The secret development agreement needs to be finalized immediately and made transparently available for public comment, well before the City Council rules on our appeal and the subdivision.

Shame on you for your lack of transparency.

Brian S. Fletcher

Citizen of Sandy, Oregon

--

Jeff Aprati

City Recorder / Management Analyst

City of Sandy

503-489-0938

japrati@ci.sandy.or.us



Marisol Martinez <mmartinez@ci.sandy.or.us>

EXHIBIT GGGGGGGGGG

Baily Meadows again!

'debattym' via Planning <planning@ci.sandy.or.us>

Sat, May 2, 2020 at 11:59 AM

Reply-To: debattym <debattym@yahoo.com>

To: planning@ci.sandy.or.us

Marie DeBatty
37176 Rachael Dr
Sandy, Oregon

Once again I am sending in another rebuttal/concerns.

1. The letter that was sent from Robinson was confusing to me.

I read basically that they will pay x amount of dollars, and the city will wave fees in x amount of dollars . Hmmm what kind of deal is that???

2.If the city pays for any part of the constructing of Gunderson this will set up presidents for other developers wanting the city to pay for the roads they will need to build. Snowball effect. Now that would be big problem for the city of Sandy. Would it not?

3. Just say NO!!!!

4. There are so so many open ends to this project. It's crazy making.

We want more clarity. We want Gunderson built first. We do not want them to use Melissa at all!

5. I would one more time reiterate about the safety factors in Nickolos Glenn neighborhood.

My take is still the amount of traffic down Melissa, Melissa being the only way in and out of our neighborhood. Period! That incldues all emergency vehicals.

6. Again I would reiterate about the clearing of Solso for entrance for emergency vehicals. There is a great need for someone to take responsibility to clear this area. It is not up to us. There is a great amount to clear. Trimming of trees,clearing of blackberry bushes,and shrubs.

We have been told by the fire chief we need to clear it,I ask why? It is going to cost us money to have someone come in and cut trees ,we can clear shrubs and berries. Who is going to pay to have all this material taken to the dump? I can get a bid and I can have the city pay us back. What say You?

Okay ,I think one more time I have asked for all of the above to be taken seriously!!

Marie DeBatty

Sent from my Galaxy Tab® A

Fwd: Bailey Meadows Appeal testimony

Jeff Aprati <japrati@ci.sandy.or.us> Sun, May 3, 2020 at 2:05 PM
To: Cody Bjugan <cody@investpdx.com>, David Doughman <david@gov-law.com>, Jordan Wheeler <jwheeler@ci.sandy.or.us>, Kelly O'Neill <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, "Robinson, Michael C." <MRobinson@schwabe.com>

FYI

----- Forwarded message -----
From: **Cary Mallon** <cary.mallon@gmail.com>
Date: Sun, May 3, 2020 at 1:14 PM
Subject: Bailey Meadows Appeal testimony
To: <recorder@ci.sandy.or.us>

City Council,

I am writing to support denial of the Bailey Meadows development application. At the April 20 council meeting you were unanimous in your denial of the application. Nothing in the amended application should change your mind.

The applicant suggested that they would build Gunderson Road. They also suggested that they, the developer, should have a stop loss against cost overruns by only promising to shoulder a fixed amount of the cost of Gunderson Road and its connection.

I see both of those conditions as problematic. The applicant does not suggest at WHAT TIME they would construct the road. Those of us in the Nicholas Glen neighborhood understand that utilities for this project must enter the subdivision through Melissa Ave., but we believe that apart from connecting the utilities, all other construction traffic should use the other southern entrance to the property.

The second amendment to the application is equally problematic. Cost sharing between the city and the developer should be proportional. The scenario the applicant suggests leaves the taxpayers holding the bag for the inevitable cost overruns associated with any construction project. They should have stated a percentage of the final costs that they were willing to provide. They stand to realize a gross income of \$35-\$40 million on this development (This is a low estimate, assuming a \$350,000-\$400,000 price tag on each home, which could be low by \$100,000). They should pledge a fair share of the road cost (estimated between \$1.4 and \$1.9 million) in order to earn that.

A couple of reminders of what has happened so far. First, Zero voters have testified in favor of this application. Second, the council was unanimous in its rejection of the application. Nothing in the applicants amendment should change the mind of the council.

Cary Mallon
37537 Rachael Dr
Sandy, OR 97055

--
Jeff Aprati
City Recorder / Management Analyst
City of Sandy
503-489-0938
japrati@ci.sandy.or.us

EXHIBIT IIIIIIIII

May 2, 2020

Re: Applicant April 28 Amendment Proposal

Sandy City Council,

A **one paragraph amendment** proposal from the developer to a **1500 page record!** Why would the city council approve this ill-conceived subdivision island of 100 homes based on a one paragraph proposal that offers \$500,000 with an offset of the \$340,000 they owe the city plus a waiver of additional city fees for Gunderson Road? The one paragraph amendment puts the burden on **the city of Sandy to pay an unknown portion of the cost subsidizing the developer with tax payer money!**

- 1.) The amendment does not provide a plan or timeline for the proposed Gunderson Road
- 2.) The amendment is absent a budget/cost for Gunderson Road
- 3.) The \$500,000 with conditions isn't a lot of money for a project that should exceed \$1 million!
- 4.) The amendment ignores funds for Gunderson Road are not in Sandy's current city budget!
- 5.) The amendment does not provide a solution to the City Council's original concerns for safety

When I was working (I'm retired) one of my roles was to facilitate/negotiate multi-million dollar high customer contracts for the high tech company I worked for. There is no way my company's legal department would approve an open ended single paragraph amendment that favors one party over the other. This would not fly in private industry. It should not fly in government, especially local government.

The mayor expressed he wanted transparency in the city's dealings. As a citizen of Sandy something just doesn't feel right. Why does the developer believe a single paragraph amendment that puts the financial burden of Gunderson Road on our city satisfies/meets the City Council's expectations and the City Council would approve their proposed sub-division? Does the developer know something the public record doesn't show?

Each City Council member and the mayor expressed their concern over the safety of our Sandy residents as the primary reason for not approving the proposed sub-division. Per the developer's one paragraph amendment, we are still no closer to having Gunderson Road built. If Bailey Meadows is approved per the applicant's amendment, the safety of Sandy residents are still at risk. So are the Nicholas Glen residents at risk. All construction equipment and personal will be using the narrow residential Melissa Avenue as access to construct the housing development!

From my perspective nothing has changed since the April 20, 2020 Sandy City Council meeting per the developer's one paragraph amendment. The building of Gunderson Road is still an open ended questions of if it will happen, when it will happen, and who pays for the road's construction.

- Please uphold the appeal and deny the Bailey Meadows application. **-OR-**

- Please require the developer to pay for all costs associated with the construction of Gunderson Road and to fully meet the City Council's safety concerns, require the developer use access other than Melissa Avenue for sub-division construction until Gunderson Road is complete.

Thank you,
Paul Savage
37506 Rachael Dr.
Sandy, OR 97055

EXHIBIT JJJJJJJJ

Kathleen Walker
15920 SE Bluff Rd.
Sandy, OR 97055

May 4th, 2020

Dear City Council and Mayor:

From the Sandy resident's point of view, we are at the same point we were prior to the April 6th City Council meeting, where you made cogent arguments about road safety standards and the existing city code that requires developers pay for the necessary road network needed for their development. The developer was continuing to agree to build the road, if we paid for it. Nothing has changed.

Not clear and objective proposal - The developer's latest, but presumably not last, proposed amendment does not contain clear and objective conditions for approval. Those critical condition details, are in a yet to be finalized, secret development agreement that is unavailable to the public. We are being asked to comment by May 4th, on some vague paragraph, when the key points of **who pays what for Gunderson and when does it get built – the main point of our appeal** – is still unanswered. Added details about who pays for the road easement are also unknown! The developers get more time and the development agreement may or may not be public before your May meeting.

Secret agreement lacks transparency – Council has stated an intent to be transparent. This development agreement should meet requirements under ORS 97.504 for local governments entering into development agreements. Why would you not follow state statutes intended to protect City residents? The development lawyer's argument is that you have the authority under "Home Rule" laws, but that premise evidently doesn't apply to enforce our development code! The developer has had months to finalize a development agreement. We were told it should be final before your April 6th meeting. Now we are being told it would "likely" be finalized before the May meeting. April 29th and May 4th were the deadlines we were given, but not them. The more you give, the more they take.

The proposal still has the City paying for the road - The developer's proposal continues to call for the City to pay for most, or all, of Gunderson Road and the Hwy 211 turn lane. The developer's commitment of \$500,000 towards the project, is offset by the insistence that almost \$340,000 of transportation SDC's they owe the City, plus "waiver of (other) applicable City fees" be credited to them, like a shell game. We were just told Gunderson may cost between \$1.5-\$1.8 million dollars. Most of you quoted the existing city code we have, that requires developers to pay for streets. Developers are required to pay for the necessary streets AND pay transportation SDC's.

Gunderson Road SDC credits should be minimal – Sandy City Code 15.28.030(7) and 15.28.130 and ORS 223.297 spell out where TSP credits can be given for a capital improvement required as a condition of development approval. *"A 'qualified public improvement' means a capital improvement that is required as a condition of development approval, identified in the plan and list adopted pursuant to ORS 223.309 (Preparation of plan for capital improvements financed by system development charges) and either: (a) Not located on or contiguous to property that is the subject of development approval; or (b) Located in whole or in part on or contiguous to property that is the subject of development approval and required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related."*

Gunderson Road is not listed in the TSP Capital Improvements Project List as required above. Half of Gunderson Road in the TSP is located on the Bailey Meadows site and should have been required. The developers should never have been allowed to propose moving the half street development of Gunderson, off their property, which did not require an additional annexation. The section they are building to the south, is contiguous with the Bailey Meadows subdivision and owned by the same landowner. The nearby intersection of SE Village Blvd and Hwy 211 (see enclosure pics), with similar road and Hwy 211 requirements to Gunderson Rd., was built and paid for by that developer. No SDC credits were issued because it was not listed on the TSP CIP Project list and served that neighborhood.

SDC credits apply to road projects that affect a larger population than one development. Bailey Meadows is at the edge of our UGB, so additional development will not happen for a long time. Gunderson will mostly serve Bailey Meadows. Just like SE Village Blvd serves the neighborhood adjacent to it. Jewelberry and Bornstedt serve multiple developments as well as high school traffic and those living out of City limits. That is why those roads were available for SDC credits.

Don't use public funds to build developer's roads - Limited Sandy public road funds should not be used, to pay for roads that developer's are responsible for building, under our city code. Looking at Sandy's online budget and Council notes, the road fund has about a balance of about \$3 million. You just allocated \$1 million of that, for survey and design of the Bell Street to 362nd project. That project will also require land acquisition and construction, costing millions of dollars. The sidewalks on Vista Loop have also been prioritized for funding and are badly needed, but have been delayed due to high costs. They are proposing we spend almost \$1.8 million of funds we don't have, on their required road.

Given that the developer still insists the City pay to build most, or nearly all, of the cost for Gunderson and the Hwy 211 intersection, you as City Council and our representatives have two choices:

- 1) Uphold our appeal and deny the application; or
- 2) Approve the Bailey Meadows with the following additional conditions for approval:
 - a) Require the developer to pay for the cost to build Gunderson Road, including the Hwy 211 interchange, as was done on SE Village Blvd. nearby. SDC credits should be minimal if any.
 - b) Open Melissa after nearly all the homes are constructed to avoid construction traffic on Melissa as it is a steep local street, based on building permits and not occupancy permits.
 - c) Include the other suggested conditions regarding parkland and other matters found in our appeal presentation.

In addition, we would recommend you immediately advertise to replace Mr. Mobley on the planning commission. The taint of the transportation reports being done for the developer, by a planning commission member affects this entire process.

We greatly appreciate the time and effort that all of you volunteer, to help forge Sandy's future. Elections matter. We want to make sure that Sandy grows responsibly. Developers (who make their money and leave our town) should pay for their developments, instead of saddling those costs onto local voting taxpayers, who then must forego more pressing road project priorities, that benefit many.

Sincerely,

Kathleen Walker

Enclosure: Photos of Bailey Meadows and SE Village Blvd.

Enclosure:



Half of Gunderson Rd was located on Bailey Meadows and should have been built across the southern boundary. The section in red is still contiguous to the property and not eligible for SDC's.



The additional turn lane intersection improvements at SE Village Blvd, ¼ mile away are identical to those required at Gunderson. No SDC credits were given at the former because it is contiguous, serves the local subdivision and was not on the TSP CIP Project List (like Gunderson).

ORS STATUTES DEFINING CONTIGUOUS

ORS 321.700

“Contiguous” means having a common boundary that is greater than a single point.

(3)“Contiguous parcels”:

- (a)Includes parcels separated by public or county roads, state highways, nonnavigable streams or nonnavigable rivers.
- (b)Does not include parcels that are separated by an interstate highway, a navigable stream or a navigable river, unless there is an underpass, a bridge or another direct access between the separated parcels.

EXHIBIT KKKKKKKKKK

Erin & Jason Findlay

37616 Rachael Drive
Sandy, OR 97055
(503) 312-2608

May 4th, 2020

Jeff Aprati; Kelly O'Neill

(via email: recorder@ci.sandy.or.us; planning@ci.sandy.or.us)

City of Sandy
39250 Pioneer Blvd.
Sandy, OR 97055

Dear Council Members:

This is our letter in response to the Proposed Condition of Approval from developers dated April 28th, 2020.

Our primary interest has always been that of current and future resident safety. In watching the April 20th, 2020 City Council Meeting, we were happy to see that our Council unanimously agreed with this stance. We heard our Mayor reaffirm his commitment to safety and the responsibility to uphold our city codes. It is our continued belief that Gunderson is essential.

The developer's letter represents an effort towards negotiation with the City. We do appreciate the effort but we are wary of the offer. The developer explicitly stated that they will pay up to \$500,000.0 for Gunderson. Beyond that, we are not sure what, if anything, is truly clear to residents who have been given the opportunity to provide written testimony in response.

Essentially, we feel as if we are attempting to respond to a summary of intent, lacking specific and necessary details, and to a future development agreement that we can not access during this allocated time of public input. We are left with the following questions when attempting to provide our input:

- Given the new condition from developers, how much will this project likely cost the city? Does the city have sufficient funds to see this project through? Will the city commit to payment and guarantee construction of Gunderson?
- When will Gunderson be built? Construction will further impede residents' ability to access our city-controlled fire exit. Gunderson needs to be in place prior to construction.

Assuming City Council is privy to the unpublished "developer's agreement" prior to this final hearing, we ask that you consider the above-mentioned questions. Additionally, please consider Sandy residents' need for full transparency from you. Ensure that your vote on this matter is upheld through a clear and binding agreement that can not be made "subject to change" after the final hearing. Do not approve this application without clear language and accountability. Anything less, lacks transparency for the very people you have been elected to represent. *With respect to this application, we are counting on you for the safety of all Nicholas Glenn Residents.*

With trust and continued gratitude,

Erin & Jason Findlay
37616 Rachael Drive
Sandy, OR 97055
(503) 312-2608
stewstac@hotmail.com

4 May 2020

EXHIBIT LLLLLLLLLL

Dear Mayor Stan Pulliam and members of Sandy City Council,

I am again writing a letter of concern related to the recent proposal by the developers for the proposed Bailey Meadows subdivision. As I read the proposed condition of approval, it looks like the developer will construct Gunderson Rd, the city shall give the maximum credits and waivers possible, and the developer will pay \$500,000.00 in improvements for Hwy 211.

My concerns are, when would Gunderson Rd be developed, and secondly who will pick up the difference in costs if improvements for Hwy 211 exceeds \$500,000.00?

For the continued safety of the Nicholas Glen Neighborhood residents, I would like to see Gunderson Rd be built before any houses. This would allow the trucks and workers an access route vs increasing the traffic on Melissa. In addition, I understand because of plumbing, water, and electric needs for Bailey Meadows, there will be some construction on Melissa which will cause more safety and traffic issues if Gunderson Rd isn't build out before development.

When it comes to the construction of Gunderson Rd, this is the developer's development and paying for the development to have an access road should have been part their plan. With the current financial climate, asking the City of Sandy to make up the difference in cost for this road seems unreasonable to me. I thought I heard the Mayor in the last meeting say that other developers built out roads for their developments ie: Jewlberry over by the high school. If I heard correctly, then this developer should build out Gunderson for Bailey Meadows.

Sincerely,

Roberta M. Evett
18192 Rachael Dr.
Sandy OR 97055



Marisol Martinez <mmartinez@ci.sandy.or.us>

EXHIBIT MMMMMMMMMM

Fwd: Response Points to the April 29 Developer’s Proposal Baily meadows

1 message

Jeff Aprati <japrati@ci.sandy.or.us> Mon, May 4, 2020 at 3:49 PM
To: Jordan Wheeler <jwheeler@ci.sandy.or.us>, David Doughman <david@gov-law.com>, Kelly O'Neill <koneill@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>, "Robinson, Michael C." <MRobinson@schwabe.com>, Cody Bjugan <cody@investpdx.com>

FYI

Jeff Aprati
City Recorder / Management Analyst
City of Sandy
503-489-0938
japrati@ci.sandy.or.us

----- Forwarded message -----

From: 'Makoto Lane' via City Recorder <recorder@ci.sandy.or.us>
Date: Mon, May 4, 2020 at 3:44 PM
Subject: Response Points to the April 29 Developer’s Proposal Baily meadows
To: recorder@ci.sandy.or.us <recorder@ci.sandy.or.us>

Response Points to the April 29 Developer’s Proposal

Following are points in addition to the points and code citations made in our appeal and incorporated here by reference that address the proposal submitted by the Bailey Meadows lawyer.

Not clear and objective proposal- The developer’s proposed amendment does not contain clear and objective conditions for approval. Those critical condition details are in a yet to be finalized secret development agreement that is unavailable to the public. We are being asked to comment by May 4th, on some vague paragraph, when the key points of who pays for Gunderson and when does it get built – the main point of our appeal – is still unanswered. And the developers get more time and the development agreement may or may not be public before your May meeting.

Secret agreement lacks transparency - With Council’s intention of being transparent, this development agreement should meet requirements under ORS 97.504 for local governments entering into development agreements. The developer has had months to finalize a development agreement. We were told it was the goal to finalize the agreement before the April 6thmeeting. Now we are being told it would “likely” be finalized before the May meeting. April 29th was the deadline to finalize conditions for approval outlined in the development agreement. They gave us their final answer.

The proposal still has the City paying for the road - The developer’s proposal continues to call for the City to pay for most, or all, of Gunderson Road and the Hwy 211 turn lane. The developer’s committment of \$500,000 towards the project, is offset by the insistence that almost \$340,000 of transportation SDC’s they owe the City, plus “waiver of (other) applicable City fees” be credited. The total cost of the Gunderson Road project is not found in the 1500 pages of the record. We were just told it was between \$1.5-\$1.8 million dollars. Most of you quoted the existing city code we have, that requires developers to pay for streets. Developers are require to pay for the necessary streets AND pay transportation SDC’s. There are two exception to that where SDC credits can be given.

Gunderson Road SDC credits should be minimal – Sandy City Code 15.28.030(7) and 15.28.130 spell out where TSP credits can be given for a capital improvement required as a condition of development appraol: 1) where an improvement is built larger or with greater capacity than is necessary for the particular development project; or 2)

where an improvement is not located on or contiguous to property that is the subject of development approval. "Credit for qualified public improvements ... may be granted only for the cost of that portion of such improvements that exceeds the City's minimum standard facility size or capacity needed to serve the particular development project or property." Half of Gunderson Road in the TSP is located on the Bailey Meadows site. Their plan does not show building any of Gunderson to the west. The section they are building to the south is contiguous with the Bailey Meadows subdivision and owned by the same landowner. The nearby intersection of SE Village Blvd and Hwy 211, with similar road and Hwy 211 requirements to Gunderson Rd., was built and paid for by that developer. No SDC credits were issued.

Don't use public funds to build developer's roads - Limited Sandy public road funds should not be used to pay for roads that developer's are responsible for building under our city code. Looking at Sandy's online budget and Council notes, the road fund has about \$3 million and you just allocated \$1 million of that, for survey and design of the Bell Street to 362nd project. That project will also require land acquisition and construction costing millions of dollars. The sidewalks on Vista Loop also have been prioritized for funding and are badly needed.

Given that the developer failed to submit a clear or reasonable proposal, or negotiate a timely and mutually agreeable development agreement, the City has two choices:

- 1) Uphold our appeal and deny the application; or
- 2) Approve the Bailey Meadows with the following additional conditions for approval:
 - a) Require the developer to pay for the cost and build Gunderson Road, including the Hwy 211 interchange, as was done on SE Village Blvd. nearby. Transportation SDC credits should be minimal if any.
 - b) For safety and liability reasons Melissa should not be opened for motor vehicle traffic. The city can't afford a fifty million dollar settlement for creating a dangerous road condition resulting in serious injury or death. Pedestrian access would however be good.
 - c) Include the other suggested conditions regarding parkland and other matters found in our appeal presentation.

We greatly appreciate the time and effort that all of you volunteer, to helping forge Sandy's future. Elections matter and we want to make sure that Sandy grows responsibly and that developers (who make their money and leave our town) pay for their developments and not saddle those costs onto local voting taxpayers.

Makoto Lane
[37838 Rachael dr.](#)
[Sandy, OR 97055](#)

EXHIBIT NNNNNNNNNN

May 4, 2020

To: Mayor and City Council
From: Donald Carlton, 17067 Hood Court, Sandy, Oregon 97055
RE: Testimony on Bailey Meadows Subdivision Appeal

Greetings.

As Council and the Mayor are aware, I am currently member (Vice Chair) of the Sandy Planning Commission and have been for about 14 years. I participated in the public hearings and Planning Commission decision process on the Bailey Meadows (File Number 19-023 SUB TREE). Also as a resident of Sandy, I am allowed to submit testimony as a private citizen. As such, this testimony is my person testimony and not as a member of the Planning Commission.

The reason I am submitting the following testimony is based on a concern that data and facts have not been used in a completely correct manner or expressed in a complete way. I am not submitting this testimony as not being for or against this application. I am neutral on this aspect but I am concerned on how data and words are being used. Please accept this testimony in the No For or Not Against testimony category.

Summary

My testimony is stated in six points. Points 1-5 are data related and may not appear to be significant based on the key decision the Council is making. Development of these first five points is needed to provide analytical support to Point 6 which focuses more directly on the current Council decision.

- Point 1 – Traffic Impact Analysis Assumptions Are Reasonable
The assumptions made for these areas in the Traffic Impact Analysis (Document 1) as well as the TIA Addendum #1 (Document 2) appear reasonable.
- Point 2 – The Word Typical Means Average
The Transpiration System Plan (TSP) uses the word “typical” and because this is synonymous with “average,” the 800-1000 does not define a “maximum standard” but the range of a mean. The maximum would be based on a more specific statistical definition which is missing.
- Point 3 – Total Trips on Melissa Avenue Without Gunderson Road Are Not Fully Documented and Differ from Localized Traffic Count Data
Lack of complete documentation in the Traffic Impact Analysis leads to the total average daily trips (ADT) to be either 2,450 or 2,533 on Melissa Avenue without Gunderson Road being built. This is based on the ITE Manual. The actual ADT from the existing (Nicholas Glen) subdivision using localized trip count data is $6.90/9.44 = 73\%$ of the ITE Manual value.

- Point 4 – Trip Calculations With Gunderson Road Built Appear to Mix ADT Values based on ITE Manual and Localized Traffic Count Data
Conclusions shown in Document 2 (Technical Memorandum to the Traffic Impact Analysis) on page 4 use localized traffic count data for the Nicholas Glen subdivision and use ITE Manual data for the Bailey Meadows subdivision. Comparison tables are developed and provided using consistent data to allow for an apple to apple comparison.
- Point 5 – A Condition of Approval Requires Gunderson Road to be Completed Prior to the 30th Certificate of Occupancy for a Housing Unit in the Bailey Meadows Subdivision
Condition of Approval G from the Planning Commission states: “If the UGB application is approved, Gunderson Road shall be constructed and accepted by the city prior to issuance of the 30th certificate of occupancy for a housing unit in the subdivision. The applicant shall submit a revised phasing plan for Director Review and Approval.” As such, the most additional traffic that will be using Melissa Avenue from the Bailey Meadows subdivision before Gunderson Road is built is limited to 30% (30 houses out of 100 houses proposed) of analysis trip values.
- Point 6 – Construction of Gunderson Provides Conductivity, Particularly for Residents of the Nickolas Glen Subdivision Justifying Proportioning of Costs Between the Developer and the City
Based on completion of 100 homes in Bailey Meadows and using ITE Manual assumptions (Figure 5), 452 ADT from the Nicholas Glen subdivision of a total 2,450 ADT or 18.43% will use Gunderson Road. Using localized trip count data (Figure 6), 348 ADT from the Nicholas Glen subdivision of a total 1,849 ADT or 18.82% will use Gunderson Road. By providing this conductivity, there is a documented benefit off site, particularly to the Nicholas Glen subdivision and others. As such, the developer would not be violating SDC 17.100.310(I) by not paying for 100% of the costs to construct Gunderson Road as is suggested by other testimony.

I will reference the following documents.

Document 1 - The initial Traffic Impact Analysis from Lancaster Engineering dated June 20, 2019.

Document 2 – A Technical Memorandum was prepared by Lancaster Engineering and it dated January 6, 2020. The purpose of this document was to supplement the initial Traffic Impact Analysis to include the Gunderson Road construction from the Bailey Meadows sun-division to intersect with Highway 211.

Document 3 – Review of (the) Traffic Impact Analysis – Bailey Meadows Subdivision by the city contract transportation engineer John Replinger (Replinger & Associates LLC) dated January 20, 2020 (Exhibit UUU).

Document 4 – Bailey Meadows Subdivision Preliminary Review by the city’s contract public works engineering firm Curran-McLeod, Inc. dated September 27, 2019.

Document 5 – Merriam Webster Dictionary. (Merriam-Webster.com Dictionary, Merriam-Webster, <https://www.merriam-webster.com/dictionary/typical>.)

Document 6 – Supplement 13 - Appellant PowerPoint Presentation - 4-6-2020.

Document 7 - Institute of Transportation Engineers (ITE), Trip Generation Manual, 10th Edition, 2017.

Document 8 – Email from Todd Mobley (Lancaster Mobley) to Michael Robinson dated December 5, 2019. (Exhibit X, January 17, 2020, Sandy Planning Staff Report).

Document 9 – Memorandum to Sandy Planning Commission from Lancaster Mobley dated January 29, 2020. The Memorandum was written to provide rebuttal to testimony received.

Document 10 - Final Order and Findings of Fact (February 14, 2020), Exhibit LLLLLL.

Point 1 – Traffic Impact Analysis Assumptions Are Reasonable

The trips on Melissa Avenue were identified early on in the planning process as an issue. Furthermore, Sandy Planning Commission member Todd Mobley of Lancaster Mobley was the Transportation Engineer on the project for planners AKS Engineers and Forestry. From the beginning, Mr. Mobley “stood down” from the Planning Commission. The Development Director knowing traffic on Melissa Avenue was an issue had the Traffic Impact Analysis (Document 1) as well as the TIA Addendum #1 (Document 2) reviewed by an independent contract city hired Transportation consultant (Document 3).

Document 3 is a Review of (the) Traffic Impact Analysis – Bailey Meadows Subdivision by the city contract transportation engineer John Replinger (Replinger & Associates LLC) dated January 20, 2020. In Mr. Replinger’s review under Section 2, Traffic Counts, he states: “The counts and adjustments appear reasonable.” In Mr. Replinger’s review under Section 3, Trip Generation, he states: “The calculation of trips generated by the subdivision appear reasonable.” In Mr. Replinger’s review under Section 4, Trip Distribution, he states: “The trip generation and rerouting due to new connections seem reasonable.”

Hence the assumptions made for these areas in the Traffic Impact Analysis (Document 1) as well as the TIA Addendum #1 (Document 2) appear reasonable. These assumptions appear to not have been challenged by the appellants and in fact were used to support arguments being presented.

Point 2 – The Word Typical Means Average

The applicant’s attorney has questioned stating that the Sandy Transportation Study Plan (TSP) has not been incorporated into the city’s code. I will leave that legal argument to the attorneys.

The TSP does state that “Local streets have a typical capacity between 800 and 1,000 ADT (Average Daily Trips).” The word “typical” is used and a definition was found in the Merriam-Webster.com Dictionary (<https://www.merriam-webster.com/dictionary/>) (Document 5). It states as follows: “ Typical - Combining or exhibiting the essential characteristics of a group. Choose

the Right Synonym for typical. REGULAR, NORMAL, TYPICAL, NATURAL mean being of the sort or kind that is expected as usual, ordinary, or average.”

Note that in general, it represented an “average,” not a minimum or maximum. As such, there will be situations where a local street in Sandy may average 600 ADT and also one that may average 1,200 ADT. The TSP does not provide any statistical variation information around that range so there is no way to determine this variability. Based on this, a local street with 1,200 ADT does not necessarily “violate” the 800-1000 ADT range as used in the TSP.

To show how this word “typical” has been misrepresented in documents, note the following. I have highlighted in italics the words used in place of the word typical.

In Document 4, the Contract City Engineer (Ex. Y), Point 7 in part states “The TSP *alludes to a traffic capacity* of on local streets between 800 to 1000 ADT.”

In Document 6, the Appellants Presentation slide 7 repeats that City Contract City Engineer statement and further states “Clearly, 2,490 trips is more than 3 times the minimum and almost 2.5 times the *maximum ADT standard* of 800-1000.”

The TSP uses the word “typical” and because this is synonymous with “average,” the 800-1000 does not define a “maximum standard” but the range of a mean. The maximum would be based on a more specific statistical definition which is missing.

Point 3 – Total Trips on Melissa Avenue Without Gunderson Road Are Not Fully Documented and Differ from Localized Traffic Count Data

Document 1, the initial Traffic Impact Analysis from Lancaster Engineering dated June 20, 2019, states on page 11 in the Crash History Section that the average annual daily trips (AADT) at Melissa and Dubarko is 2,450 which is where the City Contract City Engineer got the 2,450 value in his report.

Document 1, the initial Traffic Impact Analysis from Lancaster Engineering dated June 20, 2019, states on page 5 that the Bailey Meadows subdivision with 100 houses would generate 944 ADT (9.44 trips/housing unit for 100 houses) based on Document 7, the Institute of Transportation Engineers (ITE), Trip Generation Manual.

Document 1 also states that actual traffic counts were collected at the existing intersection of Melissa Avenue at Dubarko Road as well as 24-hour counts collected along Melissa Avenue. In Document 1, page 17, a summary of this analysis shows the actual ADT for the existing (Nicholas Glen) subdivision as 1,160 ADT. On page 5, it states this localized data yields 6.90 trips/housing unit.

As such, the actual ADT from the existing (Nicholas Glen) subdivision is $6.90/9.44 = 73\%$ of the ITE Manual value (Document 1, page 5).

Though not explained in Document 1, the ITE Manual based ADT rate for the Nicholas Glen subdivision appears to be 2,450 minus 944 or 1,505 ADT. Based on the stated localized data trip

rate of 1,160 ADT and the statement that this is 73% of the ITE trip rate, the ITE trip rate would be 1,160 divided by 0.73 or 1,589 ADT.

This yields a total of $944+1506= 2,450$ ADT based on a total of 2,450 ADT on Melissa Avenue assuming Gunderson Road is not built (Figure 1). Or this yields a total of $944+1589= 2,533$ ADT based on a total of 1,160 ADT localized data trips on Melissa Avenue assuming Gunderson Road is not built (Figure 1).

Figure 1

	Sub-division Only		Total
	Melissa Ave No. Gunderson	100 Houses No. Gunderson	
Std ITE	1,506	944	2,450
Actual @ 73%	1,099	689	1,789
Std ITE	1,589	944	2,533
Actual @ 73%	1,160	689	1,849

Granted, both values, 2,450 and 2,533, are much higher than the TSP defined “typical” range of 800-100 which is precisely why the construction Gunderson Road and the UGB expansion were proposed.

Point 4 – Trip Calculations With Gunderson Built Appear to Mix ADT Values based on ITE Manual and Localized Traffic Count Data

Document 1, page 5, states: “Since the localized data shows lower trip rates during all analysis periods, it can be expected that the proposed subdivision will yield site trips at a similar rate. Although this lower trip generation rate was not used for analysis, it should be noted that the trip generation based on ITE rates represents a conservative, worst-case analysis.”

So in several of the Traffic Impact Analysis documents, the ADT (trip) values are either based on the ITE Manual or Localized Traffic Count Data. As noted above, the actual ADT from the existing (Nicholas Glen) subdivision is $6.90/9.44 = 73\%$ of the ITE Manual value. Hence mixing these two in calculation can be confusing.

Document 2 is a Technical Memorandum and was prepared by Lancaster Engineering. It is dated January 6, 2020. The purpose of this document was to supplement the initial Traffic Impact Analysis to include the Gunderson Road construction from the Bailey Meadows subdivision to intersect with Highway 211.

Key assumptions were defined for the distribution of the traffic from the Bailey Meadows subdivision as to its use of Gunderson Road rather than Melissa Avenue. These assumptions are shown in Document 2, page 4. Once Gunderson Road is constructed, it is projected that a total of 40% of the trips from the Bailey Meadows use Gunderson Road instead of Melissa Avenue. In addition, the analysis projected 30% of the Nicholas Glen subdivision would also use Gunderson Road once constructed rather than Melissa Avenue.

Figure 2 is from Document 2, page 4, and attempts to show the trip distribution between Melissa and Gunderson based on the 40% and 30% projections.

Figure 2

	ADT		Totals
	Via Melissa	Via Gunderson	
Nicholas Glen Trips, No Gunderson	1,160	0	
Nicholas Glen Trips With Gunderson	812	348	1,160
Bailey Meadows Trips With Gunderson	566	378	944
	1,378	726	

Note the total for Nicholas Glen is 1,160 ADT which is based on the localized traffic count data (Document 1, page 17). The total for Bailey Meadows is 944 ADT which is based on the ITE

Manual (Document 1, page 5). This is done when the Traffic Impact Analysis (Document 1, page 5) states “Since the localized data shows lower trip rates during all analysis periods, it can be expected that the proposed subdivision will yield site trips at a similar rate. Although this lower trip generation rate was not used for analysis, it should be noted that the trip generation based on ITE rates represents a conservative, worst-case analysis.” That said, mixing the “worst case” ITE Manual data with localized trip count data appears to be mixing apples and oranges.

I am not a Traffic Engineer but do hold two college degrees in mathematics. So I suggest sharing the data based on the same assumptions would add clarity to the trip data in support of Council decisions.

Assumptions: For the Bailey Meadows subdivision, the ITE Manual calculated ADT for 100 homes is 944 (Document 1, page 5). For the Nicholas Glen subdivision, using the total of 2,450 ADT (Document 1, page 11) yields the ITE Manual calculated ADT to be 1,506. The 1,506 value provides consistency with the 2,450 value (Document 1, page 11) and also will represent the ITE Manual ADT.

Figure 5 shows ADT values for Gunderson Road and Melissa Avenue with ITE Manual assumptions used for both assuming 100 homes are built in Bailey Meadows. The 1,621 ADT on Melissa Avenue is 115 ADT more than the current 1,506 ADT, a minor increase though both do exceed the upper range of 1000 ADT value defined as “typical” in the TSP.

Figure 5 – Use ITE Manual Data

Using ITE Manual - Trips with Gunderson Built				
Destination	Trips on Gunderson			Trips on Melissa
	Percent Using Gunderson Rather Than	Bailey Meadows 944 ADT Total	Nicholas Glen 1,505 ADT Total	
To & from the north	0%	0	0	
To & from the east	15%	142	169	
To & from the south	10%	94	113	
To & from the west	15%	142	169	
	40%	378	452	
	Sub-total		829	1621
	Total		2450	

Figure 6 – Using Localized Trip Count Data

Using Localized Data - Trips with Gunderson Built				
Destination	Trips on Gunderson			Trips on Melissa
	Percent Using Gunderson Rather Than	Bailey Meadows 689 ADT Total	Nicholas Glen 1,160 ADT Total	
To & from the north	0%	0	0	
To & from the east	15%	103	131	
To & from the south	10%	69	87	
To & from the west	15%	103	131	
	40%	276	348	
	Sub-total		624	1225
	Total		1849	

Figure 6 shows ADT values for Gunderson Road and Melissa Avenue with localized traffic count data used for both assuming 100 homes are built in Bailey Meadows. The 1,225 ADT on Melissa Avenue is 65 more than the current 1,160 ADT, a minor increase though both do exceed the upper range 1000 ADT value defined as “typical” in the TSP.

Point 5 – A Condition of Approval Requires Gunderson Road to be Completed Prior to the 30th Certificate of Occupancy for a Housing Unit in the Bailey Meadows Subdivision

Document 10, Final Order and Findings of Fact (February 14, 2020) (Exhibit LLLLLL) contains a Condition of Approval G.

Condition of Approval G states: “If the UGB application is approved, Gunderson Road shall be constructed and accepted by the city prior to issuance of the 30th certificate of occupancy for a housing unit in the subdivision. The applicant shall submit a revised phasing plan for Director Review and Approval.”

This Condition of Approval limits the Bailey Meadows subdivision to 30 occupied homes until Gunderson Road is constructed. Hence the trip values on Melissa Avenue using the Institute of Transportation Engineers (ITE), Trip Generation Manual or the localized trip count data are further reduced for the trips generated from Bailey Meadows because no more houses will be issued occupancy permits until Gunderson Road is built.

Until the 30th house in Bailey Meadows is completed and a certificate of occupancy is issued, all traffic from Bailey Meadows is assumed will use Melissa Avenue. For 30 occupied houses all using Melissa, a total of 283 ADT is based on ITE Manual assumptions and will be added to Melissa (944 * 0.30) bringing the total ADT to 1,788 (1,505 + 283) ADT (Figure 7). For 30 occupied houses all using Melissa, a total of 207 ADT based on localized traffic count data assumptions will be added to Melissa (944 * 0.73 * 0.30) bringing the total ADT to 1,367 (1,160 + 207) ADT (Figure 8).

Figure 7 – Use ITE Manual Data

Using ITE Manual - Trips with Gunderson Built				
Destination	Trips on Gunderson			Trips on
	Percent Using Gunderson	Bailey Meadows	Nicholas Glen	on Melissa
	Rather Than	283 ADT Total	1,505 ADT Total	Total
		30 Homes	30%	ADT
To & from the north	0%	0	0	0
To & from the east	15%	0	0	0
To & from the south	10%	0	0	0
To & from the west	15%	0	0	0
	40%	0	0	0
	Sub-total	0	0	1788
	Total		1788	

Figure 8 – Using Localized Trip Count Data

Using Localized Data - Trips with Gunderson Built				
Destination	Trips on Gunderson			Trips on
	Percent Using Gunderson	Bailey Meadows	Nicholas Glen	on Melissa
	Rather Than	207 ADT Total	1,160 ADT Total	Total
		30 Homes	30%	ADT
To & from the north	0%	0	0	0
To & from the east	15%	0	0	0
To & from the south	10%	0	0	0
To & from the west	15%	0	0	0
	40%	0	0	0
	Sub-total	0	0	1367
	Total		1367	

Figures 9 and 10 show the ADT values for Gunderson Road and Melissa Avenue with Gunderson Road built and 30 homes are occupied in Bailey Meadows. Using ITE Manual Data, the trips on Melissa Avenue are 1,223 ADT while use of localized traffic count data shows the trips on Melissa are 936.

Figure 9 – Use ITE Manual Data

Using ITE Manual - Trips with Gunderson Built				
Destination	Trips on Gunderson			Trips on
	Percent Using Gunderson	Bailey Meadows	Nicholas Glen	on Melissa
	Rather Than	283 ADT Total	1,505 ADT Total	Total
		30 Homes	30%	ADT
To & from the north	0%	0	0	0
To & from the east	15%	42	169	211
To & from the south	10%	28	113	141
To & from the west	15%	42	169	211
	40%	113	452	565
	Sub-total		565	1223
	Total		1788	

Figure 10 – Using Localized Trip Count Data

Using Localized Data - Trips with Gunderson Built				
Destination	Trips on Gunderson			Trips on
	Percent Using Gunderson	Bailey Meadows	Nicholas Glen	on Melissa
	Rather Than	207 ADT Total	1,160 ADT Total	Total
		30 Homes	30%	ADT
To & from the north	0%	0	0	0
To & from the east	15%	31	131	162
To & from the south	10%	21	87	108
To & from the west	15%	31	131	162
	40%	83	348	431
	Sub-total		431	936
	Total		1367	

Use of the ITE Manual Data can be valuable for comparison but if the Council desires to make a decision based on the most likely outcome, use of the localized traffic count data make more sense.

Point 6 – Construction of Gunderson Provides Conductivity Particularly for Residents of the Nicholas Glen Subdivision Justifying Proportioning of Costs between the Developer and the City

The Addendum (Document 2) to the Traffic Impact Analysis (Document 1) provides trip (ADT) data based on assumptions for the percent of trips that will use Gunderson Road, both from the Bailey Meadows subdivision and the Nicholas Glen subdivision. If Gunderson Road is constructed, 30% and possibly a higher percent, of trips to and from the Nicholas Glen subdivision are projected to use Gunderson Road.

Based on completion of 100 homes in Bailey Meadows and using ITE Manual assumptions (Figure 5), 452 ADT from the Nicholas Glen subdivision of a total 2,450 ADT or 18.43% will use Gunderson Road.

Using localized trip count data (Figure 6), 348 ADT from the Nicholas Glen subdivision of a total 1,849 ADT or 18.82% will use Gunderson Road.

By providing this conductivity, there is a documented benefit off site, particularly to the Nicholas Glen subdivision and others. As such, the developer would not be violating SDC 17.100.310(I) by not paying for 100% of the costs to construct Gunderson Road as is suggested by other testimony.

/s/ Donald Carlton
17067 Hood Court
Sandy, Oregon 97055

EXHIBIT OOOOOOOOOO

Dear Mayor and City Counselors,

I would like to start out by saying this has been a long arduous road for the citizens of Nicholas Glenn and others who have been working to bring this developer's attempted violation of our City Code to light. Thank you for recognizing that our City Code is in fact clear and objective and thank you for recognizing the danger this development application poses to the families of the Nicholas Glenn neighborhood.

After I read the applicant's letter amending their proposed conditions, I have to say my thoughts on this development application were not changed. Again, not because I do not want the application to move forward, but because the issues that have already been discussed are even less clear now than they were before. In fact, the 81-word proposed condition of approval is depravedly vague and does not offer a clear and objective outline for evaluation. The amendment does not transparently outline the funding strategy mitigation required by SDC 17.84(2) and is even further from the installation required at no expense to the City in SDC 17.100.

The fact of the matter is, development should pay for itself, and Sandy should encourage responsible growth. By growing responsibly, we will continue to be a leader in progress within our rapidly growing section of the county, while ensuring we can update and maintain our current infrastructure. This is the collaboration needed so that both the community and developer's business can succeed into the future. This is not the developer's first development in the City of Sandy, and I would highly anticipate, it will not be his last.

As Mayor Pulliam said on April 20th, 2020 "we as a City simply do not have the financial resources or will we in the foreseeable future to improve these public facilities." This is exactly why we have this issue addressed in our Sandy Development Code.

Counselor Lee agreed saying she could not support the project because "our requirements that strategies mitigating the problem need to be considered when this level of service deficiency in place have not been met."

Counselor Exner stated "I am also highly concerned about the impact of the transportation of this development on Melissa Road, it's incredibly over impacted with this development." Counselor Exner went on to say "I also don't see how the City could do any kind of paying for the road out to Gunderson onto Highway 211, its gotta be on the backs of the developer, that's just for me for safety". He went on to discuss we have developed a precedence for responsible growth in this City, by requiring other developers pay for the services their development will require. He ended by saying "I don't see any other alternative other than to require a second entrance to this thing."

Counselor Pietzold stated they used our SDC in the Bluff neighborhood to require additional roadway infrastructure "17.100.310-required improvements, and in that it says the following improvements should be installed at **NO** expense to the City, consistent with design standards in the chapter except otherwise provided in relation to oversizing, and I don't believe this is an oversizing aspect." He went on to say we have a precedence and required Jewelberry and Bell to be constructed to allow multiple entrances to that development.

Counselor Smallwood stated she could not accept this proposal because of safety. This, as appellants, is our main concern!

Counselor Shultz stated after reviewing the thousands of pages of documents in this process that “we do have these clear standards that are not being met in this proposal, so for that reason I cannot support it as written, with adding that many daily trips to our small Melissa Avenue over there, I can not support it.”

Thank you again for hearing us and seeing the issues that we have been addressing since this development process has started. I am sorry it has taken this long for the developer and Mr. Robinson to finally understand what the issues the citizens of this city are concerned about. Perhaps it is their same inability to understand the citizens’ copious communication that makes the developer and his attorney feel our City Code is not clear and objective, but I am enthused that you were finally been able to effectively communicate this with them.

Now we need the developers to effectively communicate with us. Again, nothing in the 81-word paragraph they submitted really addresses any of the issues voiced by your citizens. While I normally welcome the opportunity to work in collaboration with others, they have chosen to push this issue to this final vote. None of the issues expressed to you, were not previously raised to the developer’s staff at the Neighborhood Meeting, the Planning Commission meetings or the City Council Meeting, yet they have chosen to mute your citizen’s voices and not truly work to be good stewards of growth for our community. Their letter blatantly lacks transparency and frankly, effectively disregards the issues raised first by the citizens but most importantly the issues raised by the City Council.

We now ask you to please once again hear us and reject this unclear and objective application. Sandy is a great and desirable community. If this developer cannot fulfil the requirements of our City Code, there is surely one who will respect and honor it in the future. I implore you to please perform your civic duty and protect your citizen’s both physically and financially by rejecting the current application proposed.

Thank you for your time,

Richard Sheldon

EXHIBIT P P P P P P P P P P

Nicole Sellin
18256 Melissa Ave
Sandy, Oregon 97055
503.887.6284
nicole.sellin@gmail.com
May 4th, 2020

City of Sandy, Planning Division
39250 Pioneer Blvd.
Sandy, OR 97055
recorder@ci.sandy.or.us; koneill@ci.sandy.or.us

Re: Response to Developer's Proposal for Bailey Meadows Subdivision Appeal File No. 20-009 AP

Dear Sandy City Council,

I am writing this letter in response to the developer's proposed condition submitted on April 28th, 2020, with regards to the proposed subdivision, Bailey Meadows. As a resident of Nicholas Glen, and specifically a resident on Melissa Avenue, I am still quite concerned with the developer's ideas and intentions for Bailey Meadows.

First of all, I still feel that the application and proposal is not ready for approval. There are still too many unknowns and what ifs. I do not feel comfortable with the entire project because the developer is not being clear and transparent holistically. This newly proposed condition still lacks clarity and transparency on the issue of Gunderson Road and Highway 211. The developer's lawyer keeps stating that things need to be clear and objective, yet I feel that their proposal is not that at all. For this reason, I would ask that the City Council consider denying the application until a clear, objective, and cohesive plan is set.

These are my specific concerns with regard to the proposal of the Bailey Meadows subdivision:

- One Access with Melissa Ave: One way in and one way out, using only Melissa Avenue, is already against our city's transportation code. With the addition of another large neighborhood, traffic would be a nightmare and cause extra danger for residents and motorists. In the event of an emergency, one access would be a nightmare and would lead to life endangerment.
 - According to the City of Sandy's Transportation plan, local streets have the typical capacity of 800-1000 average daily car trips. Melissa is already over capacity. The development of 100 proposed homes would add approximately 944 additional car trips on Melissa Avenue. Traffic on Melissa Avenue will be at least double, possibly triple, the typical capacity of a local street. City Code 17.100.100 states "the pattern of streets should be connected in such a way will spread traffic over many streets so that key streets are not overburdened." With only one access point, Melissa Avenue will be overburdened; this extra burden will sprawl onto Dubarko and other arterial streets with connections to US 26, causing concerns in other neighborhoods as well.
 - Unless Gunderson Road is built prior to the start of development, Melissa Avenue will not only be overburdened by construction equipment and traffic, but the quality of the street will be put into jeopardy. Currently, Melissa is already over capacity, so the road could be deteriorating at a higher rate. It is a steep road that barely has room for two way traffic with cars parked on each side. It was made to be a local street, not a thoroughfare for heavy equipment and large vehicles. Construction equipment going up and down a local street will cause extra traffic with large equipment. It will deteriorate the road at an even faster rate. It will also cause traffic and safety issues for residents.

- The transportation study did not access the intersections of Dubarko & Bluff and Dubarko & Highway 211. They say that Gunderson Road will alleviate traffic on Melissa because it is another outlet, but how do they know if they did not study traffic going toward Highway 211. Why would residents use Gunderson for normal daily travel, when it would be shorter to go to Fred Meyer, Kelso Elementary (the school for the neighborhood), US 26, or Downtown Sandy using Melissa Ave?
- Gunderson Road: Developers are looking into second access connecting the new Bailey Meadows neighborhood to OR 211. However, Gunderson Road is still not a sure thing and we still do not know how it will be paid for.
 - The property for most of Gunderson Road is outside the Urban Growth Boundary currently. Because of this, it may be awhile before Gunderson Road happens. If development begins before Gunderson is constructed, the construction traffic and equipment alone will cause issues for Melissa as mentioned above.
 - Who will pay for Gunderson Road? The residents of Sandy are already taxed quite a bit, and there are more proposals of bonds coming on the ballot for important things including our schools, parks, etc. Our water and sewer bills just doubled because of rapid growth on an already overwhelmed system that could not handle it; the inexpensive new development fees did not help cover enough of the costs for upgrades. Our pocketbooks are not endless and are getting hit quite hard with all of these expenses. There is also the economic hit the coronavirus is causing all around. The city and its citizens cannot afford to pay for Gunderson Road, nor should we have to. The road is being built because of a new development, therefore that new development should pay for the road.
 - The developer's new proposal commits them to building Gunderson Road, plus \$500,000 towards the Highway 211 intersection project. However, they want to offset those costs with development credits they owe the city; they expect the city to "provide the maximum extent of Transportation System Development Charges credits and waiver of applicable City fees as determined by the City Manager." The actual dollar amount in credits and waivers is not mentioned because it is up to someone's discretion.
 - The total cost of the Gunderson Road project is not found in the 1500 pages of the record, so we do not know how much it will actually cost. We were told at one of the meetings it would cost between \$1.5-\$1.8 million dollars, but there is no proposal or quote to back that up.
 - Sandy's transportation funds are limited due to other projects currently in the works. Our city would have to stop working on those projects if we were at all financially responsible for any part of Gunderson Road or Highway 211.
 - Sandy City Code 15.28.030(7) and 15.28.130 spell out where TSP credits can be given for a capital improvement required as a condition of development approval: 1) where an improvement is built larger or with greater capacity than is necessary for the particular development project; or 2) where an improvement is not located on or contiguous to property that is the subject of development approval. "Credit for qualified public improvements ... may be granted only for the cost of that portion of such improvements that exceeds the City's minimum standard facility size or capacity needed to serve the particular development project or property." Half of Gunderson Road is located on the Bailey Meadows site and the rest is contiguous with the Bailey Meadows subdivision. There is no indication that Gunderson will be built with greater capacity.
- Park: Developers are looking into adding a 2+ acre park. There is no mention of the park in the newly added proposal conditions submitted on April 28th.

- The land “designated” for a park is not inside the Urban Growth Boundary and is not a sure thing. It is right next to a highway and the idea of children playing next to Highway 211 just does not seem safe.
- An additional question is now raised: Will the developer receive credits of park fees if they build Gunderson Road?

Based on where we are at now, I feel that the council has two options at this point:

- Uphold the appeal and deny the application
- Approve the application, but place clearer conditions for approval

Based on the concerns above, I ask that you add the following conditions if you approve the application:

1. Require the construction of Gunderson Road in order for Bailey Meadows to happen, period. If at all possible, do not allow Bailey Meadows to access Melissa Ave for transportation use. Melissa Ave is already over capacity. The Nicholas Glen neighborhood was allowed to be built with only 1 access road; Bailey Meadows could be built the same if it is allowed. If you must include access to Melissa, please add a 4 way stop at the top of Rachael and Melissa. A 3 way stop at the crossing of Dubarko and Melissa would be great too because of increased traffic and sight issues due to cars parking on Dubarko.
2. Require Gunderson Road to be constructed PRIOR to the start of development construction and require that Gunderson Road be the sole access for construction traffic, with the exception of connecting utilities as is NEEDED. The only time construction traffic should be allowed on Melissa is when the Bailey Meadows development is connected into our neighborhood’s utility system; the construction at that time should be minimally invasive and respectful of Nicholas Glen residents. The Nicholas Glen neighborhood was allowed to be built with only 1 access road that is over typical capacity. Lives are at stake. In the event of an emergency, only one access could mean life endangerment or loss of life. Additional traffic, specifically construction traffic, ruin our street physically at a much quicker rate and will bring a higher likelihood of accidents. It is IRRESPONSIBLE to add any additional traffic to Melissa Ave, including construction traffic.
3. Require the developer to pay the entire cost of Gunderson Road and the Highway 211 intersection, WITHOUT Development Credits or Waivers. Half of Gunderson Road is located on the Bailey Meadows site and the section they are building to the south is contiguous with the Bailey Meadows subdivision. Their plan does not show building any of Gunderson with greater capacity. The nearby intersection of SE Village Blvd and Hwy 211, with similar road and Highway 211 requirements to Gunderson Road, was built and paid for by that developer. No credits were given to that developer. If development credits are given to the developer of Bailey Meadows, they must be extremely minimal and clear.
4. Include the other suggested conditions regarding parkland and other matters found in the appeal presentation.

I want to end by saying thank you. Thank you for listening to the concerned residents. Thank you for taking our concerns to heart and truly looking at those concerns with diligence. Thank you for protecting and defending our neighborhood against irresponsible and unsafe growth, just because it was presented as needed. Thank you for the time you pour into our city and for the work you do in making it such a wonderful place to live, a place where people want to move to and stay. Thank you for all that you do that I do not even know about.

Sincerely,
Nicole Sellin

May 6, 2020

Michael C. Robinson

Admitted in Oregon
T: 503-796-3756
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mrobinson@schwabe.com

**VIA E-MAIL (SUBMITTED TO THE CITY RECORDER ON
MAY 6, 2020 BEFORE 5:00 P.M.)**

Mr. Stan Pulliam, Mayor
City of Sandy City Council
Sandy City Hall
39250 Pioneer Boulevard
Sandy, OR 97055

RE: City of Sandy File No. 20-009AP; Applicant's Final Written Argument Due on
May 6, 2020 before 5:00 p.m.

Dear Mayor Pulliam and Members of the Sandy City Council (the "City Council"):

This office represents the Applicant. This letter is the Applicant's final written argument limited to responses to argument and evidence submitted about the Applicant's proposed condition of the approval submitted to the City Council on April 28, 2020.

The Application reflects the Applicant's efforts to be cooperative with the city and the neighbors by devising a plan to provide Gunderson Road because it wants to provide a solution to a problem it did not create and is not legally required to resolve. However, the Applicant is not legally responsible to construct or pay for an off-site street that its subdivision does not need and is not required for approval. Additionally, the Applicant wants to be respectful of the City and its citizens but it is not required to waive its legal rights under ORS 197.195(1), 197.303(1), 197.307(4) and the Constitutional requirements that apply to exactions and conditions of approval.

The Applicant appreciates the time that the City Council, the Planning Commission, the staff and the public have spent on this matter.

This letter is short. The issues before the City Council are obvious. The record is well-developed and voluminous. More testimony will not make the issues clearer or add to the arguments already made by the Applicant. But to be clear: The opponents have submitted nothing that undercuts the law in favor of the approval of the Application.

First, the Applicant submitted the new condition of approval under ORS 197.522(3) in the spirit of cooperation, not because it believes the condition is necessary to meet the relevant approval criteria. The Applicant did so based on the City Council's deliberation on April 20, 2020 because it was clear the City Council intended to deny the Application and it believed the

Mr. Stan Pulliam, Mayor
May 6, 2020
Page 2

Applicant should construct and pay for Gunderson Road despite the lack of evidence allowing the City Council to do so.

Second, while the City Council can approve the Application with the new condition of approval, the Applicant will not agree to further changes to the conditions of approval unanimously adopted by the Sandy Planning Commission except to reconcile the final decision to be consistent with the new condition. The Applicant went beyond what the relevant approval criteria required it to do in order to be a good neighbor and to try to mitigate the unimplementable TSP that shows Gunderson Road intersecting Oregon Highway 211 on a curve. The Applicant has not waived its right to have its Application judged under clear and objective and properly incorporated applicable laws and that is why it will not accept additional or changed conditions of approval.

Third, the best, most cogent letter in the record is the May 4, 2020 letter by Mr. Don Carlton. His neutral letter as a private citizen aptly and objectively analyzes the evidence regarding Gunderson Road. He makes the point that the City Council should reach – the Applicant is not required to do more than it has offered to do, without the new condition, because the evidence supports no other conclusion. Forgetting for the moment that Constitutional principles govern when a city can impose exactions on an applicant, Mr. Carlton's letter analyzes the evidence and correctly concludes that the Application does not violate any relevant approval criteria.

Fourth, nothing added in the other testimony regarding the new condition changes the balance of the record. The Applicant has met its legal burden of proof as controlled by the law, not by majority opinion.

Fifth, the Development Agreement between the City and the Applicant must be approved in a public meeting.

Finally, the neighbors ask the City Council to grant their appeal because they think they are entitled to a particular outcome as the electorate. Nothing could be further from the truth in our land use process. Sometimes, city councils must follow the law and disappoint the electorate because city councils are bound to apply the law without favor or prejudice. None of the reasons given on April 20, 2020 undermine the Applicant's case, the applicable law, or the advice received from the Planning Director, the City Attorney, or the Sandy Planning Commission.

The Applicant hopes the City Council will approve the Application without the new condition as recommended by the Planning Commission but it can add the new condition to an approval if it believes it must do so to approve the Application because that is what ORS 197.522(3) allows. The Applicant stands by its case based on the law and the evidence. If the City Council approves the Application, it will set an example for how city councils should decide applications free from political considerations.

Mr. Stan Pulliam, Mayor
May 6, 2020
Page 3

Very truly yours,



Michael C. Robinson

MCR:jmhi

cc Mr. Cody Bjugan (*via email*)
Mr. Chris Goodell (*via email*)
Mr. Jordan Wheeler (*via email*)
Mr. Kelly O'Neill (*via email*)
Mr. David Doughman (*via email*)

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**REVISED STAFF REPORT
CITY COUNCIL
TYPE IV APPEAL**

PUBLISH DATE: March 27, 2020

FILE NO.: 20-009 AP

PROJECT NAME: Bailey Meadows Subdivision Appeal

APPELLANTS: Erin Findlay, Cary Mallon, Kathleen Walker, Emily and Richard Sheldon, and Midge Wadkins

PROPERTY OWNER: Grant & Myrtle Sturm

SUBDIVISION APPLICANT: Allied Homes & Development

LEGAL DESCRIPTION: T2S R4E Section 23 Tax Lots 800, 801, 802, 803, 804

This Type IV Appeal is of the Planning Commission's approval for 19-023 SUB/VAR/TREE Bailey Meadows Subdivision.

EXHIBITS:

Exhibits from File No. 19-023 SUB/VAR/TREE:

A. through JJJJJ. (detailed in the February 7, 2020 staff report)

KKKKKK. Staff Report to Planning Commission (February 7, 2020)

LLLLLL. Final Order and Findings of Fact (February 14, 2020)

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XXXXXX. Letter from Appellant Attorney, Carrie Richter (March 18, 2020)

FINDINGS OF FACT

General

1. The Planning Commission deliberated on February 11, 2020. At the meeting, the Planning Commission approved the 100-lot subdivision per the findings and conditions listed in the final order and with modification to Condition G. 22 in the final order.
Moved By: Commissioner Carlton
Seconded By: Commissioner Logan
Yes votes: Carlton, Lesowski, MacLean-Wenzel, Crosby, Logan, Mayton.
No votes: None
2. The Planning Commission issued the final order and findings of fact for 19-023 SUB/VAR/TREE Bailey Meadows Subdivision (Exhibit LLLLLL) on February 14, 2020. The appeal deadline was set 12 calendar days after the final order and findings of fact, otherwise identified as February 26, 2020.
3. The appellant submitted an appeal of the decision for 19-023 SUB/VAR on February 26, 2020 at 9:30 a.m. The appellant submitted Exhibits MMMMMM and NNNNNN, along with the associated appeal fee.
4. The approval of Bailey Meadows subdivision includes the subdivision of 100 single family home lots with access to Nicolas Glen via Melissa Avenue, and with potential access to Highway 211 via Gunderson Road. The subject site consists of five lots with a total area of approximately 23.42 acres. The site is located north of Highway 211, south of Rachael Drive, and west of Ponder Lane. The parcel has a Plan Map designation of Low Density Residential and Zoning Map designation of SFR, Single Family Residential.
5. The City Council may limit the appeal to the evidence and testimony contained in the record of the Planning Commission's hearing, or the Council may choose to hear the appeal "de novo" which would allow for the introduction of additional evidence and testimony. On March 2, 2020 the Council decided to hold the hearing de novo.

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7. The appeal hearing was originally scheduled for March 16, 2020. However, due to concerns related to COVID-19, the hearing was cancelled.
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9. The appellants raise numerous issues on appeal, as described in the letter submitted on February 26, 2020, including but not limited to the following:
 - #1 The City did not follow the recommendations of the City Engineer.
 - #2 The City used too many 'if' statements in the final order.
 - #3 Issue with the City paying for a portion of the Gunderson Road improvement costs.
 - #4 Thinks the word 'typical' is clear and objective as it is commonly used on engineer illustrations.
 - #5 The Traffic Impact Analysis (TIA) was completed by Lancaster Mobley Engineering and because Mr. Mobley is a Planning Commissioner the optics are sketchy at best.
 - #6 Pipe diameters are not listed in the City code so therefore there should not have to be Average Daily Trip (ADT) standards in the City code.
 - #7 The City should have conditioned approval only with approval of the Urban Growth Boundary (UGB) expansion and construction of Gunderson Road at no expense to the City of Sandy.
 - #8 The City is foolhardy for approving the subdivision prior to the cost sharing of Gunderson Road being determined.
 - #9 The Development Agreement should be completed as a land use decision.
 - #10 The developer should pay the fee in-lieu of parkland and donate the additional land outside the UGB to the city.
 - #11 The City should condition the 30th house to building permit, not occupancy.

City staff will address the appellants' primary assertions below. With respect to staff's evaluation of the application relative to the standards and criteria in the City's Code, staff directs the City Council to the February 7, 2020 staff report to the Planning Commission (Exhibit KKKKKK).

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facilities are inadequate to serve the subdivision pursuant to Sandy Municipal Code 17.100.60(E)(4), and deny the application there is risk that denial would be overturned and could result in LUBA ordering approval of the subdivision. That would mean there would be no opportunity for a second access into the subdivision at this time, and presumably for the foreseeable future. This possibility resulted in the recommendation before the Planning Commission. City staff and the Planning Commission wanted to preserve the possibility that a second access would be provided (i.e. Gunderson Road).

11. Assertion #2: The City used too many 'if' statements in the final order. *City of Sandy staff feels that conditioning the Urban Growth Boundary (UGB) expansion and subsequent development of Gunderson Road is most feasible using 'if' statements. While the use of 'if' statements may make some people uncomfortable it is the best course forward given time constraints with statutory requirements related to the 120-day rule and without knowing the outcome of the UGB expansion proposal.*
12. Assertion #3: Issue with the City paying for a portion of the Gunderson Road improvement costs. *The cost share of Gunderson Road is not a decision made by staff or the Planning Commission and is not, itself, a land use consideration. If the City and the applicant can reach an agreement about how to pay for the cost to construct Gunderson Road, the Council will approve that agreement in a separate proceeding.*
13. Assertion #4: Thinks the word 'typical' is clear and objective as it is commonly used on engineer illustrations. *The word "typical" is used in a standard from Chapter 3 of the City's TSP that relates to how many average daily vehicle trips (or "ADTs") will occur on local streets such as Melissa Avenue. It states that local streets "have a 'typical' capacity between 800 and 1,000 ADT." Staff directs the City Council to two memos from the City Attorney on this issue (Exhibits ZZZZZ and EEEEE). In those memos, the City Attorney discussed his concerns regarding the applicability of that standard, based on the fact that it may not be adequately incorporated into the City's development code and because the word typical may not be "clear and objective" for the purposes of state statute, specifically ORS 197.307(4).*
14. Assertion #5: The Traffic Impact Analysis (TIA) was completed by Lancaster Mobley Engineering and because Mr. Mobley is a Planning Commissioner the optics are sketchy at best. *As required by Oregon law, Commissioner Mobley recused himself at all applicable Planning Commission hearings. Staff finds there is no evidence that Mr. Mobley's position on the Planning Commission had any bearing on the decision by the Planning Commission.*
15. Assertion #6: Pipe diameters are not listed in the City code so therefore there should not have to be Average Daily Trip (ADT) standards in the City code. *As explained by the City Attorney in Exhibits ZZZZZ and EEEEE, the applicant asserts the city cannot apply certain Code criteria or certain standards in the city's transportation system plan (TSP). The applicant has not asserted that it may rely solely on existing water or sewer infrastructure to serve the subdivision, as it has with respect to road infrastructure and traffic issues.*
16. Assertion #7: The City should have conditioned approval only with approval of the Urban Growth Boundary (UGB) expansion and construction of Gunderson Road at no expense to the

City of Sandy. Again, as explained by the City Attorney in Exhibits ZZZZZ and EEEEEEE, the applicant asserts the city cannot apply certain Code criteria or certain standards in the city's transportation system plan (TSP). If the applicant is correct, the City would likewise not be able to condition approval in this manner. With approval of the subdivision, City staff and the Planning Commission wanted to preserve the possibility that a second access would be provided (i.e. Gunderson Road). Expenses related to Gunderson Road are not a matter to be considered by the Planning Commission.

17. Assertion #8: The City is foolhardy for approving the subdivision prior to the cost sharing of Gunderson Road being determined. As stated above in paragraph 10 and below in paragraph 16, issues regarding the costs associated with Gunderson Road continue to be negotiated between the applicant and the City. If an agreement is reached, it is anticipated that the Council would consider the agreement on March 16 separately from the appeal.
18. Assertion #9: The Development Agreement should be completed as a land use decision. As explained by the City Attorney in Exhibit EEEEEEE, the development agreement being considered in this instance is a non-statutory development agreement, which is not subject to ORS 94.504 and will not apply any provisions in the city's development code or other land use regulations. LUBA and Oregon's appellate courts have recognized that development agreements under ORS 94.504 are one option, but not the only option, local governments may use to address issues related to costs and timing of the construction of infrastructure. In addition, while a jurisdiction may approve a development agreement prior to considering a land use application, or during the review process itself, it is not required.
19. Assertion #10: The developer should pay the fee in-lieu of parkland and donate the additional land outside the UGB to the city. Chapter 17.86 of the Sandy Development Code governs parkland relative to land use applications. In accordance with the terms of that chapter, the City has the option of either requiring a dedication or requiring a fee-in-lieu of dedication. The options are mutually exclusive, as the term "fee-in-lieu of dedication" indicates. In this instance, the Council previously provided direction to staff to accept a fee-in-lieu of dedication. The applicant decided after the December 17 Planning Commission hearing to propose the dedication, which the Planning Commission approved subject to the UGB expansion. If the UGB is not expanded, then the Planning Commission's decision has a condition requiring the applicant to pay the fee-in-lieu of dedication. While the applicant could choose to dedicate the land and pay a fee, the City cannot compel the applicant to do both. There have also been comments regarding the Parks Master Plan conceptually identifying a community park in the vicinity of the proposed subdivision. According to the City Attorney, simply because a park may be conceptually identified in a certain location does not mean a jurisdiction is fully empowered to require a private landowner to dedicate land for such a park. Whenever a jurisdiction requires an applicant to dedicate property for public use, the U.S. Supreme Court has held that the government must satisfy certain tests before it may do so. The City Attorney has discussed these issues previously and will be happy to discuss it further at the hearing on March 16.
20. Assertion #11: The City should condition the 30th house to building permit, not occupancy. Staff agrees with the appellant that holding up occupancy is sometimes problematic especially when new home buyers or the general contractor tries to pressure staff into issuing the certificate of

occupancy. Staff is open to the option approved by the Planning Commission relating to occupancy or the option proposed by the appellant relating to building permit and does not have a strong feeling on this.

21. If City staff missed any of the primary assertions from Exhibit NNNNNN it was not done intentionally, but in error.

DECISION

Staff recommends City Council consider this appeal by reviewing the decision of the Planning Commission and weigh it against the merits as brought forth by the appellant and the subdivision applicant. While staff acknowledges the difficulties that are present with this application, based on advice from the City Attorney's office, staff continues to believe that the Planning Commission made the best decision it could, which preserves the best opportunity for the neighborhood to have a second access into the subdivision and for the City to complete the Gunderson Road connection to Highway 211, as identified in the TSP.



Staff Report

Exhibit SSSSSSSSS

Meeting Date: April 20, 2020
From Kelly O'Neill, Development Services Director
SUBJECT: 20-009 AP Bailey Meadows subdivision appeal

Background:

On April 6, 2020 the City Council held a public hearing to hear from the applicant, appellants, and general public. The applicant requested the record remain open until 5:00 PM on April 13, 2020. The applicant also granted an extension of the 120-day deadline to April 28, 2020.

On April 6, 2020 the City Council closed the public hearing, left the record open until 5:00 PM on April 13, 2020, and decided to reconvene on April 20, 2020 solely to deliberate and to render a decision on the Bailey Meadows subdivision appeal.

**REVISED STAFF REPORT NO. 2
CITY COUNCIL
TYPE IV APPEAL**

PUBLISH DATE: April 14, 2020

FILE NO.: 20-009 AP

PROJECT NAME: Bailey Meadows Subdivision Appeal

APPELLANTS: Erin Findlay, Cary Mallon, Kathleen Walker, Emily and Richard Sheldon, and Midge Wadkins

PROPERTY OWNER: Grant & Myrtle Sturm

SUBDIVISION APPLICANT: Allied Homes & Development

LEGAL DESCRIPTION: T2S R4E Section 23 Tax Lots 800, 801, 802, 803, 804

This Type IV Appeal is of the Planning Commission's approval for 19-023 SUB/VAR/TREE Bailey Meadows Subdivision.

EXHIBITS:

Exhibits from File No. 19-023 SUB/VAR/TREE:

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Additional Documents Received:

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WWWWWW. Extension to the 120-day rule from Michael Robinson (March 13, 2020)

XXXXXX. Letter from Appellant Attorney, Carrie Richter (March 18, 2020)

YYYYYY. Letter from Michael Robinson (March 30, 2020)

ZZZZZZ. Letter from Student Transportation of America (March 31, 2020)

AAAAAAA. Applicant PowerPoint Presentation (March 31, 2020)

BBBBBBB. Letter from Michael Robinson (March 31, 2020)

CCCCCCC. Letter from Michael Robinson (April 2, 2020)

DDDDDDD. City of Sandy Staff PowerPoint Presentation (April 3, 2020)

EEEEEEE. Roberta Evett (April 3, 2020)

FFFFFFF. Carey Mallon (April 5, 2020)

GGGGGGG. Paul Savage (April 6, 2020)

HHHHHHH. Letter from Michael Robinson (April 6, 2020)

IIIIIII. Richard Sheldon (April 6, 2020)

JJJJJJJ. Gigi Duncan (April 6, 2020)

KKKKKKK. Appellant PowerPoint Presentation (April 6, 2020)

LLLLLLL. Revised Letter from Appellant Attorney, Carrie Richter (April 6, 2020)

MMMMMMM. Mike Schell (April 6, 2020)

NNNNNNN. Corri Baldwin (April 6, 2020)

OOOOOOO. Edith Newton (April 6, 2020)

Additional Documents Received During Open Record Period:

PPPPPPP. Marguerite Wadkins (April 7, 2020)

QQQQQQQ. Esther Quick (April 7, 2020)

RRRRRRR. Appellant PowerPoint Presentation Revised (April 11, 2020)

SSSSSSS. Andrea Boswell (April 11, 2020)

TTTTTTT. Brian Fletcher (April 11, 2020)

UUUUUUU. Daya Tracy (April 11, 2020)

VVVVVVV. Jessica Burnett (April 11, 2020)

WWWWWWW. Kendal Pelton (April 11, 2020)

XXXXXXXX. Lara Maul (April 11, 2020)

YYYYYYY. Mandi Rogers (April 11, 2020)

ZZZZZZZ. Mary Casey (April 11, 2020)

AAAAAAAA. Mary Yousaf (April 11, 2020)

BBBBBBBB. RL Phanton (April 11, 2020)

CCCCCCC. Tania Richards (April 11, 2020)

DDDDDDD. William Bliesner (April 11, 2020)

EEEEEEEE. Richard Sheldon #1 (April April 12, 2020)
 FFFFFFFF. Richard Sheldon #2 (April 12, 2020)
 GGGGGGGG. Marguerite Wadkins (April 12, 2020)
 HHHHHHHH. Bob West (April 12, 2020)
 IIIIIIII. William King (April 12, 2020)
 JJJJJJJJ. Phil Grable (April 12, 2020)
 KKKKKKKK. Gigi Duncan (April 12, 2020)
 LLLLLLLL. Danielle Barnard (April 12, 2020)
 MMMMMMMM. Cary Mallon (April 12, 2020)
 NNNNNNNN. Brian Weisz (April 12, 2020)
 OOOOOOOO. Brittany Bradfield (April 13, 2020)
 PPPPPPPP. Emily Sheldon (April 13, 2020)
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20. Assertion #9: The Development Agreement should be completed as a land use decision. *As explained by the City Attorney in Exhibit EEEEE, the development agreement being considered in this instance is a non-statutory development agreement, which is not subject to ORS 94.504 and will not apply any provisions in the city's development code or other land use regulations. LUBA and Oregon's appellate courts have recognized that development agreements under ORS 94.504 are one option, but not the only option, local governments may use to address issues related to costs and timing of the construction of infrastructure. In addition, while a jurisdiction may approve a development agreement prior to considering a land use application, or during the review process itself, it is not required.*
21. Assertion #10: The developer should pay the fee in-lieu of parkland and donate the additional land outside the UGB to the city. *Chapter 17.86 of the Sandy Development Code governs parkland relative to land use applications. In accordance with the terms of that chapter, the City has the option of either requiring a dedication or requiring a fee-in-lieu of dedication. The*

options are mutually exclusive, as the term “fee-in-lieu of dedication” indicates. In this instance, the Council previously provided direction to staff to accept a fee-in-lieu of dedication. The applicant decided after the December 17 Planning Commission hearing to propose the dedication, which the Planning Commission approved subject to the UGB expansion. If the UGB is not expanded, then the Planning Commission’s decision has a condition requiring the applicant to pay the fee-in-lieu of dedication. While the applicant could choose to dedicate the land and pay a fee, the City cannot compel the applicant to do both. There have also been comments regarding the Parks Master Plan conceptually identifying a community park in the vicinity of the proposed subdivision. According to the City Attorney, simply because a park may be conceptually identified in a certain location does not mean a jurisdiction is fully empowered to require a private landowner to dedicate land for such a park. Whenever a jurisdiction requires an applicant to dedicate property for public use, the U.S. Supreme Court has held that the government must satisfy certain tests before it may do so. The City Attorney has discussed these issues previously and will be happy to discuss it further at the hearing on March 16.

22. Assertion #11: The City should condition the 30th house to building permit, not occupancy. *Staff agrees with the appellant that holding up occupancy is sometimes problematic especially when new home buyers or the general contractor tries to pressure staff into issuing the certificate of occupancy. Staff is open to the option approved by the Planning Commission relating to occupancy or the option proposed by the appellant relating to building permit and does not have a strong feeling on this.*

23. If City staff missed any of the primary assertions from Exhibit NNNNNN it was not done intentionally, but in error.

DECISION

Staff recommends City Council consider this appeal by reviewing the decision of the Planning Commission and weigh it against the merits as brought forth by the appellant and the subdivision applicant. While staff acknowledges the difficulties that are present with this application, based on advice from the City Attorney’s office, staff continues to believe that the Planning Commission made the best decision it could, which preserves the best opportunity for the neighborhood to have a second access into the subdivision and for the City to complete the Gunderson Road connection to Highway 211, as identified in the TSP.



Staff Report

Meeting Date: May 18, 2020
From: Tyler Deems, Finance Director
SUBJECT: Utility Assistance Program - 90 Day Review

Background:

In October 2019, Council voted to increase wastewater utility rates to help pay for much needed system improvements. As a result of the large rate increase, staff was tasked with researched customer assistance programs. On February 3, 2020 Council passed Resolution 2020-01 to reduce the wastewater portion of qualified customers bills by 50%. The current income limit to qualify is \$31,284 per year in gross income per household. At the same time this resolution was passed, Council requested a 90 day review of the program. Below is information, as of May, 2020, pertaining to the current program:

- Total Applications Received: 35
- Total Approved: 31
- Total Denied: 4
- Total Assistance Provided: Approximately \$2,800

Staff would like to also point that we have received the following questions/comments from multi-family dwelling owners or tenants:

- Multi-family dwelling owners pay the utility bill directly and pass the charge onto their tenants or increase rent to cover the increase may have tenants that meet the income eligibility guidelines but are not eligible because they are not utility customers.
- Manufactured home parks pay the utility bill directly but individually meter and charge tenants for utility service based on usage. Many of the tenants may meet the income eligibility requirements but also are not eligible because they are not direct utility customers.

There are approximately 600 multi-family dwelling units in Sandy of these approximately 200 are subsidized units either through HUD, Clackamas County Housing Authority or Community Housing Development Organizations. These subsidies primarily consist of: housing vouchers for direct payments to landlords or grants, low interest financing or loan guarantees from government agencies. An allowance for utility charges is calculated annually for eligible units (<https://www.clackamas.us/housingauthority/section8.html>). For a two-bedroom apartment unit the monthly subsidy for sewer service is \$38. This is about \$11.00/month more than the monthly subsidy provided by the City for an eligible utility customer using 600 CF of water under the City's program. For a three-bedroom detached home the

monthly subsidy for sewer service is \$65. This is about \$38/month more than the subsidy we currently provide. The utility bill (including the public safety fee) for dwellings owned by the Clackamas County Housing Authority is paid directly by the Housing Authority.

Given that there are established utility bill subsidies available for tenants of these units we recommend that any expansion of the City's program be limited to non-subsidized multi-family buildings or manufactured home park tenants. Currently we require that a tenant of a single family or two-family dwelling that is separately metered to put the utility bill in their name instead of the landlord's name to be eligible for the Customer Assistance Program.

There are approximately 135 manufactured homes in three parks. Utility charges are paid by the park owner or their management company. We understand that the two largest parks sub-meter each home, read these meters and bill tenants for utility charges individually. We don't know how these parks establish the utility charges for their tenants but we assume that the rates are based on or tied to the rates that the City charges the park owner.

It would take a lot of staff time and it would be difficult to determine if a rent increase (or percentage of an increase) in a rental unit is directly related to a utility charge increase. It would also be staff-intensive to determine if the rate charged to manufactured home tenants by the park owner is below, at or above the rate the City charges for the same services.

Other options to provide an indirect subsidy for multi-family and manufactured home park tenants include providing water audits or water conservation devices for these housing types. Water audits could cost several thousand dollars per apartment building or manufactured home park which does not include the cost of the recommended improvements. Providing water conservation devices (shower heads, faucet aerators, toilet tank devices, etc.) to be installed by others would cost about \$100 per unit. Low-volume toilet rebates in other Portland metro jurisdictions range from \$40 to \$85 per fixture replaced. The water conservation devices or toilet rebates would only make an impact in older multi-family buildings constructed before 1992 when water conserving devices were required by the plumbing code.

Recommendation:

Provide staff direction on eligibility, direct subsidies or indirect subsidies (water conservation).

Budgetary Impact:

Currently, the Customer Assistance Program reduces rate revenue by about \$1,100/month or approximately 0.9% of monthly revenue. Further cost impacts would depend on the amount and type of subsidy selected.



Jeff Aprati <japrati@ci.sandy.or.us>

Fwd: May 18, 2020 city council meeting

MW <mwalker@ci.sandy.or.us>

Fri, May 15, 2020 at 3:12 PM

To: Jeff Aprati <japrati@ci.sandy.or.us>

Cc: Jordan Wheeler <jwheeler@ci.sandy.or.us>, Tyler Deems <tdeems@ci.sandy.or.us>

Jeff,

This is the only comment we received on the customer assistance program. Is there a way we can get this into the record or at least to each councillor for the meeting on Monday? Thanks - let me know if questions.

----- Forwarded message -----

From: **dave freeman** <freedave888@gmail.com>

Date: Fri, May 15, 2020 at 12:19 PM

Subject: Re: May 18, 2020 city council meeting

To: MW <mwalker@ci.sandy.or.us>

thanks Mike hope this is alright the way im doing this. please be my spokesman for me . Ive had these apartments for 45 years a lot of property taxes . Im writing this for tenants 12 units are paying 450 a month. they have been there for ever the other four are 550 .i wish they ea had water meters but they dont.. I have no problem with a ten or fifteen percent raise but ninety percent is way out of bounds. nor do I want to do more paper work sorry. from here they go homeless thats why there rent is so cheap. Thanks Mike.

On Fri, May 15, 2020 at 10:29 AM MW <mwalker@ci.sandy.or.us> wrote:

Dave,

Attached please find the agenda for Monday's City Council meeting. The link to the online meeting is on page 1. I have also attached the staff report for the 90-day review. As we discussed you can click on to the meeting link and provide comments in person or submit comments to me prior to the meeting that can be distributed to the Council at the meeting.

Let me know if you have any questions.

--

Mike Walker

Director of Public Works

City of Sandy

39250 Pioneer Blvd.

Sandy, OR 97055

503-489-2162 V

503-668-8714 F

www.ci.sandy.or.us

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5/15/2020

City of Sandy Mail - Fwd: May 18, 2020 city council meeting

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--

Mike Walker

Director of Public Works

City of Sandy

39250 Pioneer Blvd.

Sandy, OR 97055

503-489-2162 V

503-668-8714 F

www.ci.sandy.or.us



Staff Report

Meeting Date: May 18, 2020
From Andi Howell, Transit Director
SUBJECT: Transit Operations Contract authorization

Background:

The Sandy Transit Department released a Request for Proposals (RFP) on February 26, 2020. The RFP was for Transit Operations and the Intent to Award to MV Transportation was awarded by Council at the April 20, 2020 meeting.

Since the April 20th meeting, staff have negotiated with MV Transportation based on the Request for Proposal issued by Sandy Transit and the Bid Proposal issued by MV Transportation.

The following has been negotiated within the bid proposal cost of \$63.84 per revenue hour. SAM operates 19,565 revenue hours per year, for \$1,249,030 per year 1. The rate for year 2 decreases due to start up costs. Year 2 is quoted at \$60.47 per revenue hour, a total of \$1,183,096.

This contract includes the following: A PT operations manager (shared regionally with Canby for cost savings), a FT operations assistant manager, a fleet maintenance coordinator, a road supervisor/trainer, 2 FT and 2 PT dispatchers, 18 FT drivers and a vehicle service worker (bus cleaner). Compared to our previous contract, this vastly improves driver training hours, driver supervision and maintenance/capital oversight.

Additionally, drivers will retain the wage increases they earned as City of Sandy employees, retain their level of vacation earned as RoJoy employees and be provided benefit package options. Drivers will be hired by MV Transportation on May 30, 2020 and benefits will begin June 1, 2020.

The performance of Sandy Transit depends on the quality of drivers. Therefore, the drivers who have been retained and recently hired by the City of Sandy were of utmost importance in this process. The City is confident that the new contractor brings a respectable wage and benefit package to ensure retention of quality personnel. They also add a solid foundation of training, including the addition of the latest coaching and accident prevention technology. Drive cams and mobile eye technology were included in the cost of the bid proposal and will be applied to each SAM and MHX vehicle.

MV Transportation has begun the transition process, they have been on-site since the week of May 4th conducting a PPE assessment plan for COVID-19 prevention

measures, completing on-site vehicle and tools assessments, completing driver paperwork, providing an on-site drug tester and more to ensure an easy transition.

Recommendation:

Staff recommends that the City Council authorizes the City Manager to sign the contract of services between MV Transportation LLC and the City of Sandy Transit Department.

Budgetary Impact:

\$2,432,126 in transit operations costs over a two year contract. Sandy Transit will update their current budget to reflect the cost increase; current revenue is sufficient for the cost increase.

Transit Operation Services

The City of Sandy

Clackamas County Social Services



Submitted To: **Submitted By:**

City of Sandy	MV Transportation, Inc.
Andi Howell, Transit Director	2711 N Haskell Ave
16610 Champion Way	Suite 1500, LB-2
Sandy, Oregon 97055	Dallas, TX 75204
p: 503.489.0925	p: 972.391.4600
	www.mvtransit.com

MV Transportation, Inc. is a federal contractor or subcontractor which complies fully with Executive Order 11246, as amended, and the applicable regulations contained in 41 C.F.R. Parts 60-1 through 60-60; 29 U.S.C. Section 793 and the applicable regulations contained in 41 C.F.R. Part 60-741; 38 U.S.C. Section 4212 and the applicable regulations contained in 41 C.F.R. Part 60-250 and/or 60-300; and 29 CFR Part 471, Appendix A. MV is an Equal Employment Opportunity/Affirmative Action Employer.

Confidentiality Statement

As a privately held company, many aspects of MV's business is considered confidential. The proposal contained herein offers details regarding our proposed operating plan for the City/County and includes operating procedures, management candidates, and innovative approaches that our Board of Directors considers Confidential and/or Trade Secrets.

For ease of the City/County's review, MV:

- Indicates those sections of our proposal narrative considered either confidential or a trade secret using footnotes;*
- Includes confidential attachments in this proposal response; these are marked "confidential" in the margins of each document;*
- Considers its pricing information confidential and has therefore indicated so in the margin of each price page; and,*
- Has enclosed a single copy of its Audited Financial Statements separately, in a folder along with the original proposal.*



Required Forms

SECTION III

PROPOSAL RESPONSE

Submitted by: MV Transportation, Inc.

Address: 2711 N. Haskell Avenue, Suite 1500 LB-2, Dallas TX 75204

Date: April 1, 2020 Phone number: 214.490.2891

The undersigned, through the formal submittal of this proposal response, declares that he/she has examined all related proposal documents and read the instruction and conditions, and hereby proposes to provide Transit Operations Service for the City of Sandy as specified, in accordance with the proposal documents herein for the price set forth in the proposal submittal attached hereto and forming a part of this proposal.

The Proposer, by his signature below, hereby represents as follows:

- (a) That no official or employee of City of Sandy is personally interested directly or indirectly in this contract or the compensation to be paid hereunder, and that no representation, statement or statements, oral or in writing, of the City, its officials or employees had induced him/her to enter into this contract and the papers made a part hereof by its terms;
- (b) That this proposal is made without connection with any person, firm or corporation making a bid for the same material, and is in all respects, fair and without collusion or fraud.
- (c) The proposer agrees to accept as full payment for the services specified herein, the amount as shown in his/her proposal.
- (d) The Vendor certifies that the Vendor has not discriminated and will not discriminate against any minority, women or emerging small business enterprise in obtaining any subcontract.

Resident Bidder, as defined in ORS 279A.120.

[] Non-Resident Bidder, Resident State: N/A

The names of the principal officers of the corporation submitting this proposal, or of the partnership, or of all persons interested in this proposal as principals are as follows:

Tom Egan	Chief Executive Officer
<u>Mark Collins</u>	<u>President / Chief Operating Officer</u>
Name	Title
<u>Marie Graul</u>	<u>Chief Financial Officer</u>
Name	Title
<u>Emily Somerville</u>	<u>Corporate Secretary</u>
Name	Title

(If Sole Proprietor or Partnership) N/A

In witness hereto, the undersigned has set his (its) hand this 1st day of April , 2020.

MV Transportation, Inc.
Name of Firm



Signature of Bidder Dorothea DePrisco, Assistant Corporate Secretary
MV Transportation, Inc.

Attachment B

DBE CERTIFICATION


MV Transportation, Inc.

Has your firm been certified by the State of Oregon as a Disadvantaged Business Enterprises?

_____ Yes X No

If yes, attach copy of current certification letter.

I hereby certify that the information provided on this form is true and accurate to the best of my knowledge.

Signature: 

Name & Title: Dorothea DePrisco, Assistant Corporate Secretary
(Typed or Printed)

Date: April 1, 2020

Attachment C
**CERTIFICATION REGARDING DEBARMENT, SUSPENSION & OTHER
INELIGIBILITY & VOLUNTARY EXCLUSION**

The undersigned, duly authorized representative of MV Transportation, Inc. , hereby certifies or affirms that:

- 1) Neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency; and
- 2) That the contents of any statements submitted on or with this certification are true and accurate, and understands that the provisions of 31 U.S.C. §§ 3801 et. seq. are applicable thereto.



(Signature) Dorothea DePrisco

(Attorney's Signature) Emily Somerville

Assistant Corporate Secretary
(Typed or Printed Title of
Authorized Official)

April 1, 2020
(Date)

OR

The undersigned, duly authorized representative of N/A , hereby certifies or affirms that:

- 1) It is unable to certify that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency, and has attached an explanation of this inability to this certification; and
- 2) That the contents of any statements submitted on or with this certification are true and accurate, and understands that the provisions of 31 U.S.C. §§ 3801 et. seq. are applicable thereto.

(Signature)

(Attorney's Signature)

(Typed or Printed Title of
Authorized Representative)

(Date)

Attachment(s) [If required]

Attachment D

NON-COLLUSION AFFIDAVIT

STATE OF California)
) ss
COUNTY OF Solano)

Dorothea DePrisco, Assistant Corporate Secretary, being first duly sworn, on their oath
(Type or Print Name and Title)
says that the proposal submitted is genuine and not a sham or a collusive proposal or
made in the interest of or on behalf of any person not herein named; and they further state
that the said proposer has not directly or indirectly induced or solicited any other proposer
for the above work or supplies to put in a sham proposal, or any other person or
corporation to refrain from proposing; and that said proposer has not in any manner sought
by collusion to secure to self advantage over any other proposer or proposers.

NON-COLLUSION AFFIDAVIT

MV Transportation, Inc.

SIGN HERE 

Subscribed and sworn to before me this 1st day of April, 2020.

Please see attached certificate.

Notary Public in and for the
State of _____
My Commission Expires:

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Solano

Subscribed and sworn to (or affirmed) before me on this 1st
day of April, 2020, by Dorothea DePrisco

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

A handwritten signature in blue ink, appearing to read 'E. Sottero', written over a horizontal line.

Attachment E

CERTIFICATION REGARDING LOBBYING

The undersigned contractor certifies, to the best of his or her knowledge and belief, that they are in compliance with the Byrd Anti-Lobbying Amendment, 31 U.S.C. 1352, as amended by the Lobbying Disclosure Act of 1995, P.L. 104-65.

The Contractor, MV Transportation, Inc. , certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. A 3801, *et seq.*, apply to this certification and disclosure, if any.



Signature of Contractor's Authorized Official

Dorothea DePrisco, Assistant Corporate Secretary
Name and Title of Contractor's Authorized Official (print or type)

Date April 1, 2020

Attachment F

DRUG & ALCOHOL TEST POLICY CERTIFICATION

(PROVIDE COPY OF CERTIFICATION)

Please see the attached MV Transportation, Inc. policy.

In accordance with the U.S. Department of Transportation and the
Federal Transit Administration Regulations
(49 CFR Parts 40, 655, and 382)
MV TRANSPORTATION, INC.

SUBSTANCE ABUSE POLICY

1.0 Policy

MV Transportation, Inc. and its Subsidiaries (MV Transportation) are dedicated to providing safe, dependable, and economical service to its clients. MV Transportation's employees are our most valuable resource. It is our policy (1) to take appropriate action to assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) to foster and maintain a drug and alcohol - free environment for all employees and patrons; (3) to prohibit the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances; and (4) to encourage employees to voluntarily seek professional assistance whenever personal problems, including alcohol or drug use, may adversely affect their ability to perform their assigned duties.

To achieve the goal of a substance-free workplace, this policy incorporates three integrated components:

Prevention through education and training:

Education and training will communicate and clarify this policy to all employees, assist employees in recognizing substance abuse problems and in finding solutions to those problems.

Detection, deterrence and enforcement:

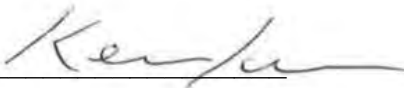
Federal regulations require that effective January 1, 1995, all safety - sensitive employees will be subject to reasonable suspicion, post accident, random, return to duty and follow up drug and alcohol testing. Applicants for safety sensitive positions will not be eligible for those positions unless they pass a pre-employment drug test.

As a "zero tolerance" employer, any positive drug or alcohol or refusal to tests will result in a termination of employment.

Treatment and opportunities for rehabilitation:

Alcohol and drug abuse are recognized as diseases that can be treated. MV Transportation promotes a voluntary rehabilitation program to encourage employees to seek professional assistance prior to testing positive for drugs or alcohol, without fear of discipline.

Approved: _____



Kevin Jones, CEO
MV Transportation, Inc. and its Subsidiaries

Date: April 1, 2018

Items for Discussion

Items for Discussion

MV respectfully requests discussion of the following recommendations at the appropriate time during the procurement process.

RFP/Contract Section	Stated Language	Proposed Language	Explanation
Price Adjustment	N/A	Include provision that provides for price adjustments if Contractor's costs increase as a result of (i) changes to the scope of work / service hours requested by the City/County, (ii) changes in laws, rules, regulations, etc. applicable to the services to be provided by Contractor, and/or (iii) wage increases necessary for Contractor to be able to recruit and retain qualified employees as a result of an increase in the minimum wage in the City/County or surrounding jurisdictions. If the parties are unable to agree on a rate adjustment, then either party may terminate the contract upon 120 days written notice to the other party.	Contractor needs price protection for changes requested by the City/County, or for matters that were not contemplated at the time of Contractor's proposal.
Vehicle Acceptance Standards	N/A	Include Contractor's vehicle acceptance standards as the applicable standard against which all vehicles will be inspected. Include Contractor's vehicle acceptance agreement as an exhibit to the Agreement.	Upon delivery of the vehicles to Contractor, the vehicles must be in the same condition as the condition that Contractor is required to maintain.
Force Majeure	N/A	Revise to include riots, strikes, protests, etc.	Contractor should be excused from performance under the contract for circumstances beyond Contractor's control, including when Contractor's performance is made impossible due to riots, protests, or acts of public unrest.
Changes in SOW	The City/County may require the addition and/or change of certain	Revise to require the agreement of both the City/County and Contractor for all revisions to the Agreement.	One party to a contract should not have the unilateral ability to change the terms of the contract.

Items for Discussion

RFP/Contract Section	Stated Language	Proposed Language	Explanation
	terms and conditions of the Agreement.		
Employment	A candidate who has a felony conviction shall not be considered for employment subject to limited exceptions.	Revise to provide that Contractor will conduct individual assessments of each applicant/employee in accordance with applicable state and federal laws.	Contractor will make individualized assessments of applicants with criminal histories, but believes automatic disqualification of applicants based on “any felony” violates federal law. Specifically, the U.S. Equal Employment Opportunity Commission (the “EEOC”) has determined that automatically disqualifying applicants based on criminal history may violate Title VII of the Civil Rights Act of 1964. The EEOC’s enforcement guidance is found at: http://www.eeoc.gov/laws/guidance/arrest_conviction.cfm
Indemnity	Broad indemnity, covering all claims and damages arising out of the performance of the contract.	Revise indemnity to exclude claims based on the active negligence and/or willful misconduct by the City/County (or its employees, agents, representatives, etc.).	For damages resulting from the joint negligence of Contractor and the City/County, damages should be apportioned on a percentage of fault basis.
Work made for hire/Intellectual Property	City/County owns all IP	Clarify language to make it clear that only information, data, and materials produced specifically for the City/County under the Agreement (as opposed to work product created for Contractor’s business generally) is subject of the ownership provisions. Also clarify that software and computer programs licensed by Contractor or otherwise provided by Contractor	Contractor will be licensing software for use in performance of the services. Contractor does not own such software, and the City/County will not acquire ownership of the software as a result of this agreement (Contractor has no ability to transfer ownership to the City/County).

Items for Discussion

RFP/Contract Section	Stated Language	Proposed Language	Explanation
		for the performance of the services will not be owned by the City/County.	
Sovereign Immunity	The City/County retains its sovereign immunity.	Revise to make it clear that the City/County is not immune to claims for breaches of contract.	Contractor should be able to maintain an action against the City/County for breaches of the Agreement, or damages caused by the acts of the City/County (or its employees, agents, representatives, etc.).
Subject to Funding	Agreement remains in effect only as long as City/County appropriates funds.	A termination for funding issues should be treated in the same manner as a termination for convenience, in which case Contractor should be given 60 days' advance notice and payment of reasonable close-out costs	Contractor will have contract termination costs as well as employment termination obligations required by law (WARN ACT, etc.).
Termination	Termination for Convenience	Revise to provide for a minimum of 60 days' advance notice and payment of Contractor's reasonable close-out costs.	Contractor will have contract termination costs as well as employment termination obligations required by law (WARN ACT, etc.).
Appendix D, Contractor Insurance Requirements, Types and Amounts, Commercial General Liability	Insurance policy shall include Sexual Abuse/ Molestation coverage with limits no less than \$500,000 per occurrence/ aggregate.	Insurance policy shall not include an endorsement excluding or limiting coverage for Sexual Abuse/Molestation.	MV recommends amending this language. MV's commercial general liability policy does not exclude sexual abuse or molestation. In order to meet the requirement as currently written, MV would need to purchase separate coverage which would reduce the amount of coverage afforded to the City/County and increase costs. If removing or amending this requirement is not acceptable to the City/County, MV reserves the right to re-price for its insurance costs.



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1. Letter of Transmittal



1. Transmittal Letter

April 3, 2020

Andi Howell, Transit Director
City of Sandy
16610 Champion Way
Sandy, Oregon 97055

Dear Ms. Howell:

MV Transportation, Inc. and all subsidiaries, joint ventures, partnerships, and affiliates, (MV) greatly appreciate the opportunity to submit its proposal in response to the City of Sandy's Request for Proposal Number SAM2020 for Sandy Area Metro (SAM) Operations.

We are proud of our history of passenger transportation, and we offer high-quality service delivered by qualified and professional people. The company is confident that its proposed combined City and County operating approach offers the best value for the City.

As required, MV's proposed operating plan is contained herein. This plan is built on our promise to our customers, our passengers, and our employees:

We will always place the safety and security of our passengers, our employees, and our communities above all else. We will work collaboratively within our workplace, our business partnerships, and our community to improve the quality of life. We will strive to pursue new ideas that will bring value to our customers.

As demonstrated throughout this proposal, MV brings a solid history of transportation service delivery to the City/County as a qualified resident bidder for the State of Oregon. If awarded the contract, MV's operations of the Sandy Area Metro (SAM) and the Clackamas County Social Services, known as the Mt. Hood Express (MHX), will continue to be based in the City's operating location at 16610 Champion Way.

MV is committed to providing service under the terms of this RFP and throughout the contract term beginning May 25, 2020, to June 30, 2022, with up to three one-year extensions.

MV acknowledges the following addenda issued for this project:

- Addendum 1, March 16, 2020
- Addendum 2, March 18, 2020
- Addendum 3, March 23, 2020
- Addendum 4, March 23, 2020
- Addendum 5, March 23, 2020
- Addendum 6, March 23, 2020





- Addendum 7, March 24, 2020

Mr. Dennis Shipman, senior vice president, is your primary contact for this procurement, authorized to make representations for MV Transportation, Inc., to include all its subsidiaries, joint ventures, partnerships, and affiliates (the bidding entity). If awarded the contract, the Contracting Party will be MV Public Transportation, Inc.

You can reach Dennis at 214.490.2891 or dennis.shipman@mvtransit.com. Additionally, Mr. Scott Sosnowski, Chief Sales Officer, will serve as your secondary contact; you can contact Scott at 810.599.9189 or scott.sosnowski@mvtransit.com. Please direct all correspondence related to this and all future procurements to MV's bid office located at 479 Mason Street, Ste. 221 Vacaville, CA 95688.

Thank you for your consideration; I encourage you to select MV Transportation as your partner for the provision of the Sandy Area Metro services. We look forward to working with you throughout this procurement.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dorothea DePrisco', is written over a light blue horizontal line.

Dorothea DePrisco
Assistant Corporate Secretary



2: Experience

2. Experience

Company History

MV Transportation was founded in San Francisco by Feysan and Alex Lodde in 1975. Our founders' mission was simple: to provide freedom of mobility to those individuals who did not have access to transit, due to their disability or age. Not only were paratransit services non-existent, but many apartment buildings did not have elevators – facts that illustrate the criticality of the Loddess' work. To serve her passengers, Feysan would carry passengers up and down flights of stairs.



Feysan and Alex Lodde
Founders and owners

This history still defines who we are as a company: compassionate, forward-thinking, and staunchly committed to delivering critical services to our communities.

Today, MV operates in more than 170 locations within 25 states in the U.S., and two provinces in Canada. We work with public entities like cities, counties, and transit agencies, as well as school districts, universities, and private companies. While our portfolio of customers is diverse, our job remains focused on the efficient and safe mobility of people.

From fixed route to paratransit, on demand, shuttle, and black car, our team plays a significant role in mobility today. U.S. owned and privately held, MV offers the City/County a progressive partnership that has the experience to accomplish your goals – with inventive approaches and utmost flexibility.

Company Experience

MV operates more than 200 contracts across North America, providing passenger transportation services, including commuter service, fixed route, flex route, and demand response transportation. Within our operations, we offer turnkey services including but not limited to fleet and facility maintenance, transit management technologies, labor management, and service model design.

Our approach to our business is simple – we unite industry best practices with state-of-the-art operating concepts to deliver unique solutions to our customers.

- **Paratransit and Demand Service:** MV provides more demand response service than any other company; this work is the foundation of our business, and we have remained the market leader. Our experience ranges from small, local general-public





dial-a-rides to extremely complex, high volume, metropolitan ADA services. From Los Angeles to New York City, our paratransit footprint is unsurpassed.

- Fixed Route, Commuter, and Shuttle:** Fixed route, commuter services, employee shuttles all comprise our fixed-route experience. MV is the provider of choice of large, high profile agencies and private customers alike. We work with our clients to deliver passenger facing technologies, best practices in transit management, and solutions in high volume passenger systems.
- Flex Route and On Demand Shuttle:** Our team has delivered route deviations, zone-based flex routes, and on-demand shuttles for decades. From workforce transportation to rural deviated fixed route systems, our operations flex to solve the specific needs of the communities we serve.
- Non-Emergency Medical Transportation:** We provide non-emergency Medicaid transportation services in several counties in the State of Florida, operating as the Community Transportation Coordinator in several counties. We also operate non-emergency medical transportation programs through other funding sources, including several services within the California regional center program.
- Fleet Maintenance:** The company’s maintenance program is developed based on industry best practices and in conjunction with MV’s skilled maintenance professionals. The company’s fleet maintenance services continue to protect and extend the life of its transit fleets. Operating in areas of severe and unpredictable weather events, including Las Vegas, Anchorage, Denver, and Orlando, and within challenging operating environments including, New York City’s Five Boroughs, the Washington, D.C. metropolitan area, and the Dallas–Fort Worth Metroplex, MV has unparalleled maintenance capabilities.
- Technology Management and Design:** A leader in transit technology, our team offers service optimization through technology-driven analytics. We offer expert guidance and best practices in call center systems, planning tools, reporting solutions, AVL/GPS technologies, and on-board devices. MV has made significant investments in reference architecture, housing vast amounts of operational data. Our data scientists mine it for improvements in safety and cost-effective maintenance.



Company Statistics

Number of Employees:	19,730
Number of Vehicles:	12,005
2018 Revenue (Audited):	\$1.3B
Number of Contracts:	234
Number of Locations:	170
U.S. States and Washington, D.C.	25
Canadian Provinces	2
Years’ Operating Passenger Transportation Services	44



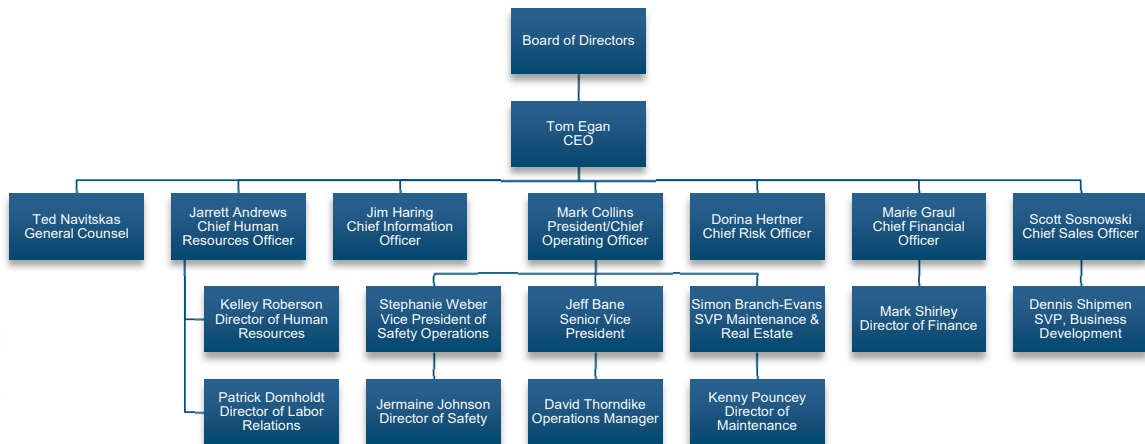
Corporate Organizational Chart

MV Transportation, Inc. is a C corporation that was incorporated in the State of California in 1978. The firm is headquartered in Dallas, Texas, where MV's executive team is based, as well as all company human resources, public relations, legal, and IT departments. We also maintain support offices in Elk Horn, Iowa, and Northern California.

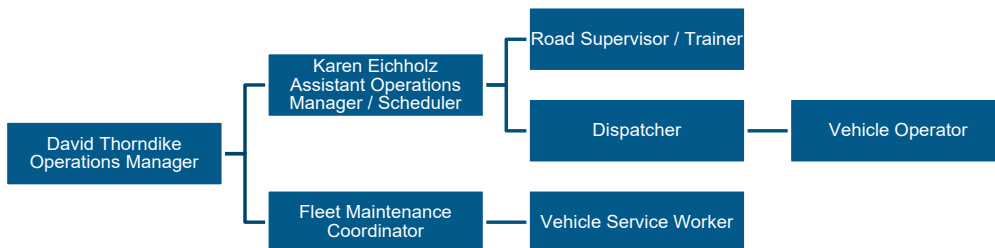
Today, MV operates in 25 states, and through its subsidiaries, internationally. Within North America, the company has established operational regions, each with assigned support teams that comprise directors of safety, maintenance, and finance, and human resources.

The City will have the ongoing support of industry experts who are empowered and authorized to make decisions on behalf of the organization. Leading MV's regional team is Senior Vice President Jeff Bane; he reports directly to Chief Operating Officer Mark Collins.

The chart below illustrates the company's reporting lines and executive structure project:



Local Organizational Chart





Key Personnel

David Thorndike, Operations Manager

MV is excited to bring Mr. David Thorndike to the Sandy management team. With more than 15 years of transit leadership, David can provide valuable insight and coaching.

As the current general manager of the Canby Area Transit (CAT) services in Canby, Oregon, David will split his time between SAM and CAT. About 25 percent of his time at SAM will result in leading, guidance, and bookkeeping activities.

Before becoming the general manager at CAT, he was a general manager in Tulare, California, for six years. Here he managed all fixed-route and paratransit services. David joined MV as a special project manager in 2013, serving as an interim general manager as needed in various locations.

David began his transit career in 2004 as a senior communications operation supervisor for Veolia Transportation in Las Vegas, Nevada. He managed all fixed-route operations, including 150 to 200 in service vehicles, ten transit supervisors, and three dispatchers.

He has continued his education in supervisor training, reasonable cause substance abuse testing, emergency management, and courses from the Center of Homeland Security in Transit Terrorist Tools and Tactics.

Karen Eichholz, Assistant Operations Manager / Scheduler

For the day-to-day supervision and operation of the City of Sandy and Clackamas County transit needs, MV proposes Ms. Karen Eichholz as the assistant operation manager. With more than a decade in transportation, specifically in training, safety, and operations, Karen is an excellent fit for this position.

Karen joined MV a year ago as a road supervisor for our work in Cary, Oregon. Here she directly supervised the safe performance of work and ensured all vehicle operators followed MV and City policies. She was able to pull from her previously learned skills in vehicle operator training and safety to provide classes in driving in adverse weather, safe driving practices and behaviors, and ADA compliance training.

Her transportation career is varied, bringing her experience in several areas. Notably, she was a skills tester for the Idaho Department of Transportation for ten years. Given her a wide variety of testing of safe behind the wheel behaviors for both CDL and school bus endorsements. He was also a bus and truck driver trainer for the Boise State University Truck Driving School.

Beyond her extensive operations experience, Karen has provided office bookkeeping and dispatching experience in several of her positions. Additionally, she has earned certificates as an administrative assistant and accounting from Columbia College in



Portland, Oregon, and as a legal secretary and accounting from Yuba College in Marysville, California.

Regional Support

Jeff Bane, Senior Vice President



Mr. Jeff Bane joined MV this year as senior vice president and brings with him a wealth of knowledge and experience from other industries. Jeff is a results-driven leader with proven expertise in information technology operations, program management, solution sales enablement, and lean six sigma. He has significant experience in account management, service and solution design, vendor and supply chain management, general management, talent acquisition, and retention. Jeff 's background includes full P&L responsibility for domestic, international, and global operations.

Before MV, Jeff was the senior vice president for Sutherland Global Services; here, he was responsible for full services P&L for his region and the transformation of the company to a technology services system. He heavily engaged in new business development, pipeline management, vendor and supplier sourcing, and core operations.

Mr. Bane holds a Doctor of Engineering and a Master of Science in Industrial Engineering, a Bachelor of Science in Mathematics, and is certified in Project Management.

Jermaine L. Johnson, Director of Safety



Mr. Jermaine Johnson oversees all safety and security programs and initiatives for operations for MV's Central West Coast region. He works with MV's operations and maintenance support to ensure MV is compliant with all regulatory requirements relating to health, safety, and security. Jermaine schedules and/or conducts safety audits and inspections and provides safety-related support for new start-up operations. He also works with MV's executive team to develop and enact company-wide safety policies.

Jermaine joined MV in 2017 as a floating safety manager for the Company's Northwest region. He has over 20 years safety management experience. He was with Royal Coach Tours in San Jose, CA for 12 years and served as the safety director. From there, Jermaine worked with the State of California Highway Patrol as a motor carrier specialist supervisor, where he worked for 8 years. He is an TSI-certified instructor.





Mark Shirley, Senior Director of Finance

Mr. Mark Shirley is responsible for financial reporting, billing, accounts payable, accounts receivable, and all other accounting functions for the operations within his region. Mark ensures that MV’s local operations maintain their financial records according to best practices and MV’s high standards of accuracy and transparency.

Prior to joining MV, Mark worked as a controller/senior finance manager for Airgas in Vancouver, Wash. Here, he worked alongside the vice president of finance to complete a wide array of tasks including but not limited to preparing the monthly reporting package, budget preparation and completion, financial statement analysis, variance and trend analysis, and capital expenditures. Mark worked independently to manage the compensation program for 45 outside sales associates, and trained branch managers on profit and loss statements.

Mark holds a Bachelor of Business Administration from Washington State University and is a certified public accountant.

Mark will serve as MV’s transition lead in all areas of finance and accounting. He will be onsite frequently to meet with David Thorndike and other key personnel, auditing the location records and ensuring sound business practices. He will work with MV’s transition team to establish on-site procedures and coordinate all centralized functions.

Job Descriptions

Vehicle Operator

<i>Department</i>	Operations
<i>Reports to</i>	Operations Manager; Dispatchers while on route
<i>Number Proposed</i>	18 FT and 3 PT
<i>Responsible for</i>	Safe, reliable and customer-focused transportation
<i>Accountable for</i>	Safety
<i>Consulted about</i>	Schedule adherence, vehicle performance, weather, and traffic
<i>Informed of</i>	Real-time challenges on the road

Vehicle operators are the critical interface to passengers and must appropriately represent City/County. MV operators have a safety-first attitude, a professional demeanor, and excellent customer service skills.

The primary responsibility of the vehicle operator is to transport customers while adhering to safety regulations, traffic laws, operating policy, and scheduled time points. Vehicle operators respectfully and professionally respond to customer inquiries, providing system information as needed. They are trained in the system routes and provide information regarding major stops, transfer points, and schedule information. Upon consent, operators respectfully assist passengers as they board the vehicle and





aid those who agree to assist in securing their mobility device. All operators are trained in ADA regulation, passenger empathy, and proper mobility device securement.

All MV operators are appropriately trained in onboard technology and must demonstrate proficiency in all dispatch communication procedures. Vehicle operators coordinate with dispatch regarding schedule adherence, vehicle malfunctions, accidents, and other disturbances.

Operations Manager

<i>Department</i>	Operations
<i>Reports to</i>	Regional Vice President
<i>Number Proposed</i>	1 PT
<i>Responsible for</i>	Project and personnel management, service success, customer relations
<i>Accountable for</i>	Contract compliance and service performance
<i>Consulted about</i>	Recommendations for service changes, new contract scope items
<i>Informed of</i>	Changes to service, schedules, and policies

The operations manager is accountable for the overall success of the service. They serve as the daily operational liaison between MV and the City/County, and they work in partnership with the local team to realize the mission and vision of the service.

This person is responsible for the safe and high-quality operation of the transit system. They oversee all functional areas of the service, including safety and training, live day operations, fleet and facility maintenance, community relations, and accounting and finance. This position assures adherence to policy and contract compliance.

The operations manager meets with the City/County staff often to review service quality, performance metrics, and discuss trends. They collaborate with the City/County staff and MV's leadership on new and innovative approaches to service delivery, always seeking to improve upon the existing services. As needed, the general manager works with team leaders to put action plans into place to enhance the quality of service.

Assistant Operations Manager

<i>Department</i>	Operations
<i>Reports to</i>	Operations Manager
<i>Number Proposed</i>	1 FT
<i>Responsible for</i>	Safety, On-time Performance, Fleet Cleaning, Proactive Communications, Employee Relations, Human Resources, and Customer Interface
<i>Accountable for</i>	Service performance
<i>Consulted about</i>	Recommendations for service changes, new contract scope items
<i>Informed of</i>	Changes to service, schedules, and policies





The assistant operations manager is responsible for the quality of daily service and serves as a liaison to passengers, clients, and community members. This position controls the daily operation of the service, in compliance with the City/County and MV policy and procedures, under the leadership of the general manager.

This position is key to effectively managing customer relations and ensures service meets the City/County passengers' expectations. To this end, the operations manager makes certain all employees understand their roles and responsibilities, can do their jobs, and are highly motivated.

The assistant operations manager oversees live day operations, including the management of reservations, dispatch, road supervision, and operators. They coordinate closely with the maintenance manager to ensure equipment availability and response to any fleet issues.

The assistant operations manager monitors and evaluates operational activities such as system on-time performance, customer complaints, road calls/service disruptions, and other operation-related functions.

Fleet Maintenance Coordinator

<i>Department</i>	Maintenance
<i>Reports to</i>	Operations Manager
<i>Number Proposed</i>	1 FT
<i>Responsible for</i>	Ensuring the safe and effective operation of the City/County vehicles to protect and maximize the useful life of the fleet
<i>Accountable for</i>	Maintaining vehicles, facility, and overseeing the process of maintenance record keeping
<i>Consulted about</i>	Compliance with all OEM, the City/County, and MV standards of safety, operation, and appearance
<i>Informed of</i>	Changes to daily pull out vehicle needs

The fleet maintenance coordinator's primary duty is to ensure the safe and effective operation of the City/County fleet in compliance with all OEM, the City/County, and MV standards. This position coordinates and oversees all scheduled and unscheduled maintenance inspections and repairs. They work closely with dispatch to maximize fleet availability, especially during service demand peaks.

This position monitors all fleet, equipment, and facility maintenance activities – those performed both in house and those contracted with outside vendors. They coordinate with equipment manufacturers regarding warranty issues and specialized training needs.

The fleet maintenance coordinator will be proficient in the MPWEB; they monitor work orders and parts inventory in this system, ensuring that we complete all scheduled work on time. They hold responsibility for all service workers.



Road Supervisor/Safety Trainer

<i>Department</i>	Operations
<i>Reports to</i>	Assistant Operations Manager
<i>Number Proposed</i>	1 FT
<i>Responsible for</i>	Operator evaluation, operator mentorship, on-road accident/incident response, site evaluations and coordination with staff at major trip generators, scheduling of all operator training, retraining, testing, maintaining employee training records, ensure license and certifications are current, and leads retraining as needed
<i>Accountable for</i>	Completion of on-road evaluation and incident response/reporting and fully training vehicle operator team and retaining updated licenses and certifications
<i>Consulted about</i>	Operator training, course of study, and content. Trends in operator performance and required coaching.
<i>Informed of</i>	Changes in road incidents response procedures and changes to training regulations, policies, and contract training requirements

The road supervisor/safety trainer monitors the safe and efficient operation of all vehicles in the field and ensures high-quality service and trainer is responsible for the training and monitoring of new vehicle operators. They perform operator evaluations to confirm that all operators are safely operating service and exhibiting outstanding customer care. As needed, they provide system information to passengers.

Dispatchers send the road supervisor to the scene of any breakdowns, incidents, accidents, or other disruptions to support the expedient resolution of the issue. They perform incident investigations, and they perform incident preventability determination.

Based on their observations in the field, the road supervisor makes recommendations for coaching or retraining based on individual events or system trends. They respectfully enforce the City/County policies and procedures for operators as well as passengers.

This individual trains operators in vehicle operation, customer service, safety, and all City, County, and MV policy and procedure. Safety trainers are responsible for monitoring and evaluating all trainees as they progress through the program.

The road supervisor/safety trainer serves as a mentor to new trainees, and they conduct follow-up ride checks throughout the new operator's probationary period.

Dispatcher

<i>Department</i>	Operations
<i>Reports to</i>	Assistant Operations Manager
<i>Number Proposed</i>	2 FT and 2 PT
<i>Responsible for</i>	Managing all operator duties, service reliability, on-time performance, response to on-road incidents.
<i>Accountable for</i>	Assessing fitness for duty, unplanned changes that affect performance, such as route detours and heavy traffic



<i>Consulted about</i>	Operator absences, changes to routes start and end times
<i>Informed of</i>	Vehicle exchanges, maintenance pull, and submission of defects noted on DVI form, service reliability, on-time performance, response to on-road incidents.

The dispatcher directs all on-road operations that occur from daily pullout to return-to-yard. They coordinate with vehicle operators while in service to monitor operations status, mitigate delays, and assist in resolving service disruptions.

The dispatcher manages operator check in and check out, including report times, vehicle assignments, distribution of bulletins, and on-time pullouts. They are fully trained in reasonable suspicion and is responsible for assessing operators in fitness for duty. As needed, the dispatcher coordinates extraboard operators if an operator does not report on time. They also work with the maintenance team to coordinate vehicle exchanges, maintenance pulls, and submission of vehicle inspection/defect forms.

Throughout the service day, the dispatcher manages routes, moving trips to mitigate service challenges, meet demand, and ensure schedule adherence. The dispatcher monitors routes for schedule adherence. They monitor service delivery via radio/real-time GPS, working closely with operators and road supervisors to efficiently respond to service needs, including accidents and onboard emergencies.

Vehicle Service Worker

<i>Department</i>	Maintenance
<i>Reports to</i>	Fleet Maintenance Coordinator
<i>Number Proposed</i>	1 FT
<i>Responsible for</i>	Fleet cleaning and fueling
<i>Accountable for</i>	Fleet appearance
<i>Consulted about</i>	The condition of the fleet
<i>Informed of</i>	Changes to cleaning schedule and activities

The vehicle service worker makes certain the City/County fleet is cleaned to the specifications outlined in the RFP. This position works primarily at night in assembly-line fashion, preparing the fleet for the next day.

The vehicle service worker completes minor graffiti removal maintains and seat upholstery repair. They perform preliminary vehicle inspections; checks various fluids, including the oil, water, and fuel levels, and inspect the hoses, belts, batteries, and similar equipment.

Wages and Benefits

MV is pleased to offer the following compensation package to its team.





Operator Wage Scale

Operator Seniority	Year 1	Year 2	Year 3	Year 4	Year 5
Training	\$17.20	\$17.54	\$17.89	\$18.25	\$18.62
1 year	\$18.17	\$18.53	\$18.90	\$19.28	\$19.67
2 years	\$19.21	\$19.59	\$19.99	\$20.39	\$20.79
3 years	\$20.28	\$20.69	\$21.10	\$21.52	\$21.95
4 years	\$20.28	\$20.69	\$21.10	\$21.52	\$21.95
5 years	\$20.28	\$20.69	\$21.10	\$21.52	\$21.95
6 years	\$21.41	\$21.84	\$22.27	\$22.72	\$23.17
7 years	\$21.41	\$21.84	\$22.27	\$22.72	\$23.17
8 years	\$22.59	\$23.04	\$23.50	\$23.97	\$24.45
9 years	\$22.59	\$23.04	\$23.50	\$23.97	\$24.45
10 years	\$22.59	\$23.04	\$23.50	\$23.97	\$24.45

Non-Operator Wage Scale

Job Title	Hourly Wage	Job Title	Hourly Wage
Operations Manager	CONFIDENTIAL	Road Supervisor/Safety Trainer	\$20.28
Assistant Operations Manager	CONFIDENTIAL	Dispatcher	\$21.44
Fleet Maintenance Coordinator	\$16.50	Vehicle Service Worker	\$15.00

Benefits Package

All full-time employees (35+ scheduled hours per week) can participate in the following benefits programs. Employees shall qualify for the group medical, dental, and vision insurance coverage in accordance with the terms of the Patient Protection and Affordable Care Act (PPACA).

- **Vacation Pay:** MV will honor all existing drivers' level of vacation. Employees new to the system will receive 40 hours during the first year, 80 hours after three years and 120 hours after six years.
- **Medical & Dental Insurance:** MV will offer medical and dental insurance to qualified employees. Each plan has dependent coverage available. Current employees with medical insurance will have no waiting period to avoid disruption in coverage. Employees who do not choose to enroll in the medical benefits will receive \$400 in lieu of participating in the benefits program.
- **Flexible Spending Accounts (Health Care FSA and Dependent Care FSA):** These programs allow employees to put aside pre-tax money to pay for childcare or



eldercare expenses while employees work, and to pay for qualifying out-of-pocket medical expenses (such as copays and other covered items). Employees are eligible to participate in both plans on their normal benefits eligibility date.

- **Employee Assistance Program:** MV offers confidential counseling services at no cost for employees and family members (3 in-person sessions per incident per year). There is a 24/7 resource and referral line for counseling, financial assistance, legal problems, and many other issues.
- **Life and AD& D Insurance:** In addition to its health insurance plan offerings, MV also offers company-sponsored supplemental life insurance and Accidental Death & Dismemberment (AD&D) insurance plans through Securian Life Insurance Company. The supplemental life insurance plan is available to employees, their spouse/domestic partner, and their children. The AD&D insurance plan is available to employees.
- **Holiday Pay:** Six paid holidays are offered for full-time employees. Employees hired from the existing contractor will receive this benefit from day one.
- **401 (k):** All employees are eligible to participate in MV's 401(k) retirement program, where MV may offer a percentage match on each employee's first 6 percent of contribution per payroll. Should the employees choose to be bargained in the future, MV may offer a percentage match on each employee's first 8 percent of contribution per payroll.

a. Delivering Rural Transportation Services

MV offers effective solutions in passenger transportation to cities, counties, transit agencies, and private companies. Its breadth of experience encompasses fixed route, flex route, shuttle service, commuter service, as well as disabled transportation/paratransit, demand response, brokerage and call center service, and non-emergency Medicaid transportation (NEMT/NET). Most of MV's operations include the provision of ancillary services, including bus maintenance, trip reservations, and scheduling/call center, operator training, transit technology, and support, facility management and maintenance, among many other services common to transit contracts.

MV's experience delivering rural transportation services across the United States is extensive. Within the State of Oregon, MV is the provider for Canby Area Transit (CAT) and Salem-Keizer Transit in Salem.

MV operates numerous other rural services throughout the U.S., including in Barstow, CA, Milton Freewater, WA, Alturas, CA, and Show Low, AZ. Those customers with operations, most like those of the City of Sandy, are listed as references.



b. Scheduling and Dispatching Transportation Services

In addition to its experience managing and operating reservations, scheduling, and dispatch in nearly all its paratransit contracts, MV provides reservations, dispatch, and scheduling call center services for some of the most complex systems in the nation. Working with customers to redesign call center functions, MV has delivered innovation and improvement to these paratransit services.

c. Knowledge of Federal and State Requirements

Compliance with Regulatory Agencies

MV complies with all Federal, State and Local Safety Environmental Laws, Regulations, Rules, Codes and Orders required of its contracts and locations. MV will coordinate periodic external audits that may be required by these governing agencies. MV has a superior record with these types of audits and welcomes their visits.

MV also complies with each state's individual needs explicitly relating to environmental regulations regarding air, water and noise pollution, and hazardous materials regulations.

In addition, the following federal agencies may conduct periodic audits:

- **The Department of Transportation (DOT)** issues regulations affecting transit operations, including those related to the Americans with Disabilities Act (ADA) and drug/alcohol testing of employees.
- **The Federal Transit Authority (FTA)**, a DOT agency that is responsible for federal funding (capital and operating) of transit authorities and oversight of those expenditures. The FTA also compiles safety data on all transit agencies.
- **The Federal Motor Carrier Safety Administration (FMCSA)**, a DOT regulatory agency that is responsible for disseminating carrier safety standards and has oversight of interstate carrier safety.
- **The Occupational Safety and Health Administration (OSHA)** develops and enforces federal regulations related to workplace safety, including maintenance shops, offices, and field activities. MV is regulated by OSHA and is required to follow OSHA guidelines and all standards incorporated by reference in the Code of Federal Regulations.



- **The Environmental Protection Agency (EPA)** develops and enforces federal regulation related to air, water and noise pollution, and hazardous materials regulation.

ADA Compliance

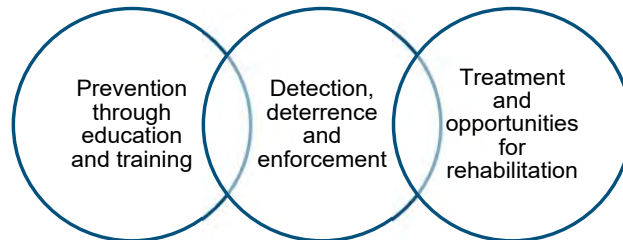
ADA compliance is a critical component of MV’s operator training program and ensures that the Company’s operations are ADA compliant. During training, operators receive an overview of various disabilities as defined by the ADA, as well as an understanding of the law’s requirements. Training also includes practical instruction on how to assist and secure passengers in mobility devices to ensure their safety and comfort.

ADA compliance also is upheld through MV’s safety and maintenance programs. As part of MV’s safety awareness efforts, employees must attend a monthly safety meeting, during which they receive refresher training in safety topics, which includes assisting passengers with disabilities and the safe securement of mobility devices. Mobility device lifts are cycled and inspected during each pre-trip inspection, and thoroughly inspected at each preventive maintenance inspection to ensure the safety of MV’s mobility-disabled passengers.

Further, compliance with the provisions of this relevant law by all MV employees is monitored and enforced by the Company’s legal and human resources teams.

Drug and Alcohol Testing Program

MV has a Zero Tolerance Drug and Alcohol Policy and Substance Abuse Program that complies with both FTA and DOT standards of compliance. This program integrates three critical components in the implementation of this program:



The Policy

Drug and Alcohol Policy comprises the following four activities:





- Take appropriate action to assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner;
- Foster and maintain a drug and alcohol – free environment for all employees and patrons;
- Prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances;
- Encourage employees to voluntarily seek professional assistance whenever personal problems, including alcohol or drug use, may adversely affect their ability to perform their assigned duties.

The Program

Every MV employee is subject to four drug and alcohol screening types, pursuant to their employment category (safety-sensitive versus not safety-sensitive). Please note that under MV’s Zero Tolerance Drug and Alcohol Testing Program, a positive screen or refusal to be tested under these conditions results in termination of employment.

Testing Types

Pre-Employment	}	• All job candidates considered for hiring are required to successfully complete and pass a pre-employment drug screen prior to receiving an offer of employment. Failure to submit to testing, or a positive screen, results in the denial of employment.
Random	}	• All safety sensitive employees are automatically entered into the company pool for random testing pursuant to FTA regulations.
Post-Accident	}	• We conduct DOT post-accident drug and alcohol testing immediately following an on road incident meeting FTA/DOT criteria. Any employee involved in the incident or accident is subject to testing. If the accident does not meet the FTA/FMCSA testing criteria, MV reserves the right to test any safety sensitive employee regardless of the severity of the incident.
Reasonable Suspicion	}	• Employees are subject to reasonable suspicion testing if significant and observable changes in their performance, appearance, behavior, speech, etc. provide reasonable suspicion of the influence of alcohol/ drugs. All frontline personnel are observed by supervisory personnel who are certified as having completed the DOT Supervisor’s Class in Reasonable Suspicion Training in Drug and Alcohol.

Leadership

Our Zero Tolerance Drug and Alcohol Testing Program is managed by the Senior Director for H/R Drug and Alcohol Compliance, Cristina Pereira. She works closely with MV’s local operations and representatives of the FTA and DOT to confirm that our policy and program is up to date and compliant with all



regulatory requirements. Cristina and her team process all test results and communicate the outcomes to our local management team.

Partnerships

We work with Alere™ Toxicology for all laboratory services and Dr. Stephen Kracht, M.D., D.O., who serves as the Medical Review Officer conducting MRO services for our company. All random screens are managed using the MYeScreen technology, which provides a computer-generated selection process program that randomly selects employees for testing without bias or discrimination. Assignments are available on the first of each month to begin performing testing immediately.

Locally we use local occupational health clinics to perform the urine and breath alcohol collections for testing. For substance abuse professional services, we partner with American Substance Abuse Professionals (ASAP) for referrals.

Training

Once hired, all MV employees receive FTA-compliant training that outlines MV's Zero Tolerance program. Drug and alcohol testing procedures are addressed as part of initial employee training and annual refresher training. As required by the FTA, initial training includes at minimum 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use.

All supervisors and personnel authorized to make reasonable suspicion determinations receive additional training on the indicators of drug and alcohol use. This includes training in the following areas

- REACT Reasonable Suspicion Decision Training Manual
- MV's 10 Steps to Successful Reasonable Suspicion Testing Checklist
- MV's Reasonable Suspicion Determination Form
- MV's Reasonable Suspicion Testing Interview Procedures Quick Tutorial

Program Updates

We recognize the importance of remaining compliant and up to date with all regulatory program changes. Effective January 1, 2018, MV has updated its drug and alcohol program to align with the US DOT revisions to 49 CFR Part 40, Procedures for Transportation Workplace Drug & Alcohol Testing to reflect the following changes:



- Opiates are reclassified as opioids and now include hydrocodone, hydromorphone, oxycodone, and oxymorphone in addition to codeine, morphine, and 6-acetylmorphine (heroin) and their brand names.
- Testing analytes have been revised.
- A positive screen for amphetamines/methamphetamines or THC (marijuana metabolite); the MRO will have the authority to conduct further testing.
- The MRO must now provide employees with up to five days after reporting the verified negative result to have the prescribing physician contact the MRO to determine if the medications can be changed to one that does not make the employee medically unqualified or that does not pose a significant safety risk before reporting the “safety concern” to MV.

Audits

MV has completed each FTA audit to which we have been subjected successfully.

Data Reporting

MV supplies NTD data to its clients and assists in the compilation of these reports. While the Federal Transit Administration (FTA) prohibits private contractors from directly reporting data to the NTD Database on behalf of FTA-funded transit agencies, MV’s local operations teams assist in the collection and summarization of all required data.

MV follows the trip sampling methodology and forms, according to the guidelines of the NTD Reporting Manual, including FTA Circular 2710-1A. Compliance with FTA uniform accounting standards and NTD reporting systems is a key element of MV’s U.S. federally funded operations.

MV will fully cooperate with the City/County in the collection and reporting of all FTA ridership, operating, safety, and financial information. The information collected and summarized for the City/County’s NTD reports will be maintained as required.

The operations manager will be responsible for meeting the sampling, collection, verification, and reporting requirements for the City/County’s NTD reporting. This individual will be supported by the MV corporate staff described above and will avail themselves to the City/County’s guidance, as well as FTA seminars on NTD reporting and other support available from the FTA website.

The operations manager will conduct sample trip data collection, with support from the operations managers and service supervisors. This information is





compiled for the following NTD modules: basic, financial, and service. MV's vehicle operators will only occasionally be required to conduct sample data collection and then only on the routes with the lowest ridership.

Dispatchers will distribute and collect any required vehicle operator surveys; vehicle operators will complete and submit any required operator surveys. The maintenance manager will supply data for the Asset Module (fleet and facility data). Finally, the operations manager will collect the required operational and ridership data.



Key Personnel Resumes

David Thorndike

General Manager

Mr. Thorndike is MV's proposed operations manager for the City of Sandy Transit Operations Services.

Experience

General Manager, MV Transportation (Canby, OR)

2019 to Present

- Manages team of professionals to deliver two fixed routes and ten dial-a-ride routes daily
- Oversee payroll, client billing, and reports
- Deliver vehicle operator training to new employees and refresher training throughout the year to current staff
- Oversee dispatch daily and point of contact for all safety policy infractions and investigations.

General Manager, MV Transportation (Tulare, CA)

2013 to 2019

- Managed all fixed route and paratransit service for the city of Tulare
- Handled all disciplines and supervised dispatch and road supervisor
- Reviewed all accident and incident reports and investigations
- Handled employee payroll and client billing.
- Supervised maintenance manager and his team.
- Managed all office staff and operations for this division.

Special Project Manager, MV Transportation (Various Locations)

- Assisted division that were having service issues I also served as interim General manager when needed
- To cover new divisions or when a GM was out on Vacation.

Senior Communications Operation Supervisor, Veolia Transportation (Las Vegas, NV)

2004 to 2013

- Work as senior communication supervisor managing all fixed route operations and supervisors
- Oversee all fixed route operation with approximately 150 to 200 coaches on the road, 10 transit supervisors, three dispatchers and one radio operator
- Handle all disciplines for night shift team and oversee all accident and incident investigation
- Manage on time performance coach deployment swaps and fills for down coaches
- Perform duties as transportation operation supervisor, managing the Las Vegas strip operations
- Manage all night shift pullouts and shift supervisors
- Oversee detours coach operators
- Work closely with the Regional Transportation Commission in training new transit supervisors
- Perform duties as coach operator

Manager, MRE (Las Vegas, NV)

2003 to 2004

- Supervised 45 card services employees in a call center

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David Thorndike

General Manager

Manager, Club Cal Neva (Reno, NV)

2000 to 2003

- Supervised all back of house staff and line cooks
- Implemented training course for new employees

Education and Training

- Supervisor training, training in employee counseling and disciplinary procedures and training in employee evaluations
- U.S. Department of Transportation Courses:
 - Reasonable Cause Substance Abuse Testing
 - Threat Management and Emergency Response
 - Fundamentals of Bus Collision Investigation
 - Advanced Problems in Bus Collision Investigation
- Emergency Management institute course IS-00100
- Emergency Management institute course IS-00200
- Emergency Management institute course IS-00400
- Center of Homeland Security course in Transit Terrorist Tools & Tactics

Resume, Page 2

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Karen Eichholz

Assistant Operations Manager

Ms. Eichholz is MV's proposed assistant operations manager for the City of Sandy Transit Operations Services.

Experience

Road Supervisor, MV Transportation, Inc. (Cary, OR)

2019 to Present

- Directly supervised vehicle operators to ensure policy compliance
- Communicated policies, assignments and other job-related duties to vehicle operators
- Reviewed vehicle reports and evaluated lock-out-tag-out for deficiencies
- Assigned drivers and vehicles to routes
- Conducted classes on driving in adverse weather, defensive driving, substance abuse, sexual harassment, child abuse, and student management
- Instruct operators on the proper and safe use of wheelchair lifts including manual operations, applying safety restraints on wheelchairs, as well as placement of wheelchairs on the bus

School Bus Driver, STA Transportation of America (Cary, OR)

2018 to Present

- Adhered to establish schedule and route
- Assisted students and focused on their safety
- Transported Special Needs Students; securing wheelchairs, escorting & ensuring safety.
- Performed vehicle inspections
- Ensured proper maintenance of vehicle account records

Office Manager, Installer, Burton By Design, Inc. (City, State)

2003 to Present

- Performs office duties from answering phones, scheduling appointments, to AR and AP on QuickBooks
- Quote and bill for three companies
- Scheduling flights

Tax Professional, H & R Block (City, State)

2007 to 2008

- Preparation of personal and business taxes

Skills Tester, Idaho Department of Transportation (Boise, ID)

1997 to 2007

- Skills tested individuals for safe behavior for CDL and school bus endorsements

Child Care Professional, Self-Employed (Caldwell, ID)

2003 to 2006

- Provided childcare in the home for infants to 12 years.

Resume, Page 1

Karen Eichholz

Assistant Operations Manager

Bus Driver, Trainer, Office Assistant, Caldwell Transportation (Caldwell, ID)

1997 to 2003

- Trained new vehicle operators to safely operate a school bus
- Prepared drivers for hazardous weather conditions
- Handled billing for the school district, employee records, and personnel records

Truck Driver, Bus Driver Trainer, Boise State University (Boise, ID)

1998 to 2001

- Responsible for keeping the truck clean inside and out and reporting maintenance problems
- Follows all safety regulations and always safely drive the truck

Truck Driver, Bookkeeper, Triple K Trucking, Inc. (Caldwell, ID)

1996 to 1999

- Office manager that performed all office duties for a trucking firm
- Dispatched
- Helped load and unload trailers are needed
- Maintained files, records, and routines needed to ensure the efficient operations
- Responsible for keeping the truck clean inside and out and reporting maintenance problems
- Follows all safety regulations and always safely drive the truck

Bookkeeper, Barrett Temp Services (Portland, OR)

1993 to 1995

- Bank reconciliation, accounts receivable/payables, wire transfers
- full accounting duties computerized and accounting books, depositing, closed out books for the end of month
- prepared all information for the accountant,
- set-up new account customers,

Education and Training

Columbia College of Business (Portland, OR)

- Administrative Assistant/Accounting Certificate

Yuba College (Marysville, CA)

- Legal Secretary /Accounting Certificate

State of Idaho Department of Transportation

- State Skill Tester for CDL, A, B, C, and D licenses

State of Idaho Department of Education

- State Instructor for School Bus Trainers

3. Cost Proposal

3. Cost Proposal

Please find MV's completed Attachment A – Cost Proposal and Appendix B – Cost Proposal following this section.



SECTION V
ATTACHMENTS

Attachment A
**City of Sandy SAM
COST PROPOSAL**

Based upon the estimated figures provided in Section 1.3 and Appendix B, indicate the proposed costs for SAM Operations for the first year of service during said Contract.

- A. Fixed Route and Commuter Service \$ 781,366.05
- B. Paratransit – Special Need Services \$ 467,606.73

Cost per revenue hour \$ 63.84 based on ~~16575~~ annual revenue hours.
Total cost per year \$ 1,245,093.18.

Note: Pursuant to Addendum 1, cost per revenue hour is based on 19565 annual revenue hours.

**Clackamas County MHX
COST PROPOSAL**

Based upon the estimated figures provided in Section 1.3 and Appendix B, indicate the proposed costs for MHX Operations for the first year of service during said Contract.

- C. Fixed Route and Commuter Service \$ 612,836.12

Cost per revenue hour \$ 63.84 based on 9600 annual revenue hours.
Total cost per year \$ 612,836.12.

MV Transportation, Inc.
Company Name

2711 N. Haskell Ave., Suite 1500
Address

Dallas TX 75204
City, State, Zip

214.490.2891
Phone



Signature of Authorized Official

Dorothea DePrisco, Asst. Corporate Secretary
Name, Title of Authorized Official
(print or type)

April 1, 2020
Date

Appendix B

COST PROPOSAL CITY OF SANDY

Service Description	Approx. Service Hours per year	Total contract cost, per revenue hour: The hourly cost should reflect all fixed and variable costs involved in providing service.		Total Annual Cost per Service (cost/hour x revenue hours)	
		Year 1	Year 2	Year 1	Year 2
Fixed/Commuter Route SAM-Gresham	9370	\$63.84	\$60.47	\$598,153.59	\$566,558.46
Deviated Commuter Route SAM-Estacada	1570	\$63.84	\$60.47	\$100,224.24	\$94,930.29
Deviated Fixed Route SAM Shopper	1300	\$63.84	\$60.47	\$82,988.22	\$78,604.70
Demand-Response SAM rides	4325	\$63.84	\$60.47	\$276,095.44	\$261,511.78
Non-Emergency Medical (Elderly and Disabled)	3000	\$63.84	\$60.47	\$191,511.29	\$181,395.45
Total Operation Contract Cost/Year	19565	\$63.84	\$60.47	\$1,248,972.78	\$1,183,000.67

COST PROPOSAL CLACKAMAS COUNTY

Service Descriptions	Approx Service Hours	Total Contract Cost, per revenue hour: The hourly rate reflects all fixed and variable costs involved in providing service		Total Annual Cost per Service (cost/hour x revenue)	
		Year 1	Year 2	Year 1	Year 2
Express Service (including added winter service)	7800	\$63.84	\$60.47	\$497,929.35	\$471,628.18
Villages Shuttle	1800	\$63.84	\$60.47	\$114,906.77	\$108,837.27
Total Operation Contract Cost/Year	9600	\$63.84	\$60.47	\$612,836.12	\$580,465.45

MV Transportation, Inc.

Supplemental Price Page

MV is offering the following estimated pricing for the options presented in its proposal. Upon award, MV will validate technology requirements and projected usage prior to presenting the City/County with firm fixed pricing for these options.

Technology	One Time Cost	Monthly Recurring Costs
Zonar	\$ 8,906.25	\$ 1,207.50
Trapeze	\$ 57,423.31	\$ 3,985.13
Ripple	\$ 7,843.39	\$ 615.27
DriverMate	\$ 5,643.05	\$ 295.10
Total	\$ 79,816.00	\$ 85,919.00

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4. References

4. References

Canby Area Transit, City of Canby (Canby, OR)



MV began operating Canby Area Transit (CAT) system in 2011. This system comprises fixed route, general public dial-a-ride, paratransit services, and weekday shopper shuttle services.

MV delivers service with a mixed fleet of 15 gas and diesel vehicles. MV provides management, staff, and operations. The City provides vehicle maintenance.

MV is in its second term with the City of Canby.

Please contact Ms. Julie Wehling, transit director, at 503.266.4022 ext. 251 and wehlingj@ci.canby.or.us as a reference for this contract.

Cherriots LIFT, Regional, and Shop and Ride Services, Salem-Keizer Transit (Salem, OR)

MV operates paratransit, demand-responsive and fixed-route services for Salem-Keizer Transit:



- LIFT ADA paratransit service is a curb-to-curb, shared-ride transportation service available to eligible persons with disabilities who are unable to use the fixed-route service. Service operates within the greater Salem-Keizer area and complements the Cherriots fixed-route service. MV operates a fleet of 39 gas and diesel vehicles, which is maintained by the client. MV began operating this service in 2010.
- Regional service connects rural Marion and Polk Counties to Salem and other communities in the greater Salem-Keizer area. Service operates on five fixed routes, and two deviated fixed routes. MV operates a fleet of 15 gas, diesel, and hybrid vehicles, which is maintained by the client. MV began operating this service in 2011.
- Shop and Ride is a shopper shuttle and demand-responsive service available to seniors and persons with disabilities. MV delivers service with three cutaway vehicles. MV began operating this service in 2012.

Please contact Mr. Allan Pollock, general manager and CEO at 530.910.3288 and pollocka@cherriots.org as a reference for this contract.



AnchorRIDES, Municipality of Anchorage (Anchorage, AK)

Since 2007, MV has provided demand-responsive transportation services for the Municipality of Anchorage, Alaska. MV provides operations, reservations, dispatch, and maintenance for this 50-vehicle mixed fleet of vans and cutaways.



AnchorRIDES comprises complementary ADA paratransit, Senior Transportation, Medicaid trips, and other coordinated transportation services within the Municipality for eligible users. Under the umbrella of AnchorRIDES, MV has also provided the Eagle River Connect service since 2010. This weekday service combines fixed-route service with dial-a-ride service for the general public and operates within the Eagle River area and between Eagle River and East Anchorage.

MV uses the Trapeze PASS system, mobile data terminals, and a proprietary real-time monitoring tool to manage on-road service delivery. MV also provides Agency Monitors, which were designed specifically for this service. These monitors are posted at common trip origins, destinations, and allows passengers and agency staff to monitor vehicle arrival time without waiting outside in severe weather conditions.

MV also launched the Ticketless/Pass sales program in 2009 to create convenient, prepaid fare options for passengers.

MV was successful in retaining this contract for a second term in 2012.

Please contact Mr. Kurt Hermes at 907.343.8402 and hermeskb@ci.anchorage.ak.us as a reference for this contract.



5. Approach



5. Approach

The City of Sandy and the Clackamas County Social Services currently manage the Sandy Area Metro and the Mt. Hood Express. Serving the area with fixed-route service in Sandy and commuter service between Sandy and Estacada, general public demand-response service, and non-emergency medical rides not within city limits and the Mt. Hood Express commuter routes and point deviated fixed routes, the City and the County are looking for a contractor that can provide turnkey transit management of their system.



Why MV

As detailed throughout this proposal, MV has the experience to provide a turnkey experience to the City and County. While MV is a national company, our roots guide the way we run our operations, as partnerships with our clients that shape the service locally with support regionally and nationally.

As the City takes its first steps to define the Transit Master Plan, MV can offer continuity of service during the changes that will come with growth. Part of that continuity includes:

MV's proposal offers an operating plan that reinforces the importance of safety, transparency, and professionalism for these services. MV's proposal consists of the following benefits to bring continued support to this plan:

- Comprehensive Operator Training:** All new operators are provided with 108.33 hours of MV's training; existing operators retained in their current positions are provided refresher training as needed.
- Customer Service Training Program:** All operators and staff receive transit-specific customer service training. MV's new, proprietary Platinum Connection Customer Service training program focuses on the importance of positive passenger and coworker relations and enforces professional passenger interactions.
- Drug and Alcohol Testing:** A national FTA and DOT compliant, "Zero Tolerance" drug and alcohol program that requires pre-employment, random, post-accident, and reasonable suspicion testing.
- DriveCam Video Surveillance System:** This on-vehicle camera system allows MV to monitor operator performance for better service delivery and safety. MV works with DriveCam's managed





services team, which helps the local management to remain focused on successful service delivery. Should City/County in conjunction with your camera providers be able to provide data to our analytics platform, MV would be able to remove the cost associated with purchasing new DriveCam cameras.

- Mobileye:** MV is pleased to introduce the Mobileye Collision Avoidance System. Mobileye alerts operators to imminent collisions, including other vehicles, pedestrians, and other obstacles. This system enhances the capabilities of the DriveCam system already in use for these services.



MV would also like to offer the following technologies. For clarity we have provided pricing for these technologies as optional.

- Zonar:** By folding in Zonar technology, MV will streamline the daily vehicle inspection and the maintenance work order process. Zonar generates paperless, searchable manifests organized and saved by individual vehicles. This brings the City precise data about their fleet and up-to-the-minute and accurate data, resulting in a quicker resolution. MV has extensive experience with this software and uses it in several high-profile systems, including North County Transit District in Oceanside, California, Northwest Independent School District in Dallas, Texas, and the Municipality of Anchorage in Anchorage, Alaska.
- Trapeze PASS:** A powerful scheduling and dispatching tool and standard for paratransit services across the country, Trapeze PASS provides efficient, secure system to handle the City's needs. The system can be tuned to the precise needs of the operating environment, saving miles, time, and money.
- TripSpark Ripple:** This interactive voice response (IVR) technology provides inbound and outbound voice and SMS communications for passengers and caregivers. This easy to install and use software can reduce manual notifications by a dispatcher and boasts fewer no shows and operator wait times when used.
- Trapeze DriverMate:** This in-vehicle technology is a tablet-based MDT application for vehicle communications. The unit provides integrated navigational mapping, automated vehicle location (AVL), and mobile data communication, keeping the entire team connected and on route.



The City/County and MV should assess the cost and benefit associated with each technology listed above. We also need to consider the investment City/County have already made in certain technologies, the remaining useful life, and the ability to meet your operational goals such as tracking on-time performance. MV's Professional Services team could perform a software fit analysis to ensure City/County is selecting solutions that best meet the requirements upon request.



Experienced Leadership the City Can Trust

MV's management teams fully represent MV's mission statement. When Alex and Feysan Lodde founded MV more than 40 years ago, they envisioned a company that provided the freedom of mobility regardless of age or ability. Today, MV's proposed Operations Manager, Mr. David Thorndike, and his Sandy-based team will work each day to deliver service to the City in a manner true to MV's mission statement.

- **Operations Manager David Thorndike** will provide general oversight of the operation and run most of the required reports the City requires. He has more than 15 years of transit leadership experience and will provide excellent guidance and apprenticeship to the proposed assistant general manager.
- Onsite oversight guided by safety, proposed **Assistant General Manager Karen Eichholz** will lead the team from the City's Sandy location. Her experience as a road supervisor and vehicle operator gives her a unique perspective on the daily challenges of the operations team.

Moving Forward with MV

MV offers safe, reliable, cost-effective, and sustainable transportation. The company's proposal provides an overview of the company, its history, in-depth experience in passenger transportation, support services, professional training, and safety programs, stringent hiring practices, a preventive maintenance program, as well as employee incentive programs.

a. Experience and Approach to Scheduling and Dispatching Demand-Response Service

Telephones will be staffed by dispatchers available for reservations and information calls from 8 a.m. to 5 p.m. every weekday. MV will continue the use of the voice mail system to record any reservations requests outside of these business hours and on specified holidays.

Dispatchers answer calls in the order they are received and with the same standard greeting: "Sandy Area Metro, how may I help you?" All dispatchers must attend MV's proprietary four-hour customer service training program.



Trip Reservations

If the customer is interested in making a trip reservation, the dispatcher asks them for their name and confirms their eligibility to use the service in Easy Rides. If the trip request can be accommodated, trip details, including pick up times, are confirmed with the passenger and documented. The dispatcher also inquires about any special assistance needed, such as carrying bags. This information is included in the comment section of the manifest so the operator may aid within the program policies.

If the trip cannot be scheduled at the exact time requested, the dispatcher attempts to negotiate a trip within one hour of the originally requested time.

Rarely, if the trip cannot be successfully negotiated, the dispatcher documents the trip as a denial pursuant to ADA regulations and offers the passenger the opportunity to be placed on a standby list. At the end of each call, the customer is thanked for their business.

Subscription Trips: Subscription trips are provided pursuant to ADA regulation and SAM service policy regarding the maximum allowable percentage of subscription trips. Dispatch staff reviews subscription service monthly to confirm MV does not exceed service requirements. MV can provide SAM with a list of subscription service pick-ups and drop-offs, their schedule, and productivity.

Trip Changes and Cancellations: If the customer is requesting a same-day trip change or cancellation, the dispatcher looks up the trip information in Easy Rides and initiates the change. Once the change is complete and confirmed, the dispatch notifies the operator of any changes to the manifest, including trip cancellations.

Where's My Ride: At times, passengers may call with a "where's my ride" request. When the dispatcher receives these calls, they radio the operator and request a route update regarding the location and expected time of arrival to the pickup point.

Operator Check-In

Each morning, the opening dispatcher ensures that all routes are assigned. As each operator arrives, the dispatcher confirms that they are in proper uniform, fit for duty, have all appropriate identification (operator's licenses and medical card), and then documents their arrival time on the service log. Each operator receives their bus assignment, manifest (for paratransit), and any instructions regarding detours or other pertinent service information. They must then check for any memos, policy updates, or service changes before going to their vehicle. All



employees synchronize their watches with the clock in dispatch prior to starting service.

Each operator is given a report-to-work time that provides ample time for check-in and vehicle inspection/preparation.

Dispatching and On-Road Procedures

Dispatchers continually track vehicle status throughout the service day. On the fixed-route services, once the operator arrives at their first stop and all passengers have boarded, the operator proceeds to the next stop at the scheduled departure time. MV's dispatch team continually monitors service delivery to resolve any issues that arise quickly.

For the paratransit services, the operator radios into dispatch as passengers are picked up and dropped off. The dispatcher updates the route in Easy Rides in real-time, allowing MV to monitor service and prevent service delays proactively. If the passenger does not appear, the operator requests that the dispatcher call the passenger. If the passenger does not arrive within 5 minutes after the scheduled pick-up time has passed, the dispatcher authorizes a no show and documents the event and instructs the operator to move to the next stop.

Mobility Device Securement

The proper securement of passengers in mobility devices is reinforced throughout an operator's career. All MV locations require operators to undergo mobility device recertification bi-annually.

Operators always request the passenger's permission before touching or moving their mobility device. They communicate with the passenger throughout the boarding and securement process, making clear what they wish to do, before taking any action.

When a passenger in a mobility device is ready to board, the operator confirms the vehicle is in the park position, engages the parking brake, and powers on the lift. Ensuring the mobility device area is free of hazards and ready for the passenger and exits the vehicle with the lap/posey belt in hand. The operator then opens and deploys the wheelchair lift.

The operator introduces themselves to the passenger at eye level and confirms it is the correct passenger. They then request permission to inspect the mobility device brakes to ensure they are in good working condition. (If the brakes are not in good working condition, the operator brings the issue to the attention of the passenger and makes a note on the manifest.)



With the passenger's permission, the operator then secures the lap belt on the passenger. If the passenger refuses the lap belt/restraint, the operator is required to notify dispatch.

Once secured, the operator notifies the passenger they are about to move them. The operator then backs the mobility device onto the lift. If the device is electric, the operator turns off the power; if it is manual, the operator locks the brakes. The operator then informs the passenger they are about to move the lift and engages the lift.

On the vehicle, the operator backs the passenger into the wheelchair seating location and secures the mobility device with a four-point tie-down and then secures the passenger using a lap and shoulder harness. If the passenger refuses the lap/shoulder harness, the operator notifies dispatch and activates DriveCam to record refusal on camera.

Upon securing the passenger and the mobility device, the operator gently moves the mobility device to confirm it is secured and tight. They then stow the lift and close the door. They return to the operator's seat and power off the lift.

Return to Yard

Upon completion of the route, if there was not time between routes, the operator fuels the vehicle in preparation for the next service day. Once they return to the yard, the operator notifies the dispatcher via radio, who then documents the return time. The operator completes a post-trip vehicle inspection, tidies up the vehicle, and returns their keys and completed manifest to the dispatcher. The dispatcher documents the operator's end time on the service log and reviews the manifest for completeness.

Manifest data is used to complete monthly invoices and reporting. Operations Manager David Thorndike reviews it prior to submission to the City.





b. Description of Driver Hiring and Training Program, Supervision and Performance Monitoring; Ability to Hire and Retain Additional Drivers as Needed

Recruitment and Hiring

Recruitment: MV uses industry publications and several online resources to attract qualified applicants. This approach maximizes the company’s exposure to talent within the industry and like industries. MV has a strategic partnership with CareerBuilder.com, with which the company’s postings are automatically linked to more than 50 diversity postings. The company also uses the services of other online job posting sites, posts open positions to America’s Job Exchange and local publications, and attends local job fairs.



Once MV garners a strong applicant pool through aggressive recruiting, it begins the process of finding team members who will provide safe, timely excellent passenger experience to SAM and MHX passengers.

Hiring Process: All MV SAM and MHX employees are required to undergo MV’s qualifications process prior to employment. All candidates considered for hire are screened for criminal and driving offenses and will meet all Metropolitan Council requirements. All criminal convictions and motor vehicle reports are reviewed and assessed based on the Equal Employment Opportunity Commission (EEOC) guidelines. If the background check reveals adverse information, such as a felony, MV’s qualifications team will initiate an individual assessment. The applicant will receive a pre-adverse letter, along with a copy of their background reports. The applicant can contest their background reports within ten business days.



The company requires all applicants for safety-sensitive positions to undergo medical examinations and pre-employment drug testing. Throughout their career,



drivers are subject to pre-employment, post-accident, random, and reasonable suspicion drug and alcohol testing, pursuant to FTA regulations Part 655 and the FMCSA regulations Part 382 (382 is only applicable to those contracts not subject to FTA regulations). MV shall not permit any employee who refuses to submit to such tests to perform or continue to perform any safety-sensitive functions. Regardless if positions are needed for start-up or ongoing operations, MV requires the same high standards for all possible employees and does not deviate in hiring

Customer Service Training

MV is excited to present its customer service program, Platinum Connection Customer Service (PCCS). Developed by a cross-functional MV-leadership team and led by its Safety and Learning & Development departments, the principle is known as the Platinum Rule guides PCCS – do unto others as THEY would like to be treated.



During the transition period, MV administers this training to its employees. It is essential that every single employee across all departments receives this training; this ensures that each MV employee is working from the same playbook.

PCCS is a 4-hour, facilitator-led course that focuses on MV’s vision of customer service and on how MV employees connect with customers. MV has a broad definition of the customer, and it is important that the training defines this term: “A Customer is anyone who depends on you, whether it is your co-workers, clients or your passengers.”

This program teaches employees how to make customer-centric, solution-focused choices with a focus on personal responsibility. This interactive program will use video examples of customer service situations to guide participant discussion. Then the learning is locked in with engaging facilitator-led activities to enable participants to practice their customer service skills.

The program will build on the following questions:



Why does this matter to me?

- These skills makes your job easier and improve your work life satisfaction.

What is PCCS?

- A customer-centric, solutions-focused approach to connecting with customers based on the platinum rule.

How do I provide PCCS to my customers?

- By treating customers as they want to be treated.

How do I treat my customers as they want to be treated?

- We use A.C.E. to help participants remember the strategies.
- A= Attitude (self-awareness, awareness of customer expectations)
- C= Choice (Communication- verbal and non-verbal, conflict management)
- E= Empathy (putting yourself in someone else's shoes)

PCCS is incorporated into the Monthly Safety Meetings to keep customer service top of mind because treating our customers well is an important piece in creating a safe environment.

Vehicle Operator Training

MV's training ensures consistent and thorough training for all new operators. Its module-based format offers trainers the necessary flexibility to provide refresher and/or abridged transition training or customize training to address specific areas of concern. The sample operator development syllabus for fixed-route and paratransit are included in the appendix.

Classroom Training: The instructor-led classroom training is based on an adult-learning interactive training model and uses video training modules, which are reinforced by the written training/study guide. Topics include safety, defensive driving principles and techniques, hazards communication, security awareness, employee policies and procedures, employee wellness, sexual harassment, bloodborne pathogens, map reading, and on-road procedures. Employees must pass with a score of 80 percent or higher to proceed to behind the wheel training.

Pre-Driving Skills: This section is designed to familiarize the student with the larger size and spacing of commercial vehicles before driving the vehicle on the



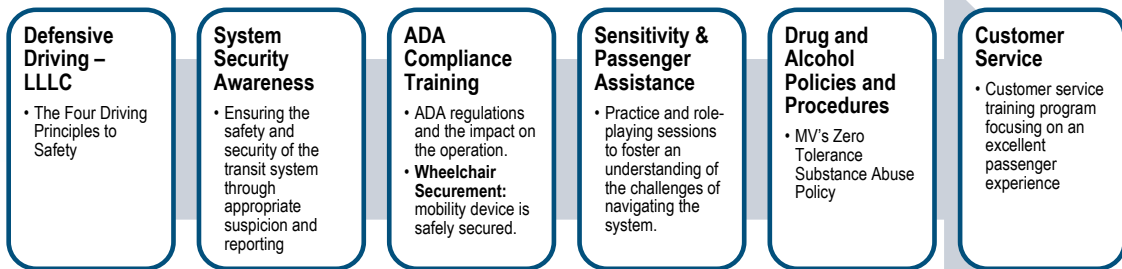
street, the pre-driving skills course training requires that all students learn the use of multiple mirrors and vehicle controls. Securement and lift training, as well as passenger loading, and unloading, are addressed.

Behind the Wheel Training and Customer Service: Behind the wheel (BTW) training focuses on honing specific basic driving maneuvers and skills necessary to ensure the safe operation of the vehicle under actual road operation. During BTW training, the student puts into practice what they have learned in the classroom and refines their driving skills with a certified trainer. During this period, the student must demonstrate mastery of 26 specific defensive driving and performance skills before graduation. Customer Service training is imperative to the delivery of excellent service. The BTW training teaches operators the operation of the bus but also speaks to the delivery of the customer.

Observation: Observation training is provided and allows students to study the proper way to handle a vehicle. Once a student has completed all pre-driving skills and observation training, they begin driving the vehicle on the street with a training instructor.

Cadet Training: After completion of the behind the wheel training, each trainee is provided with in-service cadet training with a line trainer. Operators will operate the vehicle and all onboard technology in service and interact with the passengers on a practical level. During this period, the trainee is carefully monitored and receives their final road and training evaluation.

Post-Training Testing and Remedial Training: Before a student is released into service, they are closely monitored and receive a final road and training evaluation. Recognizing that not every operator is one hundred percent ready to enter revenue service after the base training program, MV offers remedial training. During the cadetting period, any areas of needed retraining are identified and administered based on this need.



Dispatch Training

Dispatchers serve as the public interface for the operation. Members must be knowledgeable regarding the service, are skilled in customer service techniques, and are well versed in ADA requirements. The company provides training in these areas:

Service Overview (5 Hours): Training begins with an introduction to MV and SAM and MHX, followed by an overview of paratransit service and ADA regulations. This includes a discussion of employee expectations, the City's website, service hours, important phone numbers, and topics specific to assisting persons with disabilities.

Customer Driven Service (4 Hours): MV's proprietary customer service training program by MV's learning and development team and is described in detail in the above.

Ride-Along (3 Hours): To familiarize themselves with the service, passengers, and the nuances of on-road operations, dispatchers participate in a ride-along.

Observation and Supervised Job Performance (6 Hours): Dispatchers shadow a senior agent while on the job. During this mentorship training, these team members observe their position's duties in action. After the observation period, dispatchers perform their job duties while under supervision.

New dispatchers are trained in the Easy Rides software through on the job training. A new dispatcher shadows a senior dispatcher for two weeks.

Supervision and Performance Monitoring

Continuous on-road observations ensure positive service quality and strong employee management. Road supervisors observe operators twice annually (minimum) to identify retraining needs and evaluate their performance. Please see MV's Operator Ride Check Form included in the appendix of the proposal. Observed ride checks are on-board evaluations of an operator's customer service and safety skills. Areas that are evaluated include safe vehicle operation and professional passenger interaction. Un-observed service checks are random inspections that assess operators' driving and safety skills from the road. Mobility device securement spot checks are on-vehicle reviews of an operators' ability to safely and properly secure a mobility



device. Further information regarding mobility device securement can be found in Section **Error! Reference source not found.** – Scheduling and Dispatching Transportation Services. Pullout inspections are unannounced and occur daily.

Plan for Operator Recruitment and Retention

During implementation, MV will thoroughly evaluate the current staffing and service structures to identify the number of operators needed to perform this contract. MV will fill most of the staffing positions with existing personnel, if possible. Retaining as much of the current workforce as possible minimizes the element of change for the system's passenger during the service transition. Please see section **Error! Reference source not found.** **Error! Reference source not found.** for further information on MV's recruiting and selection process. MV employs several strategies to reduce turnover in its local operations, including competitive wage scaling, continued education, opportunities for promotion, and employee recognition programs.

Maintaining Adequate Staffing Levels

Strategies to reduce turnover and increase team morale:

- **Continued education:** Bimonthly safety training was reinvested in, among other training. Ongoing training improves job attractiveness, keeps employees motivated and engaged, and demonstrates MV's willingness to invest in its employees
- **Opportunities for promotion:** MV is committed to promoting from within and will maximize those opportunities as much as possible.
- **Employee recognition programs:** Those that demonstrated proficiency in their jobs and those that set the standard for exemplary performance were rewarded.

c. Description of What Measures Will Be Taken to Serve Riders with Disabilities

The local team is trained in passenger handling techniques, and each must attend sensitivity training prior to operating service. These trainings are refreshed during safety meetings, and proper customer service and sensitivity techniques are promoted in messaging and events.

MV's ADA Sensitivity Training Program is tailored to each contract and emphasizes courtesy, understanding, and the driver's responsibility to serve all passengers, regardless of background or disability. Practice and role-playing



sessions are held with trainees to foster an experiential understanding of the challenges of navigating the system as a visually impaired passenger or as one who uses a mobility device.

Operator training includes the study of different types of disabilities and mobility aids so that drivers properly learn how to handle each one professionally and with utmost care. Training emphasizes how passengers in mobility devices



generally require a greater level of time, attention, and sensitivity by the operator. It explains how the proper securement of the mobility device is critical to providing a safe, enjoyable ride for all passengers. To ensure ongoing safety for all passengers, training and monitoring in this area extends beyond the initial training period.

d. Description of Knowledge of Federal and State Requirements

ADA compliance is a critical component of MV’s operator training program and ensures that the Company’s operations are ADA compliant. During training, operators receive an overview of various disabilities as defined by the ADA, as well as an understanding of the law’s requirements. Training also includes practical instruction on how to assist and secure passengers in mobility devices to ensure their safety and comfort.

It is important to note more than 95 percent of MV’s contracts are with transit systems funded by federal dollars and require that MV comply with regulatory standards set forth by agencies such as the FTA, DOT, EPA, OSHA, NTSB, among many other state and local authorities. MV is subject to audits, inspections, records reviews, and reporting as part of its operations – and has an exceptional record of compliance with regulatory agencies.

e. Methods Used to Ensure Service is Responsive to Needs of Customers

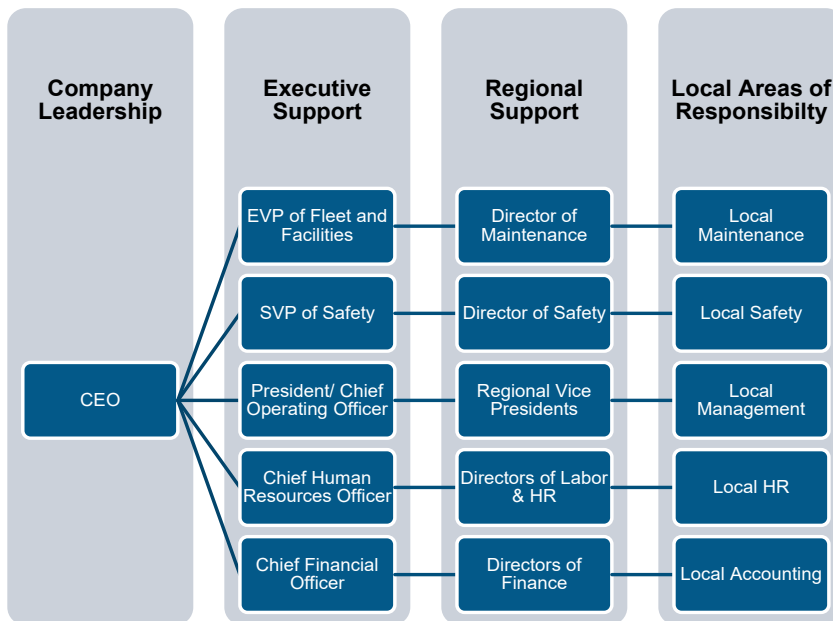
Meeting the needs of the ridership is of up-most importance. MV continually works to better the service through key performance indicators and hands-on customer service training.



To ensure service is responsive to the needs of the public, MV welcomes feedback and take all comments, concerns, and commendations to see where we can provide better service. Beyond our daily interactions from the ridership, MV also follows a quality assurance program to ensure service is always operating within contract parameters and MV’s expectations.

Quality Assurance Program

Our company’s organizational structure provides leadership and support to the local team. This support structure confirms safe, professional, and efficient service is delivered daily.



MV support structure

We offer our customers a cross-functional quality assurance (QA) program that promotes excellence throughout the operation. This program is summarized in the table below. During the term of the contract, our team may adjust these inspections to accommodate the specific needs of your service, based on your request and our experience in similar services.





Auditor	Type of Inspection	Frequency	Description
Jeff Bane, Senior Vice President	<i>Performance Metrics</i>	Semi-monthly	He reviews the performance of service to ensure adherence to company and customer standards.
Jeff Bane, Senior Vice President	<i>Customer Satisfaction</i>	Quarterly	Senior Vice President Jeff Bane will meet (in person or via telephone) with the City/County staff regularly to gauge satisfaction with the company's operations. These discussions offer an excellent opportunity to discuss current challenges, successes, and areas requiring improvement.
Jeff Bane, Senior Vice President	<i>Audit Scheduling and Review</i>	As needed	Senior Vice President Jeff Bane will work with the regional team to establish a schedule of audits. He will review each audit upon completion and work with the regional team to create and complete an action plan when needed.
Jermaine Johnson, Director of Safety	<i>Safety Audits</i>	Annual	The safety audit is a full-day inspection of the operating facility in which the regional director ensures all safety elements are in place and performing as designed. The location is audited for compliance with company and customer safety policies, rules, regulations, standards, codes, procedures and requirements. During this review, all employee training files are reviewed for compliance. All safety-related programs, issues, awareness and reporting, are evaluated for effectiveness and recommendation.
Zara Tariq, Safety Analyst	<i>Safety Analytics</i>	Monthly	Evaluate data from DriveCam system, produce reports and recommendations
Mark Shirley, Director of Finance	<i>Monthly Financial Statement Review Call</i>	Monthly	Together, Director of Finance Mark Shirley and Jeff Bane, Senior Vice President, review the income statements and general ledger during month-end close. This process confirms MV's books are accurate and align with budget forecasts.

f. Methods Used for Handling Emergencies, Safety and Security

MV's safety policies set forth operating guidelines that reduce workplace accidents, incidents, and injuries. MV's Safety Manual comprises more than 40 policies that address vehicle operations, regulatory compliance, maintenance operations, MSDS/ hazardous materials, operational safety practices, and facility emergency management.



Furthermore, MV issues documented Safety Guidelines that outline safety-related responsibilities for all safety, executive, and managerial/supervisory roles. These guidelines additionally outline expectations regarding facility safety and upkeep.

Safety Awareness

Safety Messages: Daily, a corporate-issued safety message, is published and delivered to all MV locations. Each message is posted at the location. Additionally, all meetings and conference calls must begin with a safety message.

Safety Board: MV will provide a safety board in its operator break room. These monitors display audience-tailored content throughout the day, delivering safety messages, timely information, performance data, and important notifications from MV's clients.

Mandatory Safety Meetings: Safety meetings offer an opportunity to provide refresher training and address timely topics. All employees must attend this two-hour-long meeting bi-monthly on Saturdays. MV's safety department issues all safety meeting agendas and addresses topics in fleet safety (for example, defensive driving, wheelchair securement, adverse weather) and injury prevention (for example, drug and alcohol, back safety, bloodborne pathogens, and heat safety).

Motivational Awards and Incentives

Employee recognition and positive reinforcement is an integral part of a positive work culture and employee relations program. MV ties this critical component of its operation to safety and security by creating fun, safety-focused teambuilding activities throughout the calendar year. Proposed Operations Manager David Thorndike and Assistant Operations Manager Karen Eichholz will execute these programs:

- **“DriveCam Event-Free” contest:** All operators participate in this monthly pool. A vehicle operator without a DriveCam incident within the 30 days, qualify to participate in a raffle to receive a gift certificate. The recipients are also recognized during monthly safety meetings, and their name is displayed on the company's service excellence announcement board.
- **Safety Challenges:** Employees that complete 30 days without a work-related injury are eligible to win prizes.

In addition, each MV location participates in MV's company-wide programs:



- **The Katherine McClary Operator Award:** This award recognizes MV's finest vehicle operators across the country. Qualifying operators must exhibit safe and professional driving behavior, a positive work attitude, excellent customer relationship skills, and a strong attendance record. Quarterly, annual, regional, and national awards are presented and include cash prizes.
- **Safety Pins and Patches:** Operators are given safety pins and patches for each year completed without a preventable accident or injury.
- **Safety Blitzes and Other Safety Events:** MV's local management team hosts safety blitzes and other employee events to promote safety messages.

Emergency and Security Plans

MV has several plans and programs in place designed to mitigate risk and provide a safe, healthy workplace. Each of these plans is available upon request:

- **System Safety Program Plan (SSPP):** To provide a superior level of safety and minimize all risk, MV's SSPP is maintained in accordance with the standards of the American Public Transportation Association and the Federal Transit Administration.
- **System Security and Emergency Preparedness Plan (SSEPP):** This set of comprehensive security goals, objectives, and strategies maximize the security of MV's passengers, employees, and property. This plan is a blueprint for all security procedures.
- **Continuity of Operations Plan (COOP):** This plan template provides MV's operations a base from where to develop its plan to ensure continuous operations during an emergency. The COOP, which sets forth a concept of operations, identifies essential functions and outlines three potential phases of the process: 1) Activation and Relocation, 2) Alternate Facility Operations, and 3) Reconstitution.
- **Emergency Action Plan:** The EAP assists employees and management in making quality decisions during times of crisis, and to comply with the Occupational Safety and Health Administration's (OSHA) Standard for Emergency Action Plans, 29 CFR 1910.38.
- **Bloodborne Pathogen Exposure Control Plan:** This plan provides the guidance and training needed to protect employees against exposure to bloodborne pathogens. This plan complies with the OSHA Bloodborne Pathogen Standard, 29 CFR 1910.1030, to eliminate or minimize employee occupational exposure to blood, certain other body fluids, or other potentially infectious materials.



- **Additional Health and Safety Plans include:** Fire Prevention Plan, Hearing Conservation Program, Hazardous Communication Plan, Illness Prevention Plan, Heat Illness Prevention Plan, Lock Out-Tag Out, and Control of Hazardous Energy Program

g. Methods Used to Monitor and Ensure Excellent Customer Service

A strong customer service program begins with the consistency of service. The company fosters this program with clear and ongoing communication; delivers customer service with professionalism, empathy, and knowledge; and confirms it with careful attention to feedback and frequent quality checks.

The SAM Code of Conduct defines its service policies, which form passengers' expectations for the service. Consistency with the City's service guidelines is key to meeting passengers' expectations each day. Inconsistent service delivery – whether it falls short of or exceeds service standards – will adversely influence customer service.

When changes to service delivery are necessary, transparent and professional communication is critical. By managing passengers' expectations, MV provides quality customer service in response to a delay, a detour, a road call, or other service disruption.

To this end, each of MV's City employees receives consistent training in service delivery. Each MV employee will receive training in the City and County's policies and procedures, as well as an orientation to the system. Supplementing this training is dedicated to customer service training for all employees. Operators and office staff are required to take MV's newly developed "Platinum Connection Customer Service" training program, discussed in *section Error! Reference source not found.. Error! Reference source not found..*

Finally, quality assurance audits, complaint analyses, and passenger feedback sessions all provide opportunities to test MV's processes against the City/County's standards. These reviews identify where MV's customer service programs are working and where new initiatives are needed. These types of quality checks ensure that customer



service techniques remain fresh and effective.

Understanding the City and County’s Lead

The City/County sets the tone for its customer-focused service. MV will work closely with the City/County and its staff to understand how and where its customer-centered approach is most significant. MV ensures its employees consistently mirror that approach in the operation.

Managing Customer Expectations

At times passengers call with “Where’s My Ride” inquires. MV’s dispatchers follow a clear script to ensure consistency and service for each call.

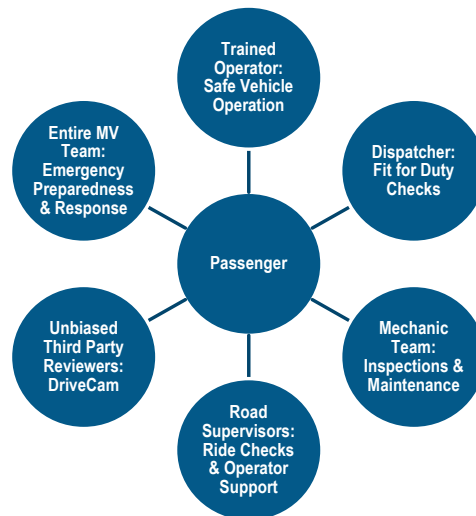
MV trains dispatchers in dispatch management, reporting, and mapping tools, which gives a stop-by-stop listing of the route. The dispatcher can select the stop in question to pull up a map of where the vehicle is at that moment.

In the event of a potential no show, the dispatcher can notify the passenger of the exact location of the bus (in the parking lot on the south side entrance of the apartment complex).

Safety and Customer Service

Safety is a moral obligation and a tenet of MV’s operating philosophy – and it is the foundation of excellent customer service. Before anything, the service must be safe. MV’s safety plan is person-centric and passenger focused and spans all areas of the operation.

MV also understands the important role it has in coordination and emergency response. MV will work collaboratively with local resources and community leadership to ensure safety and security preparedness and coordination within the greater community. The local team will also work to ensure all security documents and emergency procedures are consistent and complementary to ensure the maximum response and coverage if a security event, emergency, or other disaster occurs.





Maintenance Operations and Customer Service

Recognizing the critical relationship between maintenance and customer service, MV works to create a culture of service that extends to bus care. It is incumbent on the fleet maintenance coordinator to support and maintain a vehicle fleet that instills customer confidence and excellent service. Moreover, a well-maintained vehicle is a great source of pride for the operator.

Preventive care remains pivotal to customer service-oriented fleet services; by maximizing fleet availability and minimizing vehicle breakdowns, MV's maintenance team supports a positive customer perception of safe and reliable service.

Quality Assurance and Customer Service

MV's management team will oversee daily activities and perform audits, inspections, and analyses of MV's operation. With the support of MV's corporate personnel, this team will monitor MV's compliance with its contract with the City/County in the functions of the operation. These include drug and alcohol compliance, operator training, street supervision, on-road operations, customer service, personnel administration, maintenance, safety, training, local purchasing, and contract administration.

Developing Community Relationships

Building Relationships during the Transition Period

MV's team will work with the City/County to establish meaningful and productive relationships within the community before service implementation. By creating a Passenger Transition Committee comprising passengers, the City/County staff, MV staff, community members, and/or advocacy groups, MV's team will proactively manage any issues and challenges currently faced in the system and immediately and positively influence service.

Operator Training and Community Participation

MV's operator training program emphasizes courtesy, understanding, and the operator's responsibility to serve all passengers, regardless of background or disability. Core to this training is the involvement of representatives from the community and local advocacy groups. Presentations from these community members educate operators and provide real-life perspectives of living with disabilities and the impact of paratransit on a person's daily activities.



MV augments passenger empathy training with the participation of advocacy groups and passengers in company safety meetings. This community involvement in ongoing training keeps information fresh and relevant.

Educating the Community about Public Transit

If the City/County desires, MV will host presentations and information sessions about riding public transit. Potential places that could benefit from these sessions include community colleges, shopping centers, and senior centers. These types of meetings are an excellent way to manage passengers' expectations regarding service.

Educating the Public about Paratransit Services

As part of MV's quality assurance efforts, Assistant Operations Manager Karen Eichholz will host presentations and information sessions at major trip generating facilities, such as adult daycare centers and senior centers, about what paratransit is, who can ride, and why it is important. These types of meetings are an excellent way to manage passengers' expectations regarding service. For example, making certain passengers understand that the service is a shared-ride system and the parameters of the on-time window provide the necessary guidelines of what a passenger can expect.

Interaction with Key Centers

MV will work with major trip generators to manage service to and from these locations. These locations typically provide opportunities to maximize productivity by way of group trips. Schedulers examine trip origins and try to create group trips in high volume areas or from common trip generators. By establishing a productive working relationship with these individuals, MV can create win-win solutions for all primary stakeholders.

The Agency Monitor

MV's cloud-based agency monitor for paratransit displays upcoming trip arrivals and departures, with expected times of arrival for each trip. This technology supports customer-focused operations by managing passenger expectations while allowing agency staff to accommodate their patients' specific healthcare needs (i.e., passengers minimize time outdoors / standing up waiting for their bus).



For larger agencies that are the destination and pickup for multiple trips, this tool is of great value. Agency staff can prepare passengers for departure, based on the order in which each bus is projected to arrive. This helps agency activities remain organized while improving on-time performance of the route.

Inbound Passengers For: 01/17/14 Last Update 15:12:40

Name	ComingFrom	OnRoute/Veh	Sched	EstPick	ActPick	Destination	EstArrival	ActArrival
	1576 LATOUCHE ST	142/65104	08:15	08:14	08:10	ANMC DENTAL AND EYE CLINIC	09:10	09:06
	8621 KUSHTAKA CIR	116/65114	09:15	09:20	09:19	ANMC DENTAL AND EYE CLINIC	09:45	09:45
	601 E 15TH TER	116/65114	13:10	13:24	13:24	ANMC DENTAL AND EYE CLINIC	14:02	14:00

Outbound Passengers

Name	ComingFrom	OnRoute/Veh	Sched	EstPick	ActPick	Destination	EstArrival	ActArrival
	ANMC DENTAL AND EYE CLINIC	-/-	15:15	00:00	00:00	-	00:00	00:00
	ANMC DENTAL AND EYE CLINIC	140/65128	10:35	10:36	10:36	1576 LATOUCHE ST	11:15	11:12
	ANMC DENTAL AND EYE CLINIC	113/65096	10:51	11:27	11:26	8621 KUSHTAKA CIR	11:40	11:37

Have a question? Please contact technical support at [iWeb Support](#).

h. Methods Used to Monitor and Ensure Service Quality and Safety

MV's organizational structure supports ongoing quality controls that confirm service is delivered in a manner that is safe, professional, efficient, and cost-effective. The program starts with the local operation, is audited and monitored by the regional operations staff, and is supported by the resources and staff of a central corporate support operation.



As required, MV will track the following items to ensure it is meeting the standards outlined by the City/County and the Company, including but not limited to on-time performance, productivity, customer complaints, service delays, vehicle breakdowns, and safety issues.

All MV's locations are required to undergo periodic safety and maintenance audits and inspections, including safety inspections, safety audits, and facility audits. These activities are performed monthly, semiannually, and annually by the operations manager, regional director of safety, and regional director of maintenance, respectively.



Optional Technology

Trapeze PASS (Cost Option)

Trapeze PASS is an advanced paratransit scheduling and dispatch system. Using a single database solution, Trapeze is efficient, secure, and designed to meet the specific needs of your service.

In addition to its powerful scheduling algorithm, intuitive user design, and real-time communications, PASS offers extensive built-in reporting that augments the system analyses required for future planning, delivery, and measurement of service delivery.

The reservations component provides users with a full complement of tools to ease the reservations process. Insightful passenger lookup screens, common trip destinations, and other passenger detail supports optimal call times and maximizes user productivity. Integrated with GIS mapping, Trapeze offers precision in trip distances – geocoded pick up and drop off locations promote superior accuracy in scheduling and monitoring route performance.

The dispatch component allows users to monitor trip performance, update routes by adding new requests, moving trips from late performing routes, and manage no shows and late cancelations. When deployed with on-vehicle GPS enabled devices (using the Trapeze MON add-on), dispatchers can monitor each route in real-time. Any updates (such as trip performs) are immediately reflected in the trip console; conversely, and the connected onboard device reflects changes to routes (such as cancelations).

Among the many benefits of PASS, the most compelling is the users' ability to tune the system to the precise needs of the operating environment. The system's parameters provide ample opportunity for refining efficiency; it gives administrators control to adjust extensive parameters for times

Benefits of Trapeze PASS

- *Proven routing algorithm that maximizes efficiencies while maintaining KPIs*
- *Allow users to configure multiple service types (ADA, same day programs, pilot programs)*
- *Modular design that adapts to specific agency needs*
- *Configurable parameters that support operations in your unique operating environment*



relating to passenger loading and speed, based on days of the week, specific traffic patterns within the service area, pick up and drop off locations and more.

Trapeze DriverMate (Cost Option)

DriverMate is a tablet-based MDT application that offers a sleek and efficient option for vehicle communications. Operators receive trips on the unit's electronic manifest, which updates as dispatchers make changes to the route. These units provide integrated navigational mapping, automated vehicle location (AVL), and mobile data communication.

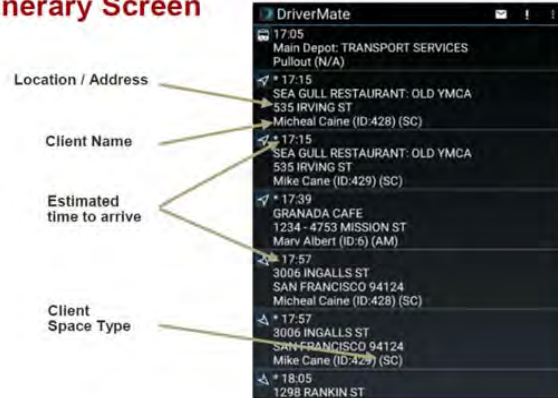
DriverMate allows tablets to serve as fully functional mobile data terminals by creating an interface between the tablet device and the Trapeze PASS system. It enables effective, real-time communication between the dispatch team and operators in service. Operator manifests are transmitted from Trapeze PASS to the tablet through DriverMate, while DriverMate relays GPS data and trip status to Trapeze – providing an up-to-the-minute view of service for dispatchers and management.

This system is fully integrated and eliminates the need for reconciliation of paper; it captures and transmits real-time data as the primary trip record and eliminates human error through data-driven communications.

PASS stores full GPS data records via integration with DriverMate. Operators enter their vehicle mileage at the start and end of their route, and the system tracks mileage as the vehicle is on the road. This integration enables extensive data and system analysis of trip performance, which we perform in the ViewPoint Business Intelligence system.



Itinerary Screen



Benefits of DriverMate

- *Seamless communications between operator and dispatch*
- *Eliminates need for hardwired units*
- *Easy to swap out in the event of a tablet failure*
- *Stores up to 2 hours of data if connection lost*

DriverMate uses Verizon's 4G LTE service, allowing for fast data transfer of GPS AVL data, text communication, and trip information. The DriverMate solution paired with SOTI MobiControl provides redundancy in the GPS location, locks down the Android OS for work-related applications only, and provides real-time support to the operators. The system leverages Google Maps for navigation, providing turn-by-turn directions and live traffic alerts and updates throughout the day.

TripSpark Ripple (Cost Option)

TripSpark's Ripple application uses interactive voice response (IVR) technology to provide inbound and outbound voice and SMS communications for passengers and caregivers. Users can configure Ripple to send trip status notifications with a night-before trip notification as well as imminent reminder alerts. Passengers can access Ripple to make changes to their trips without having to speak to an agent. This technology reduces pressure on the call center, affording agents additional time to support passengers who require live assistance.

Ripple is unparalleled in its ease of implementation and deployment; MV has deployed this technology in as little as five days. This cloud-based solution works in concert with your existing telephone system without integration or installation.

Benefits of TripSpark Ripple

- *Reduced reservationist time, as client notifications are performed by IVR system*
- *Fewer no shows and operator wait times*
- *Improved customer satisfaction by providing accurate, timely trip information; and*
- *Accessible service 24 hours a day*



Zonar Electronic Verified Inspection Reporting (Cost Option)

MV will provide the Zonar Electronic Verified Inspection Reporting (EVIR) system for the City/County fleet to help track service standards. This system complies with all DOT, OSHA, and MSHA inspection requirements.

Zonar's patented EVIR® technology simplifies the pre- and post-trip inspection process and eliminates paper reporting. Operators use an onboard tablet computer to perform the inspection; RFID tags are placed on inspection zones to prompt the operator to inspect specific components. Operators complete their inspection on the tablet, digitally signs the inspection report, and the unit transmits the inspection data to the Zonar Ground Control Software.



Our maintenance team receives instant notification of defects upon submittal and immediately determines whether to place the vehicle out of service.

MV worked with Zonar to develop a standard system export to Trapeze Equipment Asset Management (T-EAM), which seamlessly imports defect reports into T-EAM as a service request.

This solution also includes the Zonar V4 telematics system. This technology offers an Intelligent Logging algorithm that senses all vehicle activity. We use this system to monitor

vehicle movements, parking, and idling, as well as GPS tracking and speed.

MV is currently working with Zonar in the pilot integration between their technology and our predictive analytics platform. Under this pilot, we are testing how we can apply machine learning to predict future fleet failures based on real-time fleet telematics.

MV uses Zonar in several locations to manage our fleet inspection process and monitor vehicle performance. In Oceanside, we installed this system after we assumed operations for the North County Transit District's fixed-route and paratransit system. As a result of its use we were able to improve efficiencies, with:

- Improved Daily Vehicle Inspections, where we could track the time operators were taking to perform thorough inspections

- Greater clarity in DVI defect notes; we no longer needed to decipher operator handwriting and instead had clearer communications
- A new paperless process for daily inspections – eliminating the need to transpose data from paper into our EAM system
- Improved monitoring of idling times, allowing us to enforce a no-idling policy with greater effectiveness
- Improved operator performance, by monitoring speeding and hard braking
- More efficient scheduling of preventative maintenance
- More efficient scheduling of ad hoc maintenance
- Less consumables and spare parts inventory

i. How Vehicle Breakdowns Are Handled When Vehicles Are in Service

Please see *section 5.j.iii. Road Calls* on how in-service breakdowns are handled.

j. Approach to A Vehicle Maintenance Program

This section serves as MV’s maintenance plan for SAM and MHX. Throughout the term, our fleet maintenance coordinator will oversee MV’s fleet and facilities maintenance, repair, and cleaning activities. They will schedule all fleet maintenance, both scheduled and unscheduled, and confirm the quality of work. The fleet maintenance coordinator will have the ongoing support of our regional director of maintenance, Kenny Pouncey, who will perform periodic audits.

j.i. Inspections and Scheduled Maintenance

Daily Maintenance and Vehicle Inspections

Pre- and post-trip inspections are vital to minimizing service interruptions. The pre-trip inspection is the last line of defense before entering service, and it comprises a 12-minutes of testing key operating systems to ensure the vehicle is in safe, working order. The post-trip inspection is a shorter inspection designed to check key systems’ performance after a day of service.



Pre-trip

Each day, operators perform daily vehicle inspections before entering service. This inspection confirms the following:

- The condition of tires, wheels, rims, and lug nuts are safe*
- Fluid levels (engine and transmission oil, cooling, windshield washer, brake fluid, and power steering) are adequate
- Battery terminals are in good condition
- Absence of any under-vehicle leaks*
- All glass and mirrors are in good condition and without chips or cracks*
- All lights are operational (headlights*, clearance lights, and reflectors*, turn signals, backup lights, and alarm, emergency flashers*)
- The air conditioner, heating, and defroster/defogger is operational
- The vehicle is clean, cushions and seatbelts are secure*
- Windshield wipers, washer, radio, horn, and passenger door are all operational*
- The registration and insurance are valid, and registration is visible
- Brake pedal* and parking brake are operational (airbrakes operate within the minimum and maximum pressure thresholds)
- The steering wheel is secure, and the gearshift is tight*
- On-board safety kit is stocked and complete (first aid, reflectors, fire extinguishers*, accident packet*, and body fluid kit*)
- Lift or ramp is operating in both electronic and manual modes, and it is free from leakage*
- Lift interlock is operating properly*



Note items marked with asterisks () are re-inspected during walk-around mid-trip inspections, during shift changes, when appropriate.*



Post-trip

Upon return to the yard, the operator performs a post-trip inspection, which requires re-inspection to confirm the following:

- Condition of tires, wheels, rims, and lug nuts
- Absence of any under-vehicle leaks
- All glass and mirrors are in good condition and without chips or cracks
- All lights are operational (headlights, clearance lights, and reflectors, turn signals, backup lights, and alarm, emergency flashers)
- Air conditioner and heating, and defroster/defogger is operational
- The vehicle is clean, cushions and seatbelts are secure
- Windshield wipers, washer, radio, horn, and passenger door are all operational
- Brakes pedal is operational
- The steering wheel is secure, and the gearshift is tight
- The fire extinguisher remains fully charged
- Accident packet and body fluid kit are present and accessible
- Lift or ramp is operating in both electronic and manual modes, and it is free from leakage
- Lift interlock is operating properly

Defect Repair

If the operator detects a safety hazard that prevents the vehicle from entering service, they note the hazard using the Zonar unit, and they submit the report. The Ground Control software alerts the technician who will immediately determine that they can rectify the issue quickly, or if they should pull the vehicle from service after performing an initial assessment.

If the technician must place the vehicle out of service, they will initiate the lock-out tag-out process, and the dispatcher will assign a standby vehicle to the operator.

Preventive Maintenance Program

MV's preventive maintenance program supports our goal of scheduling more than 80 percent of all maintenance activities. By remaining proactive in our



approach to vehicle care, we minimize reactive repair and service disruptions. The Fleet Maintenance Coordinator will use OEM preventative maintenance guidelines to manage the scheduling of the City/County fleet maintenance. MV will continue to use the third-party providers the City/County are currently using.



Technicians perform preventive inspections and repair within 500 miles of the required interval (or as contractually required). The fleet maintenance coordinator will schedule service during off-peak hours, which maximizes fleet availability during times of highest service demand.

We have included sample PM schedules below for illustrative purposes; however, we will develop final schedules for the fleet during the transition.

Vehicle Preventive Maintenance Cycle (Diesel Fleet)

Inspection	Interval	Description
A	6,000 (safety)	<ul style="list-style-type: none"> ▪ Vehicle interior and exterior inspections (lights, safety equipment, etc.) ▪ Air brake testing ▪ Door and lift operation/cycling ▪ Road test (engine, transmission, brake, steering) ▪ Undercarriage (shocks, brake lines, filters, air lines, drive shaft, etc.) ▪ Engine compartment (fluid and leak inspection) ▪ Clean/check battery and cables ▪ Oil and filter change ▪ Fire suppression system inspection
B	12,000	All A level tasks plus: <ul style="list-style-type: none"> ▪ HVAC (Freon level, filter change, function test)
C	24,000	All A and B level tasks plus: <ul style="list-style-type: none"> ▪ Fire suppression inspections ▪ Inspection of fire wires and blow out lines (per OEM)
D	48,000	All A, B, and C level tasks plus: <ul style="list-style-type: none"> ▪ Air dryer rebuild ▪ Differential fluid change ▪ HVAC (leaks, filters, temperature checks, function inspections, brushes, and fan motor condition)
E	72,000	All A, B, C, and D level tasks plus: <ul style="list-style-type: none"> ▪ Transmission fluid services (using TES 295-approved synthetic fluid)



DPF	Annual	▪ Annual Cleaning and Opacity Testing
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Preventive Maintenance Cycle (Cutaway Fleet)

Inspection	Interval	Description
A	5,000 (safety)	<ul style="list-style-type: none"> ▪ Vehicle interior and exterior (lights, safety equipment, etc.) ▪ Brake testing ▪ Door and/or lift/ramp operation/cycling ▪ Road test (engine, transmission, brake, steering) ▪ Undercarriage (shocks, brake lines, filters, air lines, drive shaft, etc.) ▪ Engine compartment (fluid and leak inspection) ▪ Clean/check battery and cables ▪ Steam clean/pressure-wash engine ▪ Mobility device lift inspection and service ▪ Climate control systems inspection ▪ Lubrication, oil and filter change (unless vehicle manufacturer recommends a different interval)
B	10,000	All A level tasks plus: <ul style="list-style-type: none"> ▪ Air filter change ▪ Fuel filter change (if applicable)
C	15,000	All A and B level tasks plus: <ul style="list-style-type: none"> ▪ HVAC (leaks, filters, temperature checks, function inspections)
D	60,000	All A, B, and C level tasks plus: <ul style="list-style-type: none"> ▪ Engine and transmission fluid/oil analysis

Mobility Lifts and Ramps

We perform frequent inspections of mobility device lifts and ramps, at the following intervals:

- **Daily Inspections:** During the daily vehicle inspection, each operator is required to cycle the vehicle lift or ramp to confirm proper operation. If the equipment does not cycle or cycles improperly during the inspection, the operator must notify a supervisor who coordinates the repair and, when necessary, the delivery of a replacement vehicle.
- **Preventive Maintenance Inspections:** Mobility device lifts and ramps are inspected and cycled at each preventive maintenance inspection cycle. During this inspection, the technician replaces any worn components, cleans the gears, and adjusts alignment as necessary.
- **Annual Inspections:** We perform annual inspections of mobility device lifts and ramps. These inspections include, at a minimum, checking for drifting, leaking cylinders, and ensuring all safety sensors are working. Technicians receive online and on-site vendor training for these types of inspections.



No vehicle is permitted to enter service without a safe, functioning lift or ramp. If a lift or ramp fails while on the route, we immediately remove and replace the vehicle.

j.ii. Overhauls and Repairs

Body Repair

The cosmetic condition of the fleet directly affects passenger perception of the service. Clean, well-maintained vehicles that have clean and undamaged upholstery and are free of graffiti reinforce the riders' confidence in using the service. Moreover, expeditious body repair eliminates hazards, assures passenger comfort, and reinforces the operators' pride in the service fleet. Our team will not release vehicles into service if they have excessive body damage or damage that presents a safety hazard.

j.iii. Road Calls

When a road call occurs, the operator will pull over to a safe location and contact dispatch. Using a troubleshooting guide, the dispatcher will first attempt to help the operator correct the issue. If they cannot resolve the situation, the dispatcher will contact the fleet maintenance coordinator to assess the severity of the issue.

- If the operator can resolve the issue himself or herself, the fleet maintenance coordinator will remain on the radio and coach the operator as needed until they resolve the situation.
- If the operator requires a replacement vehicle, the road supervisor may deliver the vehicle themselves, or work with dispatch to send a standby operator to transfer the passengers and resume the route.
- If a third-party maintenance provider must report to the field to resolve the issue, the fleet maintenance coordinator with the dispatcher will facilitate.
- If a tow service is required, the fleet maintenance coordinator will coordinate this process.

The dispatcher will log each road call, and the fleet maintenance coordinator will complete a vehicle breakdown form and include it in the vehicle file. MV tracks all road calls in MPWEB and calculates miles between road failures to identify trends.



j.iv. Maintenance Safety

The foundation of MV's maintenance program is an unwavering commitment to creating and maintaining a safe operating and work environment.

Lockout/Tagout

MV's Control of Hazardous Energy program establishes the minimum requirements for the Lockout/Tagout (LOTO) of energy-isolating devices to prevent an unexpected release of hazardous energy during any equipment servicing, maintenance, or modification activity. This program ensures that the affected system or equipment is isolated from all potentially hazardous energy and is locked/tagged out before authorized employees perform any maintenance activities.

We require employees to strictly follow these procedures when it is necessary to work on any equipment that may release any form of hazardous energy. This program is to be used in conjunction with and is not a substitute for other industry-accepted safety procedures (such as the use of safety tapes, signs, guards, and barriers).

This program is fundamental to preventing stored energy causing serious injury, fatality, or major damage, averting hazardous materials into a worksite, and eliminating hazardous work conditions.

Out of Service Report

The Out of Service (OOS) report is an important component of MV's maintenance safety program. We generate an out-of-service report that lists all vehicles out of service by number, date placed out of service, the reason for the outage, the status of the repair, and the anticipated in-service date. Our dispatch team refers to this report when assigning vehicles to routes.

k. Approach to Records Management

MV uses the Infor Financial systems and Human Capital Management system in its corporate office and operating locations. The Lawson Financial Suite includes General Ledger, Accounts Receivable, and Accounts Payable. The Infor Human Capital Management system encompasses benefits, payroll administration, HR administration, leave of absence management, built-in business process framework, and native business analytics tools and reports. Infor software is fully integrated and is web-enabled.



The software is scalable to allow for the growth of the company without having capacity concerns. The role-specific permissions/security features allow Company management to selectively determine which processes and controls should be centralized versus decentralized. Accounting records are maintained on the accrual basis of accounting following Generally Accepted Accounting Principles ("GAAP").



I. Method of Handling Accidents Injuries, and Customer Complaints

Safer Driving Behavior through Technology

DriveCam: MV uses Lytx DriveCam's SF Series Video Event Recorders to monitor each operator's driving behavior. The unit continuously monitors the operator's behavior and provides real-time in-cab feedback. Using exception-based video recording, the camera continuously records; however, data is only saved when activated by embedded sensors that measure the force exerted on the vehicle (such as abrupt start/stops, sudden turns, accelerations, decelerations, speeding, and collisions). The event recorders also utilize machine vision to detect and trigger for unsafe behaviors without relying on an accelerometer such as rolling stops. For example, the camera can recognize the driver running a stop sign by visually reading the stop sign and knowing the vehicle didn't stop. Additionally, the unit has a panic button that is pushed by the operator (in the event of an on-board incident, a passenger altercation, etc.).



The event video and data (which includes views of the road ahead and of the operator) uploads to DriveCam's Risk Analysis Center where DriveCam's trained professionals analyze the events (review, score, and comment on each event) for MV's management to use in coaching operators and improving operator safety.

Mobileye® Collision Avoidance System: MV supplements the DriveCam system with Mobileye, a new collision avoidance technology. Mobileye is a windshield-mounted camera that detects other vehicles, pedestrians,



and lane divisions in real-time. This mitigates the primary risk factor that leads to vehicle collisions – operator inattention. The system will emit an auditory warning when the following events occur:

- The vehicle operator departs from the lane
- The distance between the vehicle and the vehicle in front of it becomes too small
- A forward collision is imminent
- A pedestrian is detected
- The operator exceeds the speed limit
- This warning signals the operator to apply the brakes to avoid collisions.

The system also offers intelligent high beam control, automatically switching high beams to low beams when oncoming traffic is approaching. This camera system supplements the safety monitoring capabilities of DriveCam; when Mobileye detects a near collision, the operator's reaction will trigger DriveCam to begin recording. This additional feedback will enable the DriveCam coach to more thoroughly coach operators in safe driving practices.

How They Work Together

When Mobileye and DriveCam are used together, MV experienced the following DriveCam results

- 2.60% reduction in scored DriveCam events
- 18.05% reduction in Following Too Close events
- 59.72% reduction in Pedestrian events
- 35% reduction in Not Scanning Intersection events

**DriveCam Performance – Post Mobileye deployment at MV's Philadelphia, PA operation*

Accident and Injury Investigation Procedures

MV's Sandy location will be required to have the following information readily accessible:

- operator's family and/or emergency notification;
- local police department and/or local sheriff department;
- highway patrol/state police;
- local fire department and local ambulance service;



- tow truck, heavy equipment, and construction companies;
- Operation Manager and Assistant Operation Managers' home and cell phone numbers;
- local and MV emergency contact numbers.

Each vehicle must be equipped with three bi-directional emergency reflective triangles (not flares), a fire extinguisher having an Underwriters' Laboratories rating of 5 B, C or more, and Incident Reporting Packets with color disposable flash cameras.

If involved in a vehicular incident, the operator will notify the on-duty dispatcher, who will call the assistant operations manager or road supervisor to the scene, and contact emergency personnel (when necessary). The operator must exercise on-scene emergency control until they are properly relieved by a supervisor.

The operator, with the assistance of the assistant operations manager or road supervisor, will use the onboard accident kit to take photographs of the scene, obtain the contact information of all witnesses (using Courtesy Information Cards), and complete an incident report. The operator is required to provide identification and cooperate with the police.

As soon as is practical following an accident, drug and alcohol tests are administered to any employee whose performance could have contributed to the accident, such as dispatcher, etc. If reasonable suspicion is suspected, all reasonable suspicion testing guidelines are followed. Test results are obtained and reported to the general manager (or vice versa). The operator remains suspended from driving until the Qualifications department reinstates their driving privileges.

Upon return to the office, the accident report is submitted to dispatch or the general manager.

Customer Complaints and Commendations

Expedient response to all complaints, comments, and commendations is critical to customer service excellence. All employees are taught to exhibit professionalism and care when receiving a complaint. The company's general guidelines for handling a customer complaint are as follows:

- Actively listen and document all necessary information.
- Respond politely and patiently, taking care to appropriately document and confirm the details of the comment.
- If the comment is a complaint, inform the customer that it will be investigated, and a supervisor may contact them directly as part of this investigation.



- Thank the caller for his or her time.

MV will immediately take appropriate actions and begin an investigation of all complaints to determine validity. Complaints serious in nature must immediately be brought to the attention of the area vice president and the City. MV will work with the City to handle these types of complaint investigations.

All steps taken during the investigation are documented and filed. If the results of the investigation yield a validated complaint, a copy of the complaint documentation is filed in the affected employee(s)' employment file and a letter acknowledging the complaint and remedial steps taken is issued to the complainant.

Employees who receive repeated valid complaints will be disciplined appropriately up to and including termination of employment. A formal complaint report will be provided to the City, and the complaint will be logged and submitted with all monthly reports, as required.

m. **Capability and Management Approach**

MV operates under a guiding management philosophy that service quality need not have a direct relationship to operating cost, and instead is derived by a positive work environment where proactive employee relations and professional development are encouraged. Passenger transportation is a people-focused business, and excellence is achieved when qualified employees have the training and support resources to perform their jobs safely and professionally.

n. **Labor Relations Program**

City/County currently utilizes a non-bargained workforce. MV's operations in Canby, Oregon, and Salem, Oregon, are both bargained by the Amalgamated Transit Union (ATU) Local 757. MV is anticipating Local 757 will approach the drivers and dispatchers to join. Our cost proposal considers the benefits of neighboring bargained personnel. Should City/County direct MV to develop a solution with non-bargained personnel, MV will need to adjust our cost proposal. With that said, MV has included benefits details and is including some details about our Labor Relations Program.

Core to promoting a stable workforce is ensuring a harmonious and productive relationship with the Union leadership is maintained. While the local team has the lead on making decisions relative to employee/union relations, they have the support of dedicated labor negotiators and professionals from MV's regional/corporate support structure. This allows the local team to avoid some of



the more challenging union-related discussions and focus on positive employee relations.

The company's size and national presence have warranted its significant investment in labor resources; the company works with more than 100 local unions nationally and has a team of labor directors who ensure amicable relations. MV has negotiated countless union contracts and is well versed with all FTA and Section 13(c) regulations.

o. Financial Viability

MV is a privately held firm, and as such, its financial statements are confidential and proprietary trade secret information.

Accordingly, MV's confidential audited financial statements for 2018 is included as a separate document along with the original proposal. Our financial position is solid, and the company has the financial resources and wherewithal to meet its financial obligations. For more information regarding the financial viability of MV, please contact Chief Financial Officer Marie Graul at 972.391.4685.

p. Ability to Start Service in May 2020

MV's transition plan recognizes that a solid implementation methodology and strong management approach are critical to ensuring a smooth service transition. Using an extensive network of experienced support personnel, MV focuses on organization, efficiency, and quality service while delivering the right leadership and necessary resources, without bureaucracy and micromanagement from corporate headquarters. As a result, MV can transition service quickly and without service disruption.

MV recognizes the City/County sense of urgency to have service start on May 25, 2020. To ensure that start date is attainable, MV's plan contemplates minimizing transition items that could negatively impact the start date or quality of service.

Critical transition activities include retention of staff, utilization of existing dispatch and scheduling software, training, training as needed on EasyRides software, deploying Silke radios for MHX and installing DriveCam and Mobileye as soon as practicable.

Post a successful service start MV and City/County can determine when (or if optional solutions) will be implemented. Optional solutions such as replacing EasyRides, implementing an interactive voice response solution, deploying tablets that are integrated with dispatch/scheduling software, and electronic daily



vehicle inspection should all be assessed for value to City/County and customer experience.

Reputation for Excellence

MV has a reputation for transparency and building positive client relationships beginning from the startup period. No other firm possesses the experience in service transitions comparable to that of MV; MV has managed transitions for nearly every type of contracting model, including:

- Overnight transitions of emergency contracts
- Transitions with accelerated timelines
- Initiation of new services
- Phased-in transitions
- Transitions from client-managed services
- Transition-only contracts to prepare service to be taken in-house
- Transitioning management contracts to turnkey contracts
- Transitioning turnkey contracts to management contracts
- Contracts specifically for transition services
- Transitions resulting from the bankruptcy of the incumbent contractor

Implementation Methodology

Effective communication and relentless attention to detail drive MV's transition approach.

MV's transition leadership team will hold weekly meetings with the City/County. Discussion topics for these meetings include the progress of the transition, task list changes and updates, potential challenges, and a look ahead to the next week. In addition, MV's implementation team meets daily each morning to review the transition plan, outstanding tasks, current issues, and current task lists.

Transition Planning

MV follows a detailed startup schedule that identifies each task, subtask, dependent tasks, duration/timeline, and staff assignment. A draft startup schedule for this transition is included at this end of this section to demonstrate the tasks required during the transition. MV's transition team updates this

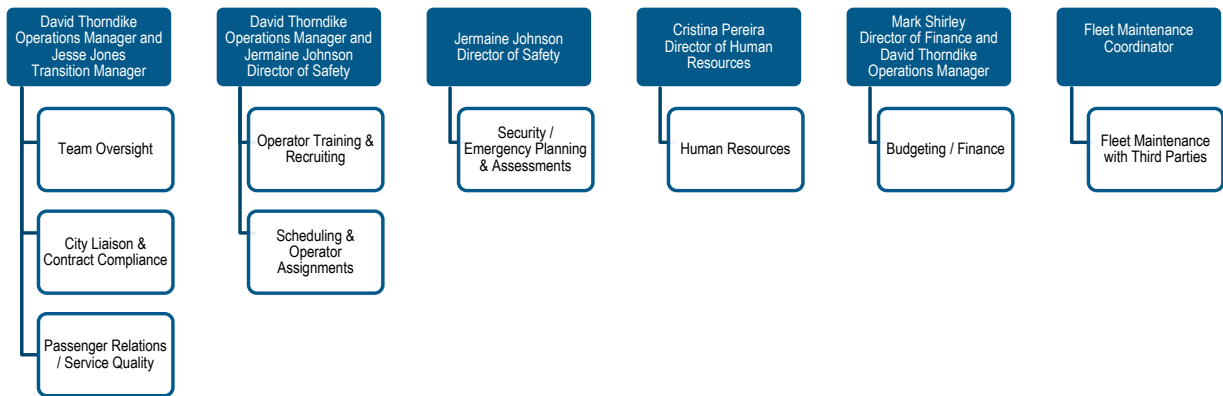




document throughout the transition period; however, no item on the schedule is marked “complete” without confirmation from the startup manager.

Management Approach

Transition Manager Jesse Jones will oversee all startup activities and serve as MV’s full-time transition manager for this project. He will work closely with David Thorndike, the local management team, and MV’s support team to direct all elements of the transition. MV’s transition team assigned for this project comprises the following team leaders:



Working with the Community

The transition period is an excellent opportunity to establish positive relations with the passengers and learn their perspective on service quality.

To foster regular and consistent communication, MV will establish a Passenger Transition Committee. This committee comprises passengers, the City/County staff, MV staff, community members, and/or advocacy groups. Together, they proactively manage transition issues and challenges.

Karen Eichholz will facilitate this committee and establish transparent, open, and honest communication about how the transition is progressing.

Personnel Plan

Retaining the Existing Team

The continued presence of the current workforce promotes consistency, experience, and tenure in service. MV strives to retain as many of the current





employees as possible, provided they meet the minimum qualifications, have a stable employment record, and receive the City/County approval. MV will retain these individuals at their current position and seniority.

All employment offers made will be subject to the successful completion of duties with the City and pending completion of required pre-employment background checks, drug screens, and other required certifications (e.g. CDL with passenger endorsement).

Outreach

To ensure it keeps the existing workforce engaged and informed throughout the transition period, MV meets with these employees immediately upon contract award.

MV schedules meetings during off-peak service hours, where a representative explains the transition process. Additional MV staff will be available at these meetings to assist existing personnel with the application process.

MV also establishes a toll-free number for employees that wish to call with questions or concerns about the transition process. Providing multiple avenues for these employees to communicate with MV's team builds their confidence and trust during this important period.

MV recognizes a few employees may not qualify or accept a position with MV. MV's transition team will actively recruit new employees during the transition period to fill any open positions.

Vehicle Operator Evaluation and Training

In addition to pre-employment screening, MV conducts on-road evaluations of all existing operators and provides each with orientation, customer service, and refresher training. This training is essentially an abridged version of MV's operator training program. The transition team will schedule classes during weekends and nights to accommodate work schedules; during the day, vehicle operators newly hired into the system will attend MV's full operator training program.

To minimize the impact that the transition has on the current workforce, MV will request to conduct operator evaluations in-service. If the incumbent contractor does not accommodate this request, MV will schedule evaluations during off-duty hours.



MV will also request access to each employee's training file. This information is legally available to each employee; however, it is more efficient to work directly with the outgoing service operator to obtain these files. If the incumbent contractor does not accommodate this request, MV will advise employees to obtain copies of their training files directly.



Equipment and Facilities

Fleet Transition

City/County fleet was viewed on by David Thorndike of MV on March 26, 2020. MV's start up activity will include assessing the projected schedule for maintenance, planned retirement of vehicles, bringing on new vehicles to ensure no unplanned disruptions of service for maintenance, repairs or body work.

MV will bear no financial responsibility for existing mechanical problems or body damage. MV has included a sample copy of its Vehicle Acceptance Agreement Standards in the appendix of this proposal.

Facilities Transition

Facility preparation is a critical task that must be managed professionally and efficiently. MV will conduct acceptance inspections prior to transitioning all the City/County -provided equipment. Early in the transition period, MV will work closely with the City/County to inventory and assess all the City/County -owned, non-vehicle assets to be turned over from the City/County. This process is the first step in ensuring that the equipment and facilities will be transitioned in good working order. MV will ensure baseline entries are set up in the MPWEB as soon as access is available.

The night before the facility transition, and early the morning of the new contract start, MV will have completed dry runs of where and how operations staff will begin the first day of service under MV. Most of the non-management personnel will have hopefully transitioned to MV over the less than two-month transition period, providing for an experienced team on day one. All new employees will be



trained and ready for service. Most of the transition team will be on duty the night of May 24 to be sure everything is in place for the start of service.

As employees arrive at the facility at the end of their last shift working for the incumbent contractor, additional MV personnel will be on-site to answer any questions about the next day. This team will provide all shift and relevant operational information to the employees.

All computer/network, phone, and internet services will be functioning and ready for use. Members of MV's IT team will handle all telephone assignments and assist in any last-minute IT issues. MV staff will be available to answer any questions and respond to any concerns immediately.



q. Litigation or Settlements

As a national transportation management firm with numerous contracts and employees, MV is involved in claims and litigation in the normal course of business. MV has liability, workers' compensation and employment-related claims in the settlement or claims process. Company teams in legal and risk management work continuously to handle these matters, none of which are of a size or scope to impact this contract. The company maintains insurance coverage with deductibles or self-insured retentions and limits that the Company believes are appropriate.

There is presently no litigation against the company which is not subject to insurance coverage or which MV believes would threaten the financial stability of the company or its ability to perform any of its contractual obligations. The details of current and pending claims and litigation are confidential; if the City/County requires more information on claims for the purpose of evaluating MV, please contact Ms. Dorina Hertner, SVP, chief risk officer at 972.391.4641.



Appendix

Appendix

Sample Operator Development Syllabus

New Transit Operator Development Syllabus – Fixed Route

WEEK ONE		
DAY 1		6.84 Hours
CLS	40	Welcome to MV Transportation
CLS	15	The Katherine McClary Story
CLS	60	Employee Handbook
CLS	20	The MV Transportation Professional
CLS	20	Hazards Communication
CLS	60	Drugs and Alcohol Policies and Procedures
CLS	30	Introduction to the Bus
CLS	60	Pre-Trip, Post-Trip Inspections, Air Brakes
CLS	30	Mirrors and Reference Points
CLS	45	The Basics of Safety
CLS	30	LLLC – Defensive driving
DAY 2		6.58 Hours
CLS	15	DriveCam
CLS	20	Intersections
CLS	30	Following Distance
CLS	20	Backing Basics
CLS	25	Fatigue Management
CLS	30	Changing Lanes, Merging and Passing
CLS	20	Railroad Crossings
CLS	25	Pedestrians and Bicyclists
CLS	30	Federal Regulations
CLS	15	Wellness
CLS	15	Whistle Blower
CLS	25	Sexual Harassment
CLS	20	Bloodborne Pathogens
CLS	30	On the Road
CLS	45	Special Conditions
CLS	30	Accident and Emergency Procedures
DAY 3		6.91 Hours
CLS	240	Platinum Connection Customer Service Training
CLS	15	Introduction to ADA
CLS	30	ADA Sensitivity
CLS	45	Lift Operations/Securement
CLS	25	Warning Signs
CLS	30	Map Reading
CLS	30	Mastery Test
DAY 4		8.0 Hours
PDS	60	Pre-Trip and Post-Trip Inspections
PDS	30	Mirrors and Reference Points
OBS	60	Pre-Trip and Post-Trip Inspections
OBS	30	Mirrors and Reference Points
BTW	180	Closed Course
OBS	180	Closed Course
DAY 5		8.0 Hours
PDS	45	Pre-Trip and Post-Trip Inspections
PDS	15	Mirrors and Reference Points
OBS	45	Pre-Trip and Post-Trip Inspections

OBS	15	Mirrors and Reference Points
BTW	180	Closed Course
OBS	180	Closed Course

WEEK TWO		
DAY 6		6.0 Hours
PDS	60	Pre-Trip and Post-Trip Inspections
OBS	60	Pre-Trip and Post-Trip Inspections
BTW	120	On-the-road, subjects above, Safe Driving
OBS	120	On-the-road, subjects above, Safe Driving
DAY 7		6.0 Hours
PDS	30	Lift Operations
PDS	30	Securement Systems
OBS	30	Lift Operations
OBS	30	Securement Systems
BTW	120	On-the-road, subjects above, safe driving
OBS	120	On-the-road, subjects above, safe driving
DAY 8		7.0 Hours
BTW	228	On-the-road, Safe Driving Skills
OBS	228	On-the-road, Safe Driving Skills
DAY 9		7.0 Hours
BTW	228	On-the-road, Safe Driving Skills, & Routes
OBS	228	On-the-road, Safe Driving Skills, & Routes
DAY 10		7.0 Hours
BTW	228	On-the-road, Safe Driving & Routes
OBS	228	On-the-road, Safe Driving & Routes
WEEK THREE		
DAY 11		7.0 Hours
BTW	228	On-the-road, Paddles, & Farebox
OBS	228	On-the-road, Paddles, & Farebox
DAY 12		7.0 Hours
		7.0 Hours
BTW	228	On-the-road, Paddles, & Farebox
OBS	228	On-the-road, Paddles, & Farebox
DAY 13		7.0 Hours
BTW	120	On-the-road, BTW Review
OBS	120	On-the-road, BTW Review
BTW	60	On-the-road, BTW Review
OBS	60	On-the-road, BTW Review
DAY 14		8.0 Hours
CDT	480	
DAY 15		8.0 Hours
CDT	420	Cadet driving with passengers
CDT	60	Final Driving Evaluations
45 AND 75 DAY REVIEW		
DAY 45 OF SERVICE		
	60	On-the-road, Ride Check

WEEK TWO					
DAY 75 OF SERVICE					
60		On-the-road, Ride Check			
TOTAL HOURS					
Key		Week 1	Week 2	Week 3	Course Total
CLS	Classroom	20.33	0.0	0.0	20.33
PDS	Pre-Driving Skills	2.5	2.0	0.0	4.5
OBS	Observation	8.5	16.4	10.6	36
BTW	Behind the Wheel	6	15.5	10.6	31.5
CDT	Cadetting	0	0	16	16.
TOTAL					108.33

New Transit Operator Development Syllabus – Paratransit

WEEK ONE		
DAY 1		6.84 Hours
CLS	40	Welcome to MV Transportation
CLS	15	The Katherine McClary Story
CLS	60	Employee Handbook
CLS	20	The MV Transportation Professional
CLS	20	Hazards Communication
CLS	60	Drugs and Alcohol Policies and Procedures
CLS	30	Introduction to the Bus
CLS	60	Pre-Trip and Post-Trip Inspections
CLS	30	Mirrors and Reference Points
CLS	45	The Basics of Safety
CLS	30	LLLC Defensive Driving
DAY 2		6.58 Hours
CLS	15	DriveCam
CLS	20	Intersections
CLS	30	Following Distance
CLS	20	Backing Basics
CLS	25	Fatigue Management
CLS	30	Changing Lanes, Merging and Passing
CLS	20	Railroad Crossings
CLS	25	Pedestrians and Bicyclists
CLS	30	Federal Regulations
CLS	15	Wellness
CLS	15	Whistle Blower
CLS	25	Sexual Harassment
CLS	20	Bloodborne Pathogens
CLS	30	On the Road
CLS	45	Special Conditions
CLS	30	Accident and Emergency Procedures
DAY 3		6.91 Hours
CLS	240	START
CLS	15	Introduction to ADA
CLS	30	ADA Sensitivity
CLS	45	Lift Operations/Securement
CLS	25	Warning Signs
CLS	30	Map Reading
CLS	30	Mastery Test
DAY 4		7.0 Hours
PDS	45	Pre-Trip and Post Trip Inspections
PDS	15	Mirrors and Reference Points
OBS	15	Pre-Trip and Post-Trip Inspections
OBS	15	Mirrors and Reference Points
BTW	150	Closed Course
OBS	150	Closed Course
DAY 5		7.0 Hours
PDS	15	Pre-Trip and Post-Trip Inspections
PDS	15	Mirrors and Reference Points
OBS	15	Pre-Trip and Post-Trip Inspections
OBS	15	Mirrors and Reference Points
BTW	180	Closed Course

OBS	180	Closed Course	
WEEK TWO			
DAY 6		8.0 Hours	
PDS	60	Pre-Trip and Post-Trip Inspections	
OBS	60	Pre-Trip and Post-Trip Inspections	
BTW	180	On-the-Road, subjects above	
OBS	180	On-the-Road, subjects above	
DAY 7		8.0 Hours	
PDS	60	Lift Operations	
PDS	60	Securement Systems	
OBS	60	Lift Operations	
OBS	60	Securement Systems	
BTW	120	On-the-Road, subjects above	
OBS	120	On-the-Road, subjects above	
DAY 8		8.0 Hours	
BTW	240	On-the-Road, safe driving skills	
OBS	240	On-the-Road, safe driving skills	
DAY 9		6.0 Hours	
BTW	180	On-the-Road, safe driving skills	
OBS	180	On-the-Road, safe driving skills	
DAY 10		7.0 Hours	
BTW	150	On-the-Road, Safe Driving & Routes	
OBS	150	On-the-Road, Safe Driving & Routes	
BTW	60	On-the-Road, Final Assessment	
OBS	60	On-the-Road, Final Assessment	
WEEK THREE			
DAY 11		8.0 Hours	
CDT	480	Cadet Driving with Passengers	
DAY 12		8.0 Hours	
CDT	480	Cadet Driving with Passengers	
CDT	60	Cadet Driving Evaluation	
45 and 75 Day Review			
Day 45 of Service		1 Hour	
CDT	60	On-the-Road Ride Check	
Day 75 of Service		1 Hour	
CDT	60	On-the-Road Ride Check	
Key		Course Total	
CLS	Classroom		20.33
PDS	Pre-Driving Skills		4.5
OBS	Observation		25.5
BTW	Behind the Wheel		21.0
CDT	Cadetting		16.0
TOTAL			87.33

Operator Ride-Check Form



Mode _____ Audit Date _____
 Service Provider _____ Auditor _____
 Overall Rating _____ Type _____
 Follow-up _____ Interval _____
 Follow-up Due _____

Ratings: G - Good, A = Acceptable, M - Marginal, U – Unacceptable

Operator Name _____
Badge #_Bus # _____
Weather/Visibility _____

Bus Condition _____
 Exterior Clean _____
 Interior Clean _____
 Body Damage _____

General _____
 Pre-Trip/DVIR _____
 Driver's License _____
 Badge/Uniform _____
 MDT Logged On _____
 MDT Early/Late Adherence _____
 Late Messages Sent _____
 Messages Checked _____

Safety _____
 Uses Seatbelt _____
 Uses Exterior Mirrors _____
 Uses Interior Mirrors _____
 Avoids Distractions _____
 Pedestrian Right of Way _____
 Uses Turn Signals _____
 Avoids Excess Conversation _____
 Stops for Emergency Vehicles _____
 Starts/Stops Smoothly _____
 Service Authorized Stops Only _____
 Uses Both Hands to Steer _____
 Stops for School Buses _____
 RR Crossing Procedures _____
 Accident Package (FRS Only) _____
 Turns from Appropriate Lane _____
 Scans/Clears Intersections _____
 Obeys Traffic Controls _____
 Electronic Device Displayed _____

Speed/Clearance _____
 Speed Near Pedestrians _____
 Speed Near Bicycles _____
 Speed Near Construction _____
 Speed When Cornering _____
 Speed for Road Conditions _____
 Speed in Residential Areas _____
 Lane Clearance _____
 Overhead Clearance _____

Customer Service _____
 Greets Passengers _____
 Polite/Professional _____
 Conflict Management _____

Bus Stops _____
 Signals on Approach _____
 Pulls into Stop Properly _____
 Street Boarding _____
 Signals upon Exit _____

ADA Compliance _____
 Ramp/Lift Used _____
 Ramp/Lift Inoperable _____
 Ramp/Lift Failure called in _____
 Proper W/C Securement _____
 Offers lap/shoulder belt _____
 Announcements Made _____
 Asks Passenger Destination _____

DL#: _____

Expiration Date: _____

INCIDENT REPORT

Complete this form before leaving the incident scene.

MV INFORMATION			Division Name:	Div. #:
Date of Incident:		Time:	am or pm	State:
Driver:		Date of Hire:	SS #:	
MV Veh. #:		License Plate#:	Date of Birth:	
Year:	Make:	Vehicle Towed?:		
Location of Incident:			City:	
General Direction: (Eastbound, etc)				
Closest intersection:				
No. of Passengers:			No. of Courtesy Cards Obtained:	
Vehicle Damage:				
Signal light (red, yellow, green):		Speed of Vehicles: MV:	Other #1:	
Road Conditions (dry, snow, wet, icy, etc):		Other #2:		
Weather Conditions (sunny, rain, fog, etc):		Day Conditions (day, dusk, night, etc):		
CLAIMANT (OTHER VEHICLE)				
Driver's Name:		DL #:	State:	
Address:		City:	Zip:	
Home Phone: ()		Work Phone: ()		
Vehicle Owner's Name:		Vehicle License:	State:	
Address:		City:	Zip:	
Home Phone: ()		Work Phone: ()		
Vehicle Make:		Model:	Year:	
Describe vehicle damage:			Towed?	
			Odometer:	
Direction of Vehicle (Eastbound, etc)			Going Straight	Turning R/L
Estimated Speed Other Vehicle When First Noticed:		mph		
Estimated Speed Other Vehicle At Time of Collision:		mph		
Distance Traveled After Collision:		ft		
Insurance Co:		Policy #:		
Address:		Phone: ()		
Name of Occupant #1:				
Address:		Phone: ()		
Name of Occupant #2:				
Address:		Phone: ()		
CLAIMANT (Passenger)				
Name:		DL or ID #:	State:	
Address:		City:	Zip:	
Home Phone: ()		Work Phone: ()		
At Time of Incident Was Person		On Board	Boarding	
In Wheelchair	Boarding	Deboarding		
Alighting	At Front Door	At Rear Door	Struck By Door	
If a Fall, Give Location: Front Steps Front Platform Rear Steps Wheelchair Platform				
Did Person Fall Outside Bus? Yes No		If Yes, Distance from Vehicle ft		
Did Person Contact Bus in Falling Yes No				
MISCELLANEOUS INCIDENT (Disturbances, Arrests, Ejectments, Fits, Sickness, Falls Not On Company Vehicle, Near Car Collision, etc)				
Did Incident Occur on Company Vehicle Yes No		If Not, Give Distance from Company Vehicle ft		
Was Person a Passenger Prior to Incident? Yes No		Was Company Vehicle Involved? Yes No		
At Time of Collision In Crosswalk		Loading Zone	Near Curb	Jaywalking
CONDITION OF EQUIPMENT				
Did Notice Any Equipment Defects? (Steps, Floors, Seats, Brakes, Lights, etc)				
Describe Defects				
Whom Did You Notify of Defects			When	

INCIDENT DESCRIPTION		Explain in your own words what happened:	
Brief Summary:			
Describe in Detail:			
Signature:			
<small>*If student was driving vehicle Instructor must sign below:</small>			
(Indicate Classification)		Operator <input type="checkbox"/>	Student <input type="checkbox"/> Other <input type="checkbox"/>
*Instructor:		Date of Report:	
Draw a diagram of the incident. Be sure to show the position of all vehicles and pedestrians, the point of collision, the path of vehicles after collision, stop signs, traffic signals, and the names of streets, roads, etc.			
			<input type="checkbox"/> <small>Indicate North with Arrow</small>
How far were you from point of incident when other vehicle or pedestrian first seen ft			
Estimated Speed When you First Noticed Danger mph		How Far From Collision When You Applied Brakes	
Estimated Speed Your Vehicle at Time of Collision mph		How Far Did Your Vehicle Move After Collision	
Direction of Company Vehicle (Eastbound, etc)		Going Straight Turning R/L	
Location of Damage to Company Vehicle		Point of Contact of Company Vehicle	
INCIDENT PHOTOS			
MV: Front	Back:	Sides:	Full Scene:
Other: Front	Back:	Sides:	
POLICE INFORMATION			
Officer Name:		Badge #:	Report #:
Police Department:		Was anyone cited or arrested?:	
If yes, what are the charges?			
PASSENGER(S) OF MVT VEHICLE			
Name:		Phone: ()	
Address:		City:	State:
Name:		Phone: ()	
Address:		City:	State:
Name:		Phone: ()	
Address:		City:	State:
Name:		Phone: ()	
Address:		City:	State:
INJURIES			
Name:		Age:	Sex: Vehicle:
Injury (describe):		Which hospital?	
Name:		Age:	Sex: Vehicle:
Injury (describe):		Which hospital?	
Name:		Age:	Sex: Vehicle:
Injury (describe):		Which hospital?	
Name:		Age:	Sex: Vehicle:
Injury (describe):		Which hospital?	

Daily Vehicle Inspection Forms



DAILY VEHICLE INSPECTION Report

Vehicle No.	Date	Drivers Name	Start Miles	Start Time	End Miles	End Time
		1				
		2				
		3				

✓ = Satisfactory

✗ = Unsatisfactory

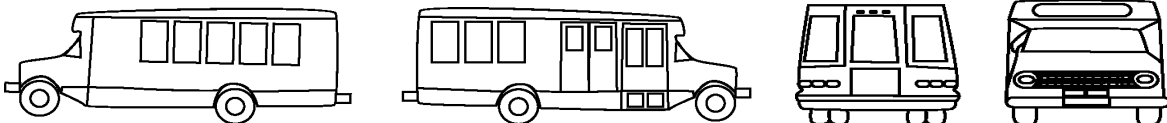
1	2	3	Inspection Item	1	2	3	Inspection item
			Tires and Wheels				Seats and cushions are secure
			TIRE CONDITION, TREAD DEPTH AND AIR PRESSURE				Seat belts are complete, operational and secure
			Wheels and rims for cracks, rips, welds or protruding objects.				2 way radio is complete and operational –RADIO CHECK
			LUG NUTS TIGHT, NO EXCESSIVE RUST OR DAMAGE				WINDSHIELD WIPERS OPERATIONAL
			Engine Compartment				Windshield washer operational
			ENGINE OIL				HORN OPERATIONAL
			AUTOMATIC TRANSMISSION FLUID				PASSENGER DOOR COMPLETE AND OPERATIONAL
			COOLING SYSTEM LEVEL				Valid Registration present and visible
			Windshield washer solution				Valid proof of insurance
			BRAKE FLUID LEVEL				OTHER:
			Power steering fluid level				Brakes
			Battery terminals clean, no corrosion				BRAKE PEDAL FEELS GOOD AND STOPPING PROPERLY
			Under vehicle leaks				PARKING BRAKE COMPLETE AND OPERATING PROPERLY
			Vehicle Glass				Steering and Suspension System
			Windshield has no chips or cracks				STEERING WHEEL SECURE, NO EXCESSIVE PLAY
			MIRRORS ARE COMPLETE AND IN GOOD CONDITION				Gearshift mechanism tight and working properly
			Windows complete				Safety Items
			Emergency windows complete and operable				First aid kit, fully stocked and present
			Vehicle Lighting				Triangle reflectors present and complete
			HEADLIGHTS OPERATIONAL – HIGH AND LOW BEAM				FIRE EXTINGUISHER PRESENT, FULLY CHARGED
			All Clearance lights operational & reflectors present				Vehicle accident packet present and accessible
			BRAKE LIGHTS COMPLETE AND OPERATIONAL				Body fluid kit present and accessible
			TURN SIGNALS COMPLETE AND OPERATIONAL				Wheelchair Lift
			Backup lights complete and operational				Lift free from leakage
			Backup alarm complete and audible				Lift operating properly electronically
			EMERGENCY 4 WAY FLASHERS OPERATIONAL				Lift operating properly manually
			Vehicle Interior Environment				LIFT INTERLOCK OPERATING PROPERLY
			Front & rear air conditioner complete and operational				# of Lap Belts: # of Tie Downs:
			Front & Rear heater complete and operational				
			DEFROSTER COMPLETE AND OPERATIONAL				
			Interior				
			Clean				

Next PMS due is:

Quarts of oil added:

Gallons of fuel added:

Please explain in detail below any problems you are having with the vehicle and when the problem occurs.



! Any items in **bold** marked unsatisfactory must be brought to the attention of the Supervisor immediately. The **bold** typeface indicates items that place a vehicle out of service.
 I declare that I have properly performed a vehicle inspection on the vehicle indicated above and have inspected and marked the inspection items, listed above, accordingly.

Driver's signature Pre Trip inspection : _____

There have been no incidents or accidents with this vehicle since the above signed inspection.

Driver's signature mid trip inspection : _____

Driver's post trip inspection : _____

<input type="checkbox"/> Reviewed	Technicians Signature: _____
<input type="checkbox"/> Noted for repair	Shop Managers Signature: _____
<input type="checkbox"/> Could not duplicate problem	

Driver number 2, mid trip, only has to perform a walk around inspection. Only inspect items where a mark can be placed



DAILY VEHICLE INSPECTION Report

Repaired

Driver number 2, mid trip, only has to perform a walk around inspection. Only inspect items where a mark can be placed

Draft Start-Up Schedule

Draft Implementation Schedule Transit Operations Services for the City of Sandy

ID	Task Name	Duration	Start	Finish	
1	Key dates	36 days	Mon 4/20/20	Mon 5/25/20	
2	Award Notification	1 day	Mon 4/20/20	Mon 4/20/20	◆ Award Notification
3	Transition Begins	1 day	Tue 4/21/20	Tue 4/21/20	◆ Transition Begins
4	Contract Signed	1 day	Tue 4/28/20	Tue 4/28/20	◆ Contract Signed
5	Team Captains on Site	1 day	Wed 4/29/20	Wed 4/29/20	◆ Team Captains on Site
6	Begin Recruiting	1 day	Thu 4/30/20	Thu 4/30/20	◆ Begin Recruiting
7	Begin Training	1 day	Thu 5/14/20	Thu 5/14/20	◆ Begin Training
8	Move into Operating Facility	1 day	Sun 5/24/20	Sun 5/24/20	◆ Move into Operating Facility
9	Service Starts	1 day	Mon 5/25/20	Mon 5/25/20	◆ Service Starts
10	Contract	11 days	Tue 4/21/20	Fri 5/1/20	
11	City to provide Draft Contract	1 day	Tue 4/21/20	Tue 4/21/20	
12	Negotiate Terms	3 days	Wed 4/22/20	Fri 4/24/20	
13	Present Final Draft	1 day	Mon 4/27/20	Mon 4/27/20	
14	Confirm Penalties/Bonuses	1 day	Mon 4/27/20	Mon 4/27/20	
15	Contract Signing	0 days	Tue 4/28/20	Tue 4/28/20	
16	Obtain Countersigned Contracts	3 days	Wed 4/29/20	Fri 5/1/20	
17	Obtain & Provide Insurance Certificates	3 days	Wed 4/29/20	Fri 5/1/20	
18	Transition Planning	6 days	Wed 4/29/20	Mon 5/4/20	
19	Develop Transition Plan	1 day	Wed 4/29/20	Wed 4/29/20	
20	Discuss Transition Plan with City	1 day	Thu 4/30/20	Thu 4/30/20	
21	Discuss Transitional Offices/Equipment	1 day	Thu 4/30/20	Thu 4/30/20	
22	Transition Office Available	1 day	Fri 5/1/20	Fri 5/1/20	
23	Transition Team Captains on Site	1 day	Thu 4/30/20	Thu 4/30/20	
24	Transition Staff on Site	4 days	Fri 5/1/20	Mon 5/4/20	
25	Transition Meetings	17 days	Sun 5/3/20	Tue 5/19/20	
26	Weekly Team Transition Meetings	15 days	Mon 5/4/20	Mon 5/18/20	
30	Weekly meetings with City	15 days	Tue 5/5/20	Tue 5/19/20	
34	Passenger Transition Committee	15 days	Sun 5/3/20	Sun 5/17/20	
38	Public Meetings and Community Outreach	11 days	Tue 5/5/20	Fri 5/15/20	
39	Obtain List of Public Meetings Required to Attend	1 day	Tue 5/5/20	Tue 5/5/20	

Project: City of Sandy Date: Tue 3/31/20 MV Transportation, Inc.	Task		Inactive Task		Manual Summary	
	Split		Inactive Task		Start-only	
	Milestone		Inactive Milestone		Finish-only	
	Summary		Inactive Summary		Progress	
	Project Summary		Manual Task		Deadline	
	External Tasks		Duration-only			
	External Milestone		Manual Summary Rollup			

Draft Implementation Schedule Transit Operations Services for the City of Sandy

ID	Task Name	Duration	Start	Finish	4/19	4/26	5/3	5/10	5/17	5/24	5/31
40	Discuss City Notification Protocol	1 day	Wed 5/6/20	Wed 5/6/20							
41	Develop City Contact Protocol	1 day	Thu 5/7/20	Thu 5/7/20							
42	Develop MV Staff Contact Protocol	1 day	Fri 5/8/20	Fri 5/8/20							
43	MV/City to Produce Hand-Out & Mailer	5 days	Mon 5/11/20	Fri 5/15/20							
44	Policy and Procedures	20 days	Wed 4/22/20	Mon 5/11/20	Policy and Procedures						
45	Post Legal Posters	1 day	Fri 5/1/20	Fri 5/1/20							
46	Establish Job Descriptions	1 day	Wed 4/22/20	Wed 4/22/20							
47	Establish Minimum Hiring Criteria	1 day	Wed 4/22/20	Wed 4/22/20							
48	Develop Confidentiality Procedures	2 days	Wed 4/22/20	Thu 4/23/20							
49	Order Employee Handbooks	20 days	Wed 4/22/20	Mon 5/11/20							
50	Order Training Books	20 days	Wed 4/22/20	Mon 5/11/20							
51	Establish Complaint Investigation Procedure	2 days	Wed 4/22/20	Thu 4/23/20							
52	Develop Securement Guidelines for Manual	1 day	Fri 4/24/20	Fri 4/24/20							
53	Develop Road Call Procedures	3 days	Sat 4/25/20	Mon 4/27/20							
54	Review Accident Procedures	1 day	Tue 4/28/20	Tue 4/28/20							
55	Implement Attendance Tracking System	2 days	Wed 4/29/20	Thu 4/30/20							
56	Develop Extra Board (Office Staff) Procedures	1 day	Fri 5/1/20	Fri 5/1/20							
57	Develop Pull-Out Inspection Log	1 day	Mon 5/4/20	Mon 5/4/20							
58	Establish Contract Compliance Audit Systems	3 days	Tue 5/5/20	Thu 5/7/20							
59	Develop Road-Check Form	1 day	Tue 5/5/20	Tue 5/5/20							
60	Customize SSEPP & SSPP	3 days	Tue 5/5/20	Thu 5/7/20							
61	Confirm ID Badge Requirements	1 day	Fri 5/8/20	Fri 5/8/20							
62	Confirm Uniform Requirements	1 day	Fri 5/8/20	Fri 5/8/20							
63	Establish Uniform Policy	1 day	Mon 5/11/20	Mon 5/11/20							
64	Labor Relations	10 days	Thu 4/30/20	Sat 5/9/20	Labor Relations						
65	Recruit Incumbent Team	10 days	Thu 4/30/20	Sat 5/9/20	Recruit Incumbent Team						
66	Develop Presentation Package for Existing Employees	1 day	Thu 4/30/20	Thu 4/30/20							
67	Employee Meetings	4 days	Thu 4/30/20	Mon 5/4/20							
73	Obtain List of Employee Mailing Addresses	5 days	Thu 4/30/20	Mon 5/4/20							
74	Obtain Seniority List(s)	2 days	Thu 4/30/20	Fri 5/1/20							

Project: City of Sandy Date: Tue 3/31/20 MV Transportation, Inc.	Task		Inactive Task		Manual Summary	
	Split		Inactive Task		Start-only	
	Milestone		Inactive Milestone		Finish-only	
	Summary		Inactive Summary		Progress	
	Project Summary		Manual Task		Deadline	
	External Tasks		Duration-only		Manual Summary Rollup	

**Draft Implementation Schedule
Transit Operations Services for the City of Sandy**

ID	Task Name	Duration	Start	Finish	4/19	4/26	5/3	5/10	5/17	5/24	5/31
75	Develop Employee Roster to Track Job Offers	1 day	Fri 5/1/20	Fri 5/1/20							
76	Qualify Incumbent Team	10 days	Thu 4/30/20	Sat 5/9/20							
77	Obtain Applications from Existing Personnel	10 days	Thu 4/30/20	Sat 5/9/20							
78	Obtain MVRs for Current Employees	10 days	Thu 4/30/20	Sat 5/9/20							
79	Obtain City Reference Checks	10 days	Thu 4/30/20	Sat 5/9/20							
80	Order Criminal Record Checks for Current Employees	10 days	Thu 4/30/20	Sat 5/9/20							
81	Perform D&A Testing	10 days	Thu 4/30/20	Sat 5/9/20							
82	Interview for New Employees & Staff	10 days	Thu 4/30/20	Sat 5/9/20							
83	Obtain Training Docs from Existing Employer	10 days	Thu 4/30/20	Sat 5/9/20							
84	Make Offer to All Existing Employees Meeting Min. Req.	10 days	Thu 4/30/20	Sat 5/9/20							
85	Recruit Remaining Employees	26 days	Thu 4/30/20	Mon 5/25/20							
86	Place Recruitment Ads	26 days	Thu 4/30/20	Mon 5/25/20							
87	Qualify New Hires	14 days	Fri 5/1/20	Thu 5/14/20							
88	Obtain Applications from New Personnel	14 days	Fri 5/1/20	Thu 5/14/20							
89	Interview for New Employees & Staff	14 days	Fri 5/1/20	Thu 5/14/20							
90	Obtain MVRs for New Employees	14 days	Fri 5/1/20	Thu 5/14/20							
91	Obtain Reference Checks	14 days	Fri 5/1/20	Thu 5/14/20							
92	Order Criminal Record Checks for New Hires	14 days	Fri 5/1/20	Thu 5/14/20							
93	Perform D&A Testing	14 days	Fri 5/1/20	Thu 5/14/20							
94	Make Offers to New Employees	14 days	Fri 5/1/20	Thu 5/14/20							
95	Driver Training	20 days	Mon 5/4/20	Sat 5/23/20							
96	Resolve BTW Training/Vehicle Availability	2 days	Mon 5/4/20	Tue 5/5/20							
97	Training Vehicles On-Site	1 day	Wed 5/6/20	Wed 5/6/20							
98	Trainers On-Site	1 day	Thu 5/7/20	Thu 5/7/20							
99	Publish Driver Training Schedules	1 day	Fri 5/8/20	Fri 5/8/20							
100	Incumbent Driver Training - In Service Observation	3 days	Mon 5/11/20	Wed 5/13/20							
101	Incumbent Driver Training - Orientation/Classroom	7 days	Thu 5/14/20	Wed 5/20/20							
102	New Driver Training	10 days	Thu 5/14/20	Sat 5/23/20							

Project: City of Sandy Date: Tue 3/31/20 MV Transportation, Inc.	Task		Inactive Task		Manual Summary	
	Split		Inactive Task		Start-only	
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	External Milestone		Manual Summary Rollup			

**Draft Implementation Schedule
Transit Operations Services for the City of Sandy**

ID	Task Name	Duration	Start	Finish	4/19	4/26	5/3	May	5/10	5/17	5/24	5/31
103	Staff Training	16 days	Fri 5/8/20	Sat 5/23/20								
104	Publish Staff Training Schedules	1 day	Fri 5/8/20	Fri 5/8/20								
105	Incumbent Staff Training - In Service Observation	3 days	Mon 5/11/20	Wed 5/13/20								
106	Incumbent Staff Training - Orientation/Classroom	5 days	Thu 5/14/20	Mon 5/18/20								
107	New Staff Training	10 days	Thu 5/14/20	Sat 5/23/20								
108	Budgeting and Finance	35 days	Tue 4/21/20	Mon 5/25/20								
109	Review and Monitor Start-Up Budget	35 days	Tue 4/21/20	Mon 5/25/20								
110	Verify State Taxes	1 day	Tue 4/21/20	Tue 4/21/20								
111	Identify Local DBEs	10 days	Wed 4/22/20	Fri 5/1/20								
112	Review Billing Issues	3 days	Wed 4/22/20	Fri 4/24/20								
113	Prepare and Review Budget	3 days	Mon 4/27/20	Wed 4/29/20								
114	Cash Box/Safe/Bank Deposit	0 days	Wed 4/29/20	Wed 4/29/20								
115	Confirm Insurance Certificates	2 days	Thu 4/30/20	Fri 5/1/20								
116	Establish Workers Comp Program	2 days	Mon 5/4/20	Tue 5/5/20								
117	Confirm Claims Protocols	3 days	Wed 5/6/20	Fri 5/8/20								
118	Schedule Routine Audits of Accounting Systems	2 days	Mon 5/11/20	Tue 5/12/20								
119	HR/Payroll & Benefits	30 days	Wed 4/22/20	Thu 5/21/20								
120	Set up Division in Lawson	2 days	Wed 4/22/20	Thu 4/23/20								
121	Establish TripEdit Payroll Link	4 days	Fri 4/24/20	Mon 4/27/20								
122	Test All Accounting System Programs	5 days	Tue 4/28/20	Sat 5/2/20								
123	Establish Payroll Protocols/Systems	2 days	Mon 5/4/20	Tue 5/5/20								
124	Test Payroll Link to TripEdit	3 days	Wed 5/6/20	Fri 5/8/20								
125	Identify Payroll and Benefits Corporate Liaison	1 day	Mon 5/11/20	Mon 5/11/20								
126	Establish Wage Scales	1 day	Tue 5/12/20	Tue 5/12/20								
127	Establish Benefits Package	2 days	Wed 5/13/20	Thu 5/14/20								
128	Establish Benefits Roll-Over for Existing Personnel	2 days	Fri 5/15/20	Sat 5/16/20								
129	Establish Vacation Accrual System	2 days	Mon 5/18/20	Tue 5/19/20								
130	Review Workers Comp Process	2 days	Wed 5/20/20	Thu 5/21/20								
131	Uniforms & ID Badges	14 days	Sat 5/9/20	Fri 5/22/20								
132	Order New Uniforms	14 days	Sat 5/9/20	Fri 5/22/20								

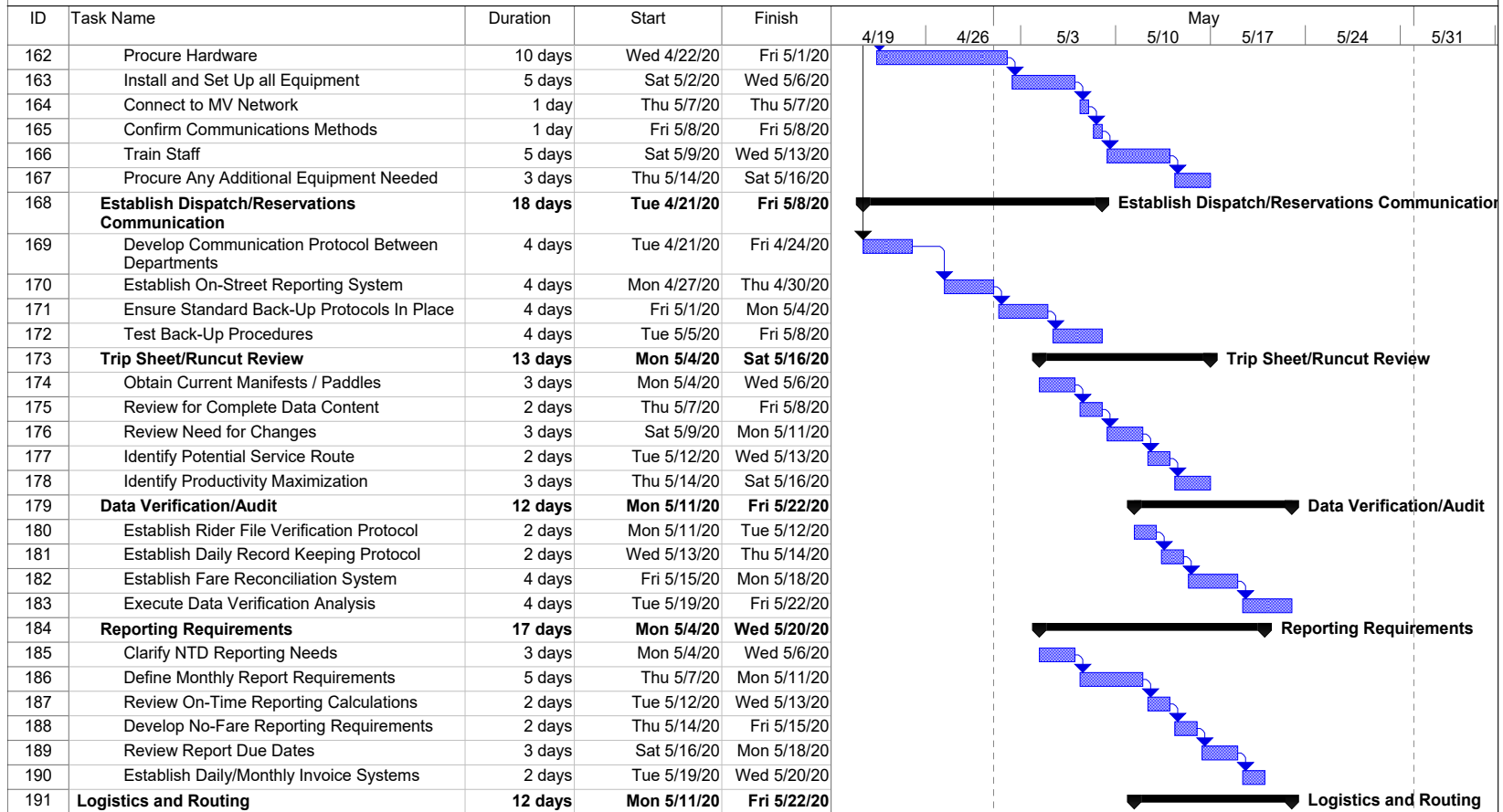
Project: City of Sandy Date: Tue 3/31/20 MV Transportation, Inc.	Task		Inactive Task		Manual Summary	
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	External Milestone		Manual Summary Rollup			

**Draft Implementation Schedule
Transit Operations Services for the City of Sandy**

ID	Task Name	Duration	Start	Finish	4/19	4/26	5/3	May	5/10	5/17	5/24	5/31
133	Produce and Issue ID Badges	14 days	Sat 5/9/20	Fri 5/22/20								
134	Equipment & Facilities	34 days	Tue 4/21/20	Sun 5/24/20	[Gantt bar for Equipment & Facilities]							
135	Facility	33 days	Wed 4/22/20	Sun 5/24/20	[Gantt bar for Facility]							
136	Identify temporary facility for Startup	1 day	Wed 4/22/20	Wed 4/22/20								
137	Move Into New Facility	0 days	Sun 5/24/20	Sun 5/24/20							◆ 5/24	
138	Procure any necessary office furniture or equipment not provided	1 day	Sun 5/24/20	Sun 5/24/20							◆ 5/24	
139	Revenue Vehicle Fueling & Maintenance	32 days	Tue 4/21/20	Fri 5/22/20	[Gantt bar for Revenue Vehicle Fueling & Maintenance]							
140	Schedule Vehicle & Equipment Inventory	1 day	Tue 4/21/20	Tue 4/21/20								
141	Develop Vehicle Transition Schedule	1 day	Wed 4/22/20	Wed 4/22/20								
142	Preliminary Inventory Equipment Evaluation	3 days	Thu 4/23/20	Sat 4/25/20								
143	Equipment Repairs	10 days	Mon 4/27/20	Wed 5/6/20								
144	Final Inventory Evaluation	1 day	Thu 5/7/20	Thu 5/7/20								
145	Sign-Off on Inventory	1 day	Fri 5/8/20	Fri 5/8/20								
146	Enter Mileage Data for Fleet	2 days	Sat 5/9/20	Sun 5/10/20								
147	Plan 1st Month PM Schedule	1 day	Mon 5/11/20	Mon 5/11/20								
148	Ensure new VINs Provided to Legal	1 day	Tue 5/12/20	Tue 5/12/20								
149	Order Spare Fire Extinguishers, First Aid Kits, Securements, and Lap Belts	10 days	Wed 5/13/20	Fri 5/22/20								
150	Confirm Vehicle Deployment Plan	2 days	Mon 5/18/20	Tue 5/19/20								
151	Confirm Cleaning Crew Staffing Plan	2 days	Mon 5/18/20	Tue 5/19/20								
152	Review Communications System Needs	25 days	Mon 4/27/20	Thu 5/21/20	[Gantt bar for Review Communications System Needs]							
153	Procure Radio Equipment	5 days	Mon 4/27/20	Fri 5/1/20								
154	Radio Equipment Delivered	10 days	Mon 5/4/20	Wed 5/13/20								
155	Radio Equipment Installed	4 days	Thu 5/14/20	Sun 5/17/20								
156	Radio Equipment Tested	4 days	Mon 5/18/20	Thu 5/21/20								
157	Confirm Equipment Contingency Plan	2 days	Mon 5/18/20	Tue 5/19/20								
158	Confirm Road Call Protocol	2 days	Mon 5/18/20	Tue 5/19/20								
159	Information Systems and Technology Systems	32 days	Tue 4/21/20	Fri 5/22/20	[Gantt bar for Information Systems and Technology Systems]							
160	Computer Equipment	26 days	Tue 4/21/20	Sat 5/16/20	[Gantt bar for Computer Equipment]							
161	Confirm Specifications on Hardware	1 day	Tue 4/21/20	Tue 4/21/20								

Project: City of Sandy Date: Tue 3/31/20 MV Transportation, Inc.	Task		Inactive Task		Manual Summary	
	Split		Inactive Task		Start-only	
	Milestone		Inactive Milestone		Finish-only	
	Summary		Inactive Summary		Progress	
	Project Summary		Manual Task		Deadline	
	External Tasks		Duration-only			
	External Milestone		Manual Summary Rollup			

**Draft Implementation Schedule
Transit Operations Services for the City of Sandy**



Project: City of Sandy Date: Tue 3/31/20 MV Transportation, Inc.	Task		Inactive Task		Manual Summary	
	Split		Inactive Task		Start-only	
	Milestone		Inactive Milestone		Finish-only	
	Summary		Inactive Summary		Progress	
	Project Summary		Manual Task		Deadline	
	External Tasks		Duration-only			
	External Milestone		Manual Summary Rollup			

**Draft Implementation Schedule
Transit Operations Services for the City of Sandy**

ID	Task Name	Duration	Start	Finish	May							
					4/19	4/26	5/3	5/10	5/17	5/24	5/31	
192	Obtain Estimated Daily Work Schedule	2 days	Mon 5/11/20	Tue 5/12/20								
193	Develop Procedures for Notifying Employees of Schedules	1 day	Wed 5/13/20	Wed 5/13/20								
194	Draft Staffing Requirements/Schedule	3 days	Thu 5/14/20	Sat 5/16/20								
195	Conduct Final Dry Run Meetings	5 days	Mon 5/18/20	Fri 5/22/20								

Project: City of Sandy Date: Tue 3/31/20 MV Transportation, Inc.	Task		Inactive Task		Manual Summary	
	Split		Inactive Task		Start-only	
	Milestone		Inactive Milestone		Finish-only	
	Summary		Inactive Summary		Progress	
	Project Summary		Manual Task		Deadline	
	External Tasks		Duration-only			
	External Milestone		Manual Summary Rollup			

Vehicle Acceptance Agreement Standards



VEHICLE ACCEPTANCE AGREEMENT STANDARDS

Prior to acceptance of any vehicle by MV, a detailed inspection will take place 60 days prior, a follow up inspection 30 days prior and a final inspection 15 days prior to start-up with representatives of the MV and Client agreeing upon damage and wear.

Client and MV agree that vehicles will be delivered to MV in good condition and with each vehicle meeting or exceeding the following specifications for the first 30 days of vehicle acceptance by MV:

1. Vehicle body and all attachments thereto will be free of dents and scratches in excess of 1" in length. All body parts shall be properly attached to vehicle chassis and free of rust.
2. Exterior paint and decals shall be free from scrapes, scratches in excess of 1" in length, rust and tar. All decals shall be properly applied and free from peeling.
3. Vehicle tires shall be of proper load range for the vehicle and be of a type equivalent to that originally supplied by the manufacturer. All tires shall be of the same manufacturer and model. All tires will be free from side wall damage, shall have a minimum of 8/32 inch tread depth on front tires and a minimum of 6/32 inch tread depth on rear tires and shall be free from damage due to improper alignment or balancing or curb damage.
4. Vehicles shall contain a spare tire and wheel meeting the standards of paragraph 3 above if the vehicle was so equipped when purchased by Client.
5. Vehicle destination signs, if vehicles are so equipped, shall have all current route indicators and shall be in proper working order.
6. All vehicle lights shall be in working order.
7. All decals or painting identifying the vehicle with a prior contractor or other operator shall be removed prior to delivery and all paint damage from said removal shall be properly repaired.
8. All vehicle doors and windows shall be in proper operating condition and properly sealed against the entry of fumes or water.
9. All components of the emission control and exhaust system shall be free from leaks, rust and be in proper operating condition to include inspection on Diesel Emission Control Systems (DECS) Diesel Particulate Filters. An opacity test will be performed during the turn over inspection process. Vehicles which do not pass will need to be repaired and

retested prior to acceptance. Vehicles shall have current state emission certification, if so required.

10. Vehicle engine shall be in proper operating condition. Proper condition shall be established through oil analysis and compression testing. If engine has been rebuilt, Client shall supply documentation of rebuilder and assure MV that engine rebuild meets manufacturers specifications.
11. Vehicle transmission shall be in proper operating condition, free from leaks, bad gears or slippage. If transmission has been rebuilt, Client shall supply documentation of rebuilder and assure MV that transmission rebuild meets manufacturer's specifications.
12. Vehicle electrical system shall be in proper operating condition. Alternator shall be supplying specified output and battery(ies) shall fall within manufacturers specifications for output and specific gravity. All vehicle wiring shall be free from fraying and shall be properly loomed and attached to the vehicle in such a way as to prevent fraying. Any alterations to wiring not completed by vehicle manufacturer shall be performed so as to not overload any circuit and not to cause any short circuit.
13. All heaters and air conditioners shall be free from leaks and shall perform to the manufacturers specifications.
14. All brake linings, drums and rotors shall meet manufacturers specifications and shall have at least 50% life remaining as measured in 3/32nds of an inch. All wheel cylinders and brake lines shall be free from leaks. All brake parts shall be in proper repair.
15. Vehicle radios, antennas and all other communications devices shall be in proper working order and mounted so as to not constitute a safety hazard.
16. The wheelchair lift shall meet all current state requirements and be in proper working condition. All wheelchair tiedowns and other securement equipment shall be in good condition and not be frayed or worn so as to constitute a safety hazard. Wheelchair lift interlocks, if so equipped, shall be in proper operating condition and meet state requirements.
17. Vehicles shall be equipped with a fire extinguisher with current tag, a complete first aid kit, full and complete safety triangle kit and all other safety equipment required by law.
18. All passenger seats and all other interior surfaces shall be cleaned and free from stains, tears and graffiti. Seats shall be properly secured to the vehicle with the proper grade of securement device.
19. Vehicles shall have a current preventive maintenance inspection including oil and filter change, transmission service, etc., in accordance with the requirements of MV in this Agreement and state requirements.
20. Vehicles will have all current required state inspection and registration certificates, if required.
21. Client will provide a copy of most recent CHP or DOT inspection results.
22. Vehicles will be cleaned to the standards of this Agreement and shall be completely fueled. All other fluid levels shall meet manufacturers requirements.

22. All vehicle repair and inspection records shall be delivered with the vehicles.
23. All glass shall be free from chips, scratches and cracks.
24. All suspension and steering components shall be within the manufacturer's wear limits specifications and free from cracks and leaks.
25. All other items not specifically listed herein shall be in serviceable condition meeting generally accepted standards and practices of the public transportation industry and meeting all requirements of the state and federal government and all requirements contained in this Agreement.

In order to ensure compliance with the above requirements, the following procedures will be used by Client and MV:

At a place and time mutually agreed to by Client and MV, which shall occur approximately 60, 30 & 15 days prior to the start of service by Contractor under this Agreement, Client and MV, shall jointly inspect the vehicles to be provided by Client to MV. During such inspection, defects to vehicles shall be noted.

After the initial inspection, Client shall ensure that all defects noted are repaired prior to MV starting service under the terms of this Agreement.

Upon delivery of the vehicles to MV, Client and MV will conduct a final inspection of the vehicles to ensure that items noted in the preliminary inspection were completed and that all vehicles are in compliance with this Section.

In the event the final inspection reveals defects in the vehicles as specified in this Section, then Client will have these items repaired or authorize MV to repair the items at the rate of **\$75.00 per hour labor plus parts / materials / supplies and sublet repairs at 15% above MV's cost** as required to repair defects. If necessary, additional maintenance personnel will be brought in to assist with completing repairs, their travel, meal and lodging expenses will also be paid by the client.

The forms on the following page are utilized during this initial inspection:

Signed: _____ Date: _____
(Client)

Signed: _____ Date: _____
(MV Transportation)

MV's Employee Handbook



MV Transportation Employee Handbook

Issue Date
January 1, 2018

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WELCOME TO MV TRANSPORTATION

As you begin your employment with MV Transportation, we welcome you to our organization and invite you to read and become familiar with the contents of this handbook. We believe you will find it full of helpful and valuable information about our policies and procedures. This handbook is designed to guide and assist you in performing to the best of your abilities, as well as developing and realizing your potential as one of our valued employees.

For over four decades, MV Transportation has been a leading provider of reliable and safe transportation. With your help, we are looking forward to continuing growth and prosperity as we find new and better ways to serve our customers' needs.

Please read this handbook carefully and retain it for future use. Familiarize yourself with its contents as soon as possible because it should answer many of your initial and ongoing questions about your employment. This handbook has been developed by MV Transportation to promote understanding, cooperation, and good communication. You are responsible for being familiar with the information included in the handbook. If you have any questions about any of the information, please ask your supervisor or Human Resources for explanation or clarification.

THIS HANDBOOK GENERALLY DESCRIBES SOME OF MV TRANSPORTATION'S CURRENT POLICIES AND PROCEDURES. **THIS HANDBOOK DOES NOT CONSTITUTE A CONTRACT OF EMPLOYMENT.** NOTHING IN THIS HANDBOOK SHALL BE CONSTRUED TO CONSTITUTE A CONTRACT, AND THE COMPANY HAS THE RIGHT, AT ITS DISCRETION, TO MODIFY THIS HANDBOOK AT ANY TIME, UNLESS OTHERWISE PROVIDED UNDER THE TERMS OF AN APPLICABLE COLLECTIVE BARGAINING AGREEMENT, ARBITRATION AGREEMENT, OR OTHER VALID CONTRACT. THIS HANDBOOK SUPERSEDES AND REPLACES ALL PRIOR HANDBOOKS. HOWEVER, IF YOU ARE COVERED BY A COLLECTIVE BARGAINING AGREEMENT ("CBA"), TO THE EXTENT THERE ARE ANY DISCREPANCIES BETWEEN THIS HANDBOOK AND THE CBA, THE CBA WILL CONTROL.

Once again, we welcome you to our family and wish you success as we turn to face the numerous challenges, opportunities, and potential rewards ahead.



Kevin Jones
Chief Executive Officer

Mission Statement and Values

Mission Statement

We deliver innovative transportation solutions that provide freedom of movement, safety and a customer experience that is second to none.

Our Values

We are a people business and the word “RESPECT” best describes our commitment to service. To our passengers, YOU are the Company. As a MV employee, it is your responsibility to always protect our values. You have joined a very special Company that provides a very important service to our clients and customers. We stand for:

R espect	Let courtesy, warmth, empathy and kindness drive your behaviors
E thics	Simply put, do the right thing
S afety	Nothing is more important than safety
P rofitable Growth	Positive financial performance of our Company
E xcellence	Quality and integrity are our backbone
C elebration & Collaboration	It is all about teamwork and recognizing each other and our accomplishments
T alent & Innovation	We are the best at what we do and the service we provide

Purpose of Employee Handbook

This employee handbook has been drafted as a guideline for our employees. It describes the Company's general philosophy and some of its current policies and procedures, but it is not intended to be all-inclusive. Unless otherwise provided under the terms of an applicable Collective Bargaining Agreement, arbitration agreement, or other valid contract, the Company reserves the right to amend, withdraw, supplement, or modify any terms or conditions of employment, at any time and for any reason, without prior notice, whether stated in the handbook or established through employment practices or other employment policies, except for the Company policy regarding at-will employment which may only be modified as described below.

While the Company will generally follow the guidelines stated in this handbook, you should understand that it does not constitute a contract between you and the Company. The Company may deviate from these guidelines where federal, state

or local law has specific requirements which the Company must adhere to or follow. This Handbook contains some of the authorized employment policies of the Company and supersedes any other versions. Please see your manager for a copy of this policy which is also available on Portal or Sharepoint.

Nature of Our Business

MV is a private contractor operating passenger transportation services for public and private agencies nationwide. We operate in a very competitive business environment; hence, we must operate safely, control our costs and provide outstanding customer and client service. We welcome your suggestions on how we can make improvements at our Company. Every MV employee plays a critical role in our success.

At-Will Employment

MV is an at-will employer. That means that employment may be terminated at any time by either the employee or the Company, with or without notice, for any lawful reason. This also means your terms and conditions of employment, including but not limited to termination, demotion, promotion, transfer, compensation, benefits, duties, hours, and location of work may be changed with or without cause or notice at the Company's sole discretion. The at-will employment relationship cannot be changed, and no employee of the Company is employed for any specific time period, unless he or she has or is covered by a written agreement signed by the CEO, CHRO or if otherwise required by law. No person other than the CEO or CHRO is authorized to enter into any employment agreement for a specified term with any employee.

Some of our employees are covered by a collective bargaining agreement. If you are covered by a collective bargaining agreement, your employment relationship, including the terms and conditions of your employment, is governed by that Agreement.

Equal Employment Opportunity

As a government contractor, MV's employment policy is to provide equal opportunity to all persons and to require affirmative action to ensure equality of opportunity in all aspects of employment. In furtherance of this policy, employment decisions shall be based on merit, qualifications, and competence. Except where required or permitted by law, employment practices shall not be influenced or affected by virtue of an applicant's or employee's race, color, creed, religion, sex, national origin, age, pregnancy, disability, veteran status, marital status, sexual orientation, gender identification, or any other characteristic protected by law. This policy statement governs all aspects of employment including but not limited to recruitment, selection, promotions, terminations, transfers, layoffs, compensation, training, benefits, and other terms and conditions of employment.

MV prohibits retaliation against applicants or employees who file discrimination charges with federal, state or local fair employment practice agencies, participate in investigations of such charges or an OFCCP proceeding, oppose unlawful employment practices, or assert any other rights protected by law.

MV's Equal Opportunity Policy is an essential part of the Company's overall commitment to attract, hire and develop a strong, talented and diverse work force.

Accommodations for Disabilities, Work Restrictions and Religion

MV takes affirmative steps to employ and advance qualified individuals with disabilities at all levels of employment. MV Transportation will make a reasonable accommodation for the known physical or mental limitations of otherwise qualified individuals with a disability and/or who are otherwise physically restricted in the job duties they can perform, unless the accommodation would impose an undue hardship and/or a direct threat to the health and/or safety of the individual or others would result. Reasonable accommodation means any change or adjustment to a job or work environment that permits an otherwise qualified applicant or employee with a disability or work-related restrictions to participate in the job application process or to perform the essential functions of a job. Individuals seeking accommodations must make the request to their supervisor and to the Human Resources Department. Supervisors or managers who are notified of a request for accommodation must immediately forward the request to the Human Resources Department.

MV Transportation will also attempt to make reasonable accommodations for employee observance of sincerely held religious beliefs. All requests for a religious accommodation should also be directed to the supervisor and the Human Resources Department. Supervisors or managers who are notified of a request for an accommodation must forward all requests for a religious accommodation to the Human Resources Department.

Once a request for an accommodation is received, the request will be analyzed in order to aid in the determination of a reasonable accommodation. This interactive process may require additional documentation and/or communications with or between the employee, management, and/or the Human Resources Department, including obtaining more information regarding the requested accommodation and/or the reason for the accommodation and an assessment of any and all restrictions, in order to evaluate possible accommodations and the feasibility of proposed accommodations. All requests for accommodations will be considered and resolved on a case by case basis in accordance with applicable law.

Disabled, Recently Separated, Other Protected, & Armed Forces Service Medal Veterans

MV's employment policy prohibits job discrimination and requires affirmative action to employ and advance disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized) and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

Anti-Harassment/Anti-Discrimination Policy

All Company employees have a right to work in an environment free from all forms of unlawful discrimination and harassment. Consistent with the Company's respect for the rights and dignity of each employee, discrimination and harassment based on race, color, creed, religion, sex, national origin, age, pregnancy, disability, veteran status, marital status, sexual orientation, gender identification, or any other characteristic protected by applicable law, will not be tolerated. This includes harassment and discrimination by any MV employee, or a contractor, agent or third parties with whom MV employees interact during the course of their employment. All employees should be aware of the following:

1. Sexual harassment is strictly prohibited. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made as either an explicit or implicit term or condition of employment; (b) submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed employee; or (c) such conduct has the purpose or effect of interfering with an employee's work performance or creates an intimidating, hostile, or offensive work environment pursuant to applicable law. Sexual harassment can specifically include but is not limited to: unwelcome sexual flirtations, advances, or propositions; requests for sexual favors; verbal abuse of a sexual nature, obscene language, off-color jokes, verbal commentary about an individual's body, sexual innuendo, and gossip about sexual relations; the display of derogatory or sexually suggestive pictures, posters, cartoons, drawings, or objects, or suggestive notes or letters; visual conduct such as leering or making gestures; sexually suggestive comments about an individual's body or body parts, or sexual degrading words to describe an individual; unwelcome touching of a sexual nature such as patting, pinching or brushing against another's body; any other physical or verbal conduct of a sexual nature by supervisors, fellow coworkers, or others in the workplace; sending offensive e-mails to coworkers with sexually suggestive comments or sexually degrading words; and viewing inappropriate materials such as pornography in the workplace or during work hours.

2. Harassment on the basis of any protected characteristic is strictly prohibited. In general, statements or physical conduct relating to a person's race, color, creed, religion, sex, national origin, age, pregnancy, disability, veteran status, marital status, sexual orientation, gender identification, or any other status which is protected by applicable law constitutes harassment when it:
 - a. has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
 - b. has the purpose or effect of unreasonably interfering with an individual's work performance; or
 - c. otherwise adversely affects an individual's employment pursuant to applicable law.
3. Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.
4. All supervisors are responsible for assuring that no employee is unlawfully discriminated against or subjected to conduct that constitutes sexual or any other form of harassment.
5. An individual found to have engaged in inappropriate conduct, including discrimination, sexual harassment, or any other form of unlawful harassment, will be disciplined as appropriate, up to and including discharge.
6. Any employee who believes that he or she has been the subject of inappropriate conduct, including discrimination, sexual harassment, or any other form of harassment, or who has observed any such conduct should, and is strongly encouraged, to immediately bring the matter to the attention of any supervisor, any executive or any human resources employee. Alternatively, you may contact the Open Door Hotline, 877-687-2338.
7. Any complaint of harassment or discrimination should include details of the incident(s) or conduct, names of individuals involved, and the names of any witnesses. Supervisors and managers should immediately refer all harassment complaints to Human Resources.
8. If at any time an employee feels their report of discrimination and/or harassment is not being properly addressed, they are free, and strongly encouraged, to make an additional report to any of the individuals or the Open Door Hotline identified above.

9. A prompt and thorough investigation of the alleged discrimination and/or harassment will be conducted, and appropriate corrective and/or disciplinary action will be taken, if warranted. Complaints will be treated as confidential to the extent possible.
10. Refusal to cooperate in an investigation of harassment or discrimination or initiating a complaint in bad faith is also prohibited and may result in disciplinary action, including termination.
11. The Company will not in any way retaliate against an employee, applicant, or former employee who, in good faith, makes a complaint or report of discrimination or harassment, or participates in the investigation of such a complaint or report. Retaliation against any individual for reporting a claim of harassment or cooperating in the investigation of same will not be tolerated. Retaliation includes any adverse employment action because the employee complained about or resisted harassment, discrimination, or retaliation, or has cooperated in an investigation.
12. Any employee who believes that he or she has been retaliated against should immediately report it using the reporting procedure described above. Any report of retaliation by the one accused of discrimination or harassment, or by any other employee, including supervisors or managers, will also be promptly and thoroughly investigated in accordance with the procedures outlined above. If a complaint of retaliation is substantiated, appropriate corrective and/or disciplinary action will be taken.

The contact information for the federal and state agencies that enforce the laws against unlawful discrimination and harassment in the states of California, Maine, Massachusetts, Rhode Island, and Vermont and for government contractors are listed in Appendix 1 to this Handbook. Please understand utilizing the Company's reporting procedures set forth above does not prevent you from filing a complaint with a federal or state agency.

Immigration Law Compliance

MV complies with the applicable immigration laws where it does business, including with the Immigration Reform and Control Act of 1986. MV is committed to employing only United States citizens and aliens who are authorized to work in the United States.

As a condition of employment, each new employee must properly complete, date, and sign the first section of the United States Citizenship and Immigration Services Form I-9. Newly rehired employees must also complete the form if they have not previously filed an I-9 with this organization, if their previous I-9 is more than three years old, or if their previous I-9 is no longer valid.

Open Door Policy

As a MV employee, you've joined an organization that places high value on customer service. That same high value is placed on employees. You will find your supervisor values you as an employee and is there to help guide and assist you in performing your role.

We challenge ourselves to take the initiative and be part of the solution. Anytime you have a suggestion or idea to make things better or a concern or complaint about the way things are done, discuss it with your supervisor or any member of management. Your input is a valuable part of our success.

We are committed to addressing workplace concerns and issues important to you. If a situation arises with your job, another employee, or customer that makes you uncomfortable, MV asks that you immediately bring it to our attention. If, for any reason, you do not want to discuss the situation with your supervisor or if you feel issues remain unresolved, you can contact another member of management or you can call our Open Door Hotline at 877-687-2338 or email us at employee.relations@mvtransit.com. You can also write to us at MV Transportation, 2711 N. Haskell Avenue, Ste 1500, LB-2, Dallas, TX 75204. Address your letter to the Chief Human Resources Officer.

You can be assured that such complaints will be investigated and that you will not be subject to any adverse action as a result of making a good faith complaint.

Introductory Period

The first ninety (90) days of employment are an introductory period. The period is an essential part of the training and evaluation process and is used to ensure that each employee's performance meets the required standards. An introductory period may be extended at the discretion of the supervisor. However, because employment at MV Transportation is "at-will", both during and after the Introductory Period, the Company has no obligation to retain you either during or after you have completed your introductory period unless otherwise required by applicable bargaining agreement or by law.

Employment Categories

Full-time

Full-time employees are those who are regularly scheduled to work at least 30 hours or more per week. Generally, regular, full-time employees may be eligible for some or all of the Company's benefit plans, subject to the terms, conditions, and limitations of each benefit plan/program. For purposes of determining benefits eligibility, the definition or standard for full-time may be different.

Part-time

Part-time employees are those who are regularly scheduled to work less than 30 hours per week. This generally includes casual, occasional and on-call drivers and other staff. While part-time employees receive all legally mandated benefits (such as workers' compensation and Social Security benefits), they are generally ineligible for many of the Company's other benefit plans/programs.

Temporary

Temporary employees are those who are hired as interim replacements, to temporarily supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not imply a change in employment status. Temporary employees retain such status unless and until notified of a change. The temporary employment relationship is an "at-will" relationship, regardless of whether an estimated duration of assignment exists. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security) they are generally ineligible for the Company's other benefit plans/programs.

Safety Sensitive Functions

While all employees are responsible for strictly adhering to all rules and policies affecting the safety of the workplace, our customers and employees, the following functions are considered to be "safety sensitive":

- Operating a revenue service vehicle, including when not in revenue service;
- Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License;
- Controlling dispatch or movement of a revenue service vehicle;
- Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service

Thus, the following positions are "safety sensitive":

- Driver
- Mechanic and other maintenance personnel
- Reservationist (if performing safety sensitive functions)
- Dispatcher
- Road Supervisor
- Assistant, Maintenance, Operations, Safety or General Manager

Compensation and Payroll Practices

Wages and Benefits

Each location of the Company has a wage and benefit structure, which is subject to change. A printed summary is posted at each location setting forth the current wage and benefit information for your location and will be made available to you upon request. If you are covered by a collective bargaining agreement, it will describe the wages and benefits for members of the bargaining unit. Contact your General Manager or the Human Resources Department if you have any specific questions about your wages or benefits.

Payroll Status

Hourly employees

A hourly employee (whether full or part time) is paid for actual hours worked and is entitled to overtime pay in accordance with applicable state and federal laws.

Salaried employees

Salaried employees are generally not eligible for overtime pay and receive a weekly salary, regardless of the amount of hours they work that is paid every pay period.

Payroll Period & Pay Dates

For payroll purposes, the workday is defined as 12:01 a.m. to midnight and the workweek is defined as 12:01 a.m. Saturday to midnight the following Friday. Any type of paid time off is not counted as time worked for computing overtime.

Generally, payday is every other Friday unless otherwise required by bargaining agreement or state law. The specific pay dates for each division or location are posted on the employee bulletin board at that division or location. If a payday falls on a holiday, you will receive your payment on the preceding Thursday or the last business day before the holiday. Each payment covers work performed during the 14-day period ending the Saturday before payday. Direct deposit is available to all employees.

Time Recording

If you are an hourly employee, you must record the time you start work, the times you leave for and return from meal breaks, and the time you leave at the end of your working day. All employees are required to record time-off.

Hourly employees must accurately record all time worked and should not work any time that is not authorized by their supervisors. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless you are directed to do so. If you have any questions about when or how many hours you are expected to work, contact your supervisor.

It is a violation of our policy for anyone to instruct or encourage another employee to work “off the clock,” to incorrectly report hours worked, or to alter another employee’s time records. If anyone directs or encourages you to work “off the clock,” incorrectly report your hours, or to alter another employee’s time records, you should report the incident immediately to your supervisor, any member of management, the Human Resources Department, or the Open Door Hotline at 877-687-2338.

When your employment begins, you will receive instructions on how to record your time. Your immediate supervisor or manager must authorize your time record.

Overtime

Hourly employees will be paid overtime ***pay (generally, time and one-half their regular rate of pay)*** for all hours worked in excess of 40 ***hours*** in one workweek and as otherwise required by applicable state, federal, or local law (including without limitation daily overtime ***and double time as*** required by state or local law). ***Hours for which you are paid pursuant to the Company’s PTO, Vacation, Holiday Pay, or other applicable policies will not be used for purposes of calculating overtime. The Company prohibits “comp time” as a replacement for overtime pay for hourly employees.*** All overtime work must be authorized in advance. Although employees will be paid for all hours worked, including any overtime, working overtime without prior authorization may result in disciplinary action.

Salaried employees are expected to work as much of each workday as is necessary to complete their job responsibilities. No overtime is provided to ***salaried*** employees, ***unless required by applicable law.***

Reporting Errors

MV Transportation takes all reasonable steps to ensure that employees are properly classified, paid for all hours worked, receive the correct amount of pay in each pay check, and paid promptly. If a mistake does occur and is called to the Company’s attention, corrections will be made promptly. The Company has an internal complaint procedure for any employee who believes they have not been properly compensated. Employees who believe they have been erroneously compensated must immediately notify the Payroll or the Human Resources Department or utilize any other reporting procedure set forth in this handbook. The Human Resources department will share the results of its investigation with the employee and immediately take any necessary corrective action. Employees are free to utilize this reporting procedure without fear of reprisal or retaliation. An employee who believes they have been retaliated against for reporting a compensation error should immediately report such a belief to the Human Resources department or the Open Door Hotline at 877-687-2338.

Pay Adjustments

Operators and other division-based hourly jobs typically are considered for pay adjustments tied to an anniversary date or other due date and are effective on the first day of the pay period following the anniversary date and/or due date.

Operator Payroll Procedures

MV has adopted procedures that govern compensation for operators including rate of pay, hours of work, training time, non-revenue and revenue work. Please refer to the policy posted at your division for additional information.

Payroll Deductions

The law requires that the Company make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. It is your responsibility to complete your W-4 form properly to ensure the proper amount of taxes are withheld.

The Company offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay to cover the costs of participation in these plans/programs, such as health insurance or 401(k). Payroll deductions may also occur in other circumstances, such as court ordered garnishments, pre-authorized deductions for uniforms or voluntary written authorization.

Salaried employees' pay will not be "docked," or subject to deductions, in violation of salary pay rules issued by the United States Department of Labor and state government, as applicable; however, the Company may make deductions from employees' salaries in a way that is permitted under federal and state wage and hour rules. Employees will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law.

If concerns about any salary pay deductions arise, employees should discuss and resolve them with their supervisor or the Payroll Department or utilize any other reporting procedure set forth in this handbook.

Compensation for Meetings/Training/Drug Testing

Hourly employees will be paid their regular hourly rate for meetings, training and/or drug testing during regular work hours and a training rate for attendance occurring outside regular work hours. If an employee's job classification does not have a specified training rate, the training rate is the applicable minimum wage.

Travel Time

Unless applicable law provides otherwise, hourly employees are paid their regular hourly rate for travel that occurs during their regular work hours. For travel outside regular work hours, travel time is paid at the applicable minimum wage. The Company will follow all applicable state or federal laws in determining whether travel time is treated as hours worked.

Length of Service

An employee's start date, the date on which an employee began to receive wages, is considered their "date of hire". MV will bridge an employee's length of service if they voluntarily resigned, were in good standing when they resigned and return to the Company within 90 days of their resignation date.

What to Do If You Have Questions about Compensation and Payroll Practices

If you have any questions, concerns, comments, or complaints related to your compensation or the Company's payroll practices, please direct those comments to your supervisor, any executive, the Payroll department, or the Human Resources department. You may also contact the Open Door Hotline at 877-687-2338.

Hours of Work

Work Schedules

Work schedules for employees vary throughout the Company. Supervisors will advise employees of their individual work schedules. Staffing needs, operation demands, and client service requirements may require variations in the total hours that may be scheduled each day and week. The Company does not guarantee hours of work or schedules.

Rest and Meal Periods

The Company complies with federal and state legal requirements concerning meal and rest periods, and you will be provided with meal and rest periods in accordance with applicable law. If you have any questions concerning the meal and rest break requirements for the location at which you work, please contact the Human Resources Department.

Attendance and Punctuality

To maintain a productive work environment, the Company expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Company. All MV employees are required to report to work on time every day they are scheduled to work.

Salaried employees

If an employee is unable to report to work or will be reporting after a scheduled starting time for any reason, absent extenuating circumstances, the employee should personally call their supervisor. If their supervisor is unavailable a member of management or the Human Resources Department should be contacted. Messages should not be left with other employees. Absent extenuating circumstances, you must call in on any day you are scheduled to work and will not report to work.

Excessive absenteeism or tardiness may result in disciplinary action up to and including termination of employment. Each situation of absenteeism or tardiness will be evaluated on a case-by-case basis. Even one unexcused absence or tardiness may be considered excessive, depending upon the circumstances. Absent extenuating circumstances, an employee who fails to personally call their supervisor for two or more days to report absence will be considered to have abandoned and voluntarily terminated their employment.

Hourly Employees

The following applies to all non-introductory period employees and is based on a rolling twelve (12) month time period:

The policies outlined in this section do not limit the employee's and the Company's right to end the employment relationship at any time, for any reason not prohibited by law, with or without cause, and with or without notice unless otherwise required by the applicable bargaining agreement.

Excused Absence

Excused absences are approved requests for family medical leave (FMLA), kin care (if required by state law), personal leave, jury and/or witness duty, military, bereavement, pre-arranged vacation days or any other leave protected by law. Attendance points are not issued for excused absences.

Pre-arranged vacation days will be excused if:

- 1** - A MV "Request for Time Off" form is completed and approved by the Operations Manager, General Manager or Regional Vice President.
- 2** - These steps are completed per the division's advance notice policy.

Unexcused Absence

Absenteeism is measured in points. Employees are required to call in for each day of work missed. All employees who will be absent or tardy are required to notify their supervisor or dispatch at least one (1) hour prior to the start of their shift. Notwithstanding the situations described below, if an absence occurs, or an employee fails to call within the appropriate time, because of a FMLA qualified serious medical condition, the employee's absence will not count as a point.

- An unexcused absence, where the employee calls in at least one (1) hour prior to the start of his/her shift, is counted as one (1) point.
- Unexcused absences up to three (3) consecutive days are counted as one (1) point, provided proper notice is given. After day three (3), each day of absence is counted as one (1) point unless the employee provides a doctor's note excusing the absence for up to a total of ten (10) days. After ten (10) days, each day absent will be counted as one (1) point. Absences exceeding ten (10) days may be considered for a leave of absence.
- Calling in less than one (1) hour in advance of your start time to report an absence or tardy is counted as one and one-half (1 ½) points.
- Failure to call more than one (1) hour after the start of a scheduled shift for a scheduled shift (No Call/No Show) is counted as four (4) points.
- A failure to complete the entire shift is counted as one (1) point.
- Missing a required meeting is counted as one (1) point.

Tardiness

- Arriving to work up to 15 minutes after your scheduled reporting time either for shift start or returning from rest or meal breaks is one-half (1/2) point.
- Reporting to work more than 15 minutes after a scheduled reporting time either for shift start or returning from rest or meal breaks will be counted as one (1) point.
- If an employee is tardy for their shift, the shift may be re-assigned and the employee sent home.

Disciplinary Guidelines for Attendance

All non-exempt employees will be issued an Employee Attendance Report documenting each occurrence.

Violations of more than one component of the attendance policy, will receive a single point assessment of the highest value.

Employees are allowed a maximum of seven (7) points within a rolling 12-month period before a written warning is issued. Points are removed from the employee's record 12 months after they are issued. If an employee reaches ten (10) points within a rolling 12-month period, he/she will be terminated.

Clean Slate

If an employee goes "point free" for a consecutive six (6) month period, his/her attendance record will be wiped clean and any prior points will not be considered as a basis for disciplinary action.

Company Meeting Attendance

We require that all employees attend Company operations meetings, which include the monthly safety meetings. Failure to attend a mandatory Company meeting will result in one attendance point.

Attendance Policy for Non-Exempt Introductory Employees

MV expects new employees to demonstrate excellent attendance during their introductory period. Introductory period employees are permitted no more than one (1) point using the guidelines set above.

Attendance Policy for Exempt Employees

Due to the nature of exempt or salaried work, exempt employees are not subject to the Attendance/Tardiness Policy. Exempt employees are expected to maintain good attendance and complete all work assignments and meet the requirements of the position.

Job Abandonment

Unless otherwise prohibited by applicable law, an employee who does not report for three consecutive days' scheduled shifts and does not contact the Company during this time period will be considered to have voluntarily resigned his or her position.

Emergency Closings and Seasonal Work

Emergency conditions, such as severe weather, fire, flood, or earthquake, can disrupt Company operations and interfere with work schedules, as well as endanger employees' well-being. These extreme circumstances may require the closing down of operations partially, or business altogether. Time off due to emergency closings is generally unpaid.

Due to seasonal or holiday fluctuations of business, it is sometimes necessary to reduce hours below the normal level of hours worked. When this is necessary, such reductions will be based on certain factors, including but not limited to agency and client schedules, as well as driver seniority. Drivers should expect such slowdowns to include, but not be limited to, summers and seasonal holidays such as Thanksgiving or Christmas.

Employee Benefits

Health, Dental and Vision Insurance

Eligible, full-time employees are currently offered health, dental and vision insurance benefits as required by federal law and in accordance with the requirements of the plans. The details of those benefits, including eligibility requirements, are set forth in the plan documents themselves, and coverage and rates are subject to change periodically.

401(k)

Eligible, full-time employees may currently participate in the Company's 401(k) plan. The plan documents govern the terms of the plan. If you would like information concerning the Company's 401(k) plan, please contact the Human Resources Department.

Paid Time Off

Full-time employees are eligible to accrue Vacation or paid time off ("PTO"), subject to the applicable waiting period. Each location has its own accrual program for vacation or PTO. Please check with your manager or the division wage and benefit sheet for your vacation or PTO accrual rate and more specific information regarding the terms and conditions associated with the vacation or PTO program for your location. Vacation or PTO accrual is capped at 120 hours for hourly employees and 160 hours for salaried employees, unless otherwise regulated by state or other law. Unless prohibited by applicable law, vacation or PTO accrual will be suspended once the cap is reached, and accrual will begin again once vacation or PTO is used and the balance drops below the cap. Generally, employees should notify the division of the request to use vacation or PTO in accordance with the division's advance notice policy. In the absence of an advance notice policy, employees should provide as much notice as possible for planned absences and no less than one week's notice. In the event of unforeseeable circumstances, a shorter notice period may be acceptable. If a request for vacation or PTO is not approved and the employee is absent from work during that period, the employee is subject to discipline and may not be paid for that time off.

At the time of separation of employment, an employee will be paid all accrued and unused vacation or PTO, only if state or other applicable law requires that the Company pay the employee for accrued and unused vacation or PTO.

Vacation Cash-Out Policy

Drivers may cash out vacation pursuant to their division's cash out policy.

Paid Holidays

Full-time employees are eligible for paid holidays, subject to the applicable waiting period. The list of paid holidays and any applicable waiting period are posted at each facility. Holiday pay will only be paid to a non-exempt employee if the employee has worked his/her scheduled work day preceding the holiday and has worked his/her scheduled workday following the holiday.

If a paid holiday falls on an employee's day off or an employee is required to work on a holiday, the employee may receive an alternative day off or holiday pay, depending on the location's policy.

If a holiday falls during any unpaid time off (leave or vacation for example), the employee will not receive holiday pay.

Leave Policies

The Company provides all leaves required by applicable federal, state, or other applicable law, including the following types of employee leaves listed below. Any unpaid leave of absence in excess of 30 days may impact vacation accrual, healthcare benefits and length of service for seniority or bidding purposes. Please see your manager for a copy of this policy which is also available on Portal or Sharepoint.

In addition to the leaves listed below, many states have created other protected leaves. Please see your state addendum for information regarding additional leaves available under state law.

All applicable leaves run concurrently. For example, if an employee takes time off for a serious health condition that resulted from a work-related injury, the workers' compensation leave, state and federal family medical leave, if applicable, begin on the first day of absence.

Additional leaves of absence, other than those identified below, may be requested and will be considered on a case-by-case basis.

To the extent that any provision of this Leave Policy conflicts with any federal, state, or local law, the Company will follow all applicable laws irrespective of this policy and employees will be granted leave in accordance with all applicable laws. Where greater benefits than those described herein are required under applicable law, employees will receive those benefits.

IF YOU BELIEVE THAT YOU REQUIRE A LEAVE OF ABSENCE, PLEASE SEE YOUR STATE ADDENDUM AND CONTACT THE HUMAN RESOURCES DEPARTMENT AS SOON AS POSSIBLE FOR SPECIFIC INFORMATION REGARDING THE LEAVE POLICIES WHERE YOU ARE LOCATED. IF YOU BELIEVE YOU HAVE BEEN UNLAWFULLY DENIED LEAVE THAT YOU ARE ENTITLED TO UNDER APPLICABLE LAW, YOU MUST CONTACT THE

HUMAN RESOURCES DEPARTMENT OR UTILIZE ANY REPORTING PROCEDURE SET FORTH IN THIS HANDBOOK.

Workers' Compensation

MV purchases Workers' Compensation Insurance for employees who incur a work-related injury or illness. Any illness or injury to an employee, regardless of severity, that occurs while on the job must be reported. Any employee who has suffered a work related injury or illness has the right to make a workers' compensation claim. The employee may then be sent to a Company approved medical facility for treatment or examination, which may determine whether follow-up care is necessary. While on Workers' Compensation leave or while on a Temporary Modified Work assignment, employees shall conform to all applicable rules, policies and procedures. Employees will not be discriminated or retaliated against for presenting a Workers' Compensation claim, hiring a lawyer to represent the employee in the claim, commencing a proceeding before a worker's compensation board or commission, or testifying in such a proceeding.

Employees are required to fully cooperate with MV and MV's Workers' Compensation adjuster/administrator in the management of their claim. Failure to attend scheduled medical appointments without a reasonable basis may result in employee being sent home without pay pending an updated work status.

All employees who are involved in a workplace accident or incident resulting in property damage or any person being required to obtain medical attention will be subject to a drug and alcohol test (if allowable by state or other applicable law) and may be placed on unpaid "safety leave" until the results of the test are known.

Temporary modified work may be offered to those employees who have sustained a compensable workers' compensation injury and who have been released by an authorized health care provider to return to work with medical and/or physical restrictions. Temporary modified work may be assigned for up to 26 weeks per claim.

The Company may establish the temporary modified work day and work week based on the restrictions set forth by the authorized health care provider. Temporary modified work days shall not exceed 8 hours per day or 40 hours per week to ensure temporary modified duty employees do not work overtime.

Prior to acceptance of temporary modified work, the employee shall be furnished a written temporary modified work offer indicating the temporary modified work duties. Employees accepting this work shall receive their normal regular hourly rate of pay for the temporary modified work they perform. Please see your manager for a copy of this policy which is also available on Portal or Sharepoint.

Prior to returning to full-duty work, employees may, depending on circumstances or the nature of the injury, be subject to a return-to-work medical examination by a Company-approved doctor.

Reporting Employee Injuries or Illnesses

Employees are required to immediately report, as soon as possible, unless in the circumstances it would not be reasonable to do so, all on-the-job injuries and illnesses to their General Manager, Safety Manager, Dispatcher or immediate supervisor. Failure to timely report any incident, regardless of whether or not it results in injury or property damage, may result in disciplinary action up to and including termination. Please see our Safety Policy for more information on Incidents and Incident Reporting.

Family and Medical Leave

Employees have rights to family and medical leave under the Federal Family and Medical Leave Act of 1993. The Company provides Family and Medical Leave in accordance with both federal and any state or other applicable law.

Eligibility for Family and Medical Leave.

Employees who have worked at the Company for at least 12 months, who have worked at least 1,250 hours during the previous 12 months, and who work at a location where at least 50 employees are employed by the Company within 75 miles are eligible for Family and Medical Leave. Where the Company has assumed an existing contract, the time an employee has worked for a previous contractor is considered in this calculation.

Types of Family and Medical Leave Available.

State and federal laws allow Family and Medical Leave for various reasons. Because an employee's rights and obligations may vary depending upon the reason of the Family and Medical Leave, it is important to identify the reason for the leave. Family and Medical Leave is available for the following reasons:

- The birth, adoption, or foster care of an employee's child within 12 months following the birth or placement of the child ("Bonding Leave").
- To care for an immediate family member (spouse, registered domestic partner, child or domestic partner's child, or parent with a serious health condition) ("Family Care Leave").
- An employee's inability to work because of a serious health condition ("Serious Health Condition Leave"), as defined by law.
- A "qualifying exigency," as defined under the FMLA, for military operations arising out of a spouse's, child's or parent's Armed Forces (including the National Guard and Reserves) active duty or call to active duty in support of a "contingency operation" declared by the U.S. Secretary of Defense, President, or Congress, as required by law. ("Military Exigency Leave").

- To care for a spouse, child, parent, or next of kin (nearest blood relative) who is (a) an Armed Forces member (including the National Guard and Reserves) undergoing medical treatment, recuperation, or therapy, is otherwise in an outpatient status, or is otherwise on the temporary disability retired list with a serious injury or illness incurred or aggravated in the line of duty while on active duty that may render the individual medically unfit to perform his or her military duties, or (b) a person who, during the five (5) years prior to the treatment necessitating the leave, served in the active military, Naval, or Air Service, and who was discharged or released therefrom under conditions other than dishonorable (a "veteran" as defined by the Department of Veteran Affairs) and who has a serious injury or illness incurred or aggravated in the line of duty while on active duty that manifested itself before or after the member became a veteran ("Service Member Family Leave".)

How and When to Request Leave.

If you need Family and Medical Leave, you must provide the Company notice of the need for leave. To request foreseeable leave (such as following the birth of a child or for planned surgery), you should fill out an Application for Leave of Absence form, which is available from Human Resources at least 30 days in advance and submit the form to your Division Manager. When the need for leave is not foreseeable, you must give notice as soon as possible and, if possible, the notice should be in writing. Any request for leave should provide the Company with enough information to determine whether the leave qualifies as Family and Medical Leave.

Medical Certification Requirement.

If your leave is due to a serious health condition, either your own or a family member's, you will be required to furnish Medical Certification from a health care provider. Medical Certification forms are available from Human Resources. Failure to provide the required certification may result in the delay, denial, or cancellation of leave. If the certification shows that your absence does not qualify under the FMLA, the FMLA designation will be revoked retroactive to the first day of your leave and you may be subject to MV's attendance policy. The Company may require recertification during your leave.

At the Company's expense, the Company may also require a second or third medical opinion regarding your own serious health condition. Employees are expected to cooperate with the Company in obtaining additional medical opinions that the Company may require.

When leave is for planned medical treatment, you must try to schedule treatment so as not to unduly disrupt the Company's operation. Please contact the Human Resources department prior to scheduling planned medical treatment.

For *Military Exigency Leave*, employees are required to provide: (a) as much advance notice as is reasonable and practicable under the circumstances; (b) a copy of the covered military member's active duty orders when the employee requests leave; and (c) a completed Certification of Qualifying Exigency form within 15 calendar days, unless unusual circumstances exist to justify providing the form at a later date. Certification forms are available from the Human Resources department.

Absent unusual circumstances, failure to comply with these notice and certification requirements may result in a delay or denial of the leave. If you fail to return to work at your leave's expiration and have not obtained an extension of the leave, the Company may presume you do not plan to return to work and voluntarily terminate your employment.

Amount of Leave Available.

The maximum amount of FMLA Leave will be twelve (12) workweeks in any 12-month period when the leave is taken for: 1) Bonding Leave; 2) Family Care Leave; 3) Serious Health Condition Leave; and/or 4) Military Exigency Leave. However, if both spouses work for the Company and are eligible for leave under this policy, their leave may be limited to a combined total of 12 weeks if the leave is taken for Bonding Leave or Family Care Leave, under certain circumstances. A 12-month period begins on the date of your first use of FMLA Leave.

The maximum amount of Family and Medical Leave for an employee wishing to take Service Member Family Leave will be a combined leave total of twenty-six (26) workweeks in a 12-month period.

EXAMPLE: You take 12 workweeks off to bond with a newly adopted child. Later, in that same 12-month period, you wish to take time off from work to care for a spouse, child, parent or next of kin under the Service Member Family Leave provision of this policy. Because the law allows extra time off for Service Member Family Leave, you will be allowed to take this time off, so long and the total amount of leave does not exceed 26 workweeks.

If both spouses work for the Company and are eligible for leave under this policy, the spouses may be limited to a total of 26 workweeks off between the two when the leave is for Service Member Family Leave only or is for a combination of Service Member Family Leave, Bonding Leave and/or Family Care Leave.

Under some circumstances, you may take Family and Medical Leave intermittently – which means taking leave in blocks of time, or by reducing your normal weekly or daily work schedule.

How the Amount of Leave is Calculated.

The Company will calculate Family and Medical Leave on a "rolling 12-month basis." This means that the 12-month period is measured backwards from the date an employee uses any Family and Medical Leave. Each time an employee

takes Family and Medical leave, the remaining leave entitlement would be any balance of the 12-week annual entitlement (or 26 weeks, if applicable) that had not been used during the immediately preceding 12 months.

Benefit Continuation.

During Family and Medical Leave, your group health insurance will be maintained under the same conditions as if you were working. If you are on paid leave, your share of the premium, if any, will be deducted from your pay. If you are on unpaid leave, you must make the premium payments yourself on a monthly basis. If employee premium payments are more than 30 days late, insurance coverage may be terminated. You will be required to reimburse the Company for any premium payments you missed that the Company pays on your behalf.

You will not continue to accrue vacation or PTO while on unpaid Family and Medical Leave.

Reinstatement.

Under most circumstances, you will be reinstated to the same position held at the time of the leave or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. However, because the maximum entitlement under the FMLA is 12 weeks (or 26 weeks for Service Member Family Leave), this right to reinstatement will not apply to leaves that continue after the amount of leave you are entitled to is exhausted. Additionally, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave.

"Key employees," as defined by law, may be subject to reinstatement limitations in some circumstances. If you are a "key employee", you will be notified of the possible limitations on reinstatement at the time you request a leave.

Pay Status.

Family and Medical leave is generally unpaid leave. However, if you have any accrued PTO, you may be required to use that accrued time. Under these circumstances both the paid and unpaid leave count as Family and Medical Leave.

You may be eligible to receive benefits through State-sponsored, Company-sponsored, or some other wage-replacement benefit programs.

Fitness for Duty.

If you are taking medical leave due to your own serious health condition, you must provide a return to work release from your health care provider before you return to work. The return to work statement should be submitted to the Leaves Manager in the Benefits Department. Employees returning to work after 30 days or more break in service will be required to undergo a background check, return-

to-work physical and drug test, as permitted or required by applicable federal or state law which includes but is not limited to regulations and requirements set forth by the DOT, FTA, FMCA, OSHA and ADA.

Status Update.

While you are on leave, the Company may require you to periodically confirm your status and your intention to return to work. Any employee who decides while on leave that he or she will not be returning to work at the end of the leave should immediately inform the Company.

Fraudulent Use of Leave.

If the Company determines that an employee has obtained leave or continued to take leave under the state or federal family and medical leave laws based on fraudulent, dishonest or misleading conduct of any kind, the employee will be subject to immediate termination.

A Notice to Employees of Rights Under FMLA is attached to this policy, as Appendix 2.

Bereavement

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately. Immediate family member is defined as spouse, domestic partner, child, domestic partner's child, sibling, parent (or person who raised you), grandparent or grandchild. Hourly employees may be granted unpaid time off of up to one week for bereavement leave. See your division or location for specific policies regarding bereavement leave. Salaried employees may take paid time off of up to three days (five days if air travel is required) for bereavement leave.

Jury Duty

A leave of absence will be granted if an employee is required to appear for jury duty. An employee must notify their supervisor immediately upon receipt of your selection notice. Exempt employees are entitled to full pay for each day of jury duty or service as a witness if they work anytime during the week of jury duty. If no work was performed during the week, the employee will not be compensated. Unless applicable law provides otherwise, non-exempt employees will not be compensated; however, the absence will be considered excused and the employee will continue to accrue other benefits, such as vacation or PTO. Employees may use any accrued vacation or PTO for the period of the jury duty leave. Employees are expected to report to work whenever the court schedule permits.

Administrative Leave

Unless prohibited by law, employees are required to report any life event that could potentially disqualify them from employment based on our Qualification standards. The employee may be placed on unpaid administrative leave until a final disposition has been provided by the appropriate authoritative agency.

Employee Performance and Conduct Policies

Performance Appraisals

Exempt employees and non-exempt staff employees will ordinarily be reviewed annually during a common review date of January 1. The appraisal will be discussed in a meeting between the employee and the supervisor. The supervisor and employee will review the job requirements, performance objectives, or other performance criteria. A performance rating will be assigned and an annual pay review may be provided.

Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Our Code of Conduct outlines our policies regarding conflicts of interest.

Reference Checks

No employee may provide a reference check, letter of reference, verification of employment or disclose any performance or employee information to any outside party at any time on either a current or past employee. All requests for reference checks or verifications of employment must be forwarded to Human Resources at the Support Center. The Company only provides confirmation of employment, dates of employment and position held. No performance or termination information may be disclosed.

Outside Employment

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with the Company. Employees should consider the impact that outside employment, whether paid or voluntary, may have on their health and physical endurance. All employees will be judged by the same performance standards and will be subjected to the scheduled needs of our clients, regardless of any existing outside work requirements. In some divisions, operators are required to report hours worked as a driver for another employer on a daily basis. Under certain circumstances a log may be required. Your General Manager has more information.

Hiring of Relatives

MV Transportation is a family oriented company and encourages family and friends of employees to consider making MV their company too. However, relatives in the same area of the company may not supervise each other or direct each other's work. Exceptions to this policy must be approved by the Chief Human Resources Officer.

Anti-Fraternization Policy

In order to promote the efficient operation of the Company's business and to avoid misunderstanding, complaints of favoritism, other problems of supervision, security, and morale, and possible claims of sexual harassment, members of management and supervisors are forbidden to date or pursue romantic or sexual relationships with employees whom they supervise, directly or indirectly. Employees who violate this guideline will be subject to discipline, up to and including termination of employment.

Confidentiality and Proprietary Information

During the course of employment, employees may receive and have access to confidential information. All employees are expected to respect and maintain the confidentiality of employee and customer records, business records, data and other information not otherwise available to the public. Upon separation of employment, an employee must return all documents, records, or any property that belongs to the Company or is related to Company business. Any programs, writings, or other material developed by an employee as part of his or her work at the Company is property of the Company.

The protection of confidential business information during and after your employment is important to the interests and the success of this Company. Such confidential information includes, but is not limited to the following examples:

- Technological Data
- Operations Data: customer lists, trip sheets, financial & billing information, schedules, dispatch logs, policy or program manuals
- Marketing plans and strategies, or project plans or proposals
- Personnel or labor information such as names, titles, employee phone numbers, medical and benefit information, training materials or labor relations strategies

Nothing in this policy, however, should be construed to prohibit employees from discussing their terms and conditions of employment amongst themselves.

Electronic Data Systems Policy

The Company maintains a computer system, a voice-mail system and an e-mail system to assist employees in conducting Company business. These systems, including the equipment and data stored in the systems, are the exclusive property of the Company. As such, all messages created, sent, received or stored in these systems are and remain the property of the Company.

The Company's e-mail and computer systems and resources are not to be used for any non-business purposes, entertainment, personal communications and other personal use or any illegal, harassing, inappropriate, pornographic, libelous or obscene purpose during or outside work hours. The only exception is for limited personal uses, subject to the limitations and guidelines set forth in this Handbook and of the Internet, Newsgroup and Electronic Mail Policy. This policy allows for reasonable personal use of the internet during an employee's own time (non-working time), for example at the beginning of the day, during the lunch break and again at the end of the working day, and so long as it does not interfere with your work and/or the work of other employees. The Company's electronic data systems may not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitation.

Because the computer systems and resources remain Company property, employees should have no expectation of privacy with regard to these systems and resources. All computers and Company equipment are subject to search at any time. Additionally, MV reserves the right to discontinue an employee's access to any computer systems and resources at any time.

The Company reserves the right to access, read, review, and monitor all messages, images, programs, files, and content on the Company's email, voicemail, computer and internet systems, and employees should have no expectation of privacy in this regard. You are advised that any incidences of inappropriate use may result in disciplinary action up to and including termination of employment.

Examples of 'inappropriate usage' would be:

- visiting sites with sexual or offensive context
- transmitting, receiving, viewing, or storing words or images of a discriminatory or harassing nature or that are obscene, vulgar, derogatory, or inflammatory
- excessive personal use of the internet during working hours
- any usage, including, streaming radio, music and video, with legal implications such as copyright and performing rights
- any use that would violate any Company policy or rule or any federal, state, or local law

The above are illustrative examples, and are not intended to be exhaustive.

Employees are prohibited from downloading or uploading “executable” files, music, videos, or any software without advance written approval by the Director of Information Technology. Additionally, employees are prohibited from copying software without advance written approval by the Director of Information Technology.

Please see the Internet, Newsgroup and Electronic Mail Policy for more detail.

Software Code of Ethics

Unauthorized duplication of copyrighted computer software violates the law and is contrary to our organization’s standards of conduct. The Company prohibits all copying or pirating of software, and the use, duplication, or dissemination of copyrighted materials in violation of copyright laws is prohibited. The Company recognizes the following principles as a basis for preventing its occurrences:

- Employees are prohibited from making or using unauthorized software copies under any circumstances.
- Employees must comply with all license or purchase terms regulating the use of any software we acquire or use.
- Employees must comply with, and enforce, MV’s internal controls to prevent the making or using of unauthorized software copies, including effective measures to verify compliance with these standards and appropriate disciplinary measures for violation of these standards.

Social Media Policy

The Company respects the legal rights of its employees and understands that employees' time outside of work is their own. However, employees should be mindful that their social media activity, even if done off premises and while off-duty, could affect the Company's legitimate business interests. For example, the information posted could be the Company's confidential business information. In addition, some readers may mistakenly view you as a spokesperson for the Company. Consequently, social media activity is a legitimate and proper focus of Company policy.

This Social Media Policy (the "Policy") provides guidance on responsible social media activity by employees. This Policy does not and cannot cover every possible social media activity. If you are unsure how this Policy may apply to your social media activity, the Human Resources Department is here to help you. For purposes of this Policy, "social media activity" includes all types of posts and other communications on the Internet, including but not limited to, posts on social networking or affinity sites (such as Facebook, LinkedIn, and Tumblr); blogs and other on-line journals and diaries; bulletin boards and chat rooms; microblogging, such as Twitter; and posts of video or audio on media-sharing sites, such as

YouTube or Flickr. "Social media activity" also includes permitting, or failing to remove, posts by others where the employee can control the content of posts, such as on a personal page or blog.

Application:

This Policy applies to social media activity that relates in any way to the Company's business, employees, customers, vendors, or competitors or that identifies an employee's affiliation with the Company (other than as an incidental mention of place of employment in personal social media activity unrelated to the Company). This Policy applies to social media activity when on or off duty, while using the Company's or personal electronic resources, and whether or not the employee posts anonymously or using a pseudonym.

Guidelines:

The Company values its established brand reputation and good will relationships. These are important corporate assets. When you engage in social media activity that identifies you as a Company employee, or in any way relates to the Company, you should bear that in mind. Unless you have received prior authorization in writing from an authorized Company representative, you should not represent or suggest in any social media content that you are authorized to speak on the Company's behalf, or that the Company has reviewed or approved your content.

You may use the Company's electronic resources to engage in social media activity for non-business purposes during your own time (non-working time), so long as it does not interfere with your or your co-workers' job responsibilities, and complies fully with all Company policies. You may not maintain an open connection to, or stream, any social media site. Such non-business use is a privilege that may be withdrawn if abused.

Your social media activity is subject to all pertinent Company's policies, including, but not limited to the Code of Conduct, Equal Employment Opportunity, Confidentiality, Anti-Discrimination/Anti-Harassment Policy, and Electronic Data Systems Policy.

The Federal Trade Commission requires that endorsements be truthful and not deceptive. If your social media activity endorses the Company's products or services, i.e., expresses opinions, beliefs, findings or experiences concerning the Company's products or services, you must disclose your name and position with the Company.

You should not post content about the Company, management, co-workers, vendors, or customers that is vulgar, obscene, physically threatening, intimidating, defamatory, harassing, or a violation of the Company's policies against discrimination or harassment. You should not unlawfully disparage the

Company's products or services, or the products or services of its customers, vendors or competitors.

You should not use the Company's logo, trademark or proprietary graphics (collectively, "IP") for any commercial purpose, such as selling or advertising any product or service, without the Company's prior written consent. You should not use the Company's IP in a way which suggests that you are representing the Company or while engaging in conduct that violates Company policy.

You should not disclose, or post images or video of, any of the Company's trade secrets or confidential business information or of any confidential business processes.

You should not post images or video of the Company's employees, customers, vendors or competitors without their prior permission.

To reduce the risk of identity theft, stalking, and similar criminal conduct, you should not disclose personally identifying information (such as personal telephone numbers, Social Security numbers, the date of birth, credit or debit card numbers or financial account numbers) of the Company's employees, customers, vendors or competitors.

Consistent with applicable law, members of management should not gain unauthorized access to the restricted social media page of a subordinate. Any employee may reject, without fear of retaliation, any request from any other employee that, if accepted, would permit access to a restricted social media page - such as a friend or connection request.

Employees may not use their Company e-mail address to register for any social media account or site, or as an identifier needed to participate in any social media activity, except to engage in social media activity authorized by the Company and for the Company's business purposes. Employees may reference the Company as their employer and include contact information on social and professional networking sites only, such as LinkedIn and Facebook.

If you need clarification of any aspect of this policy, contact the Human Resources Department. You should report all violations of this policy to the Human Resources Department or utilize any reporting mechanism set forth in this handbook.

The Company will, in its discretion, review social media activity to the fullest extent permitted by applicable law.

Employees are solely responsible for their social media activity and will be held accountable for violating this Policy. Failure to comply with this Policy may lead to discipline, up to and including termination of employment, and if appropriate, the Company will pursue all available legal remedies. The Company also may report suspected unlawful conduct to appropriate law enforcement authorities.

The Company will not construe or apply this Policy in a manner that improperly interferes with or limits employees' rights under the National Labor Relations Act.

Workplace Violence

MV Transportation is firmly committed to providing a workplace free from acts of violence or threats of violence. In keeping with this commitment, the Company has established a policy strictly prohibiting any employee from threatening or committing an act of violence in the workplace, while on duty, while on company related business, or while operating any vehicle or equipment owned or leased by the Company.

Assistance is needed from all employees to achieve a workplace secure and free from violence. MV is committed to a "zero tolerance" policy and compliance with this policy in respect to workplace violence is every employee's responsibility. Any and all incidents involving an act or threat of violence must be reported immediately to the employee's supervisor or the Human Resources department. Any employee may do so without fear of retaliation of any kind. After the incident is reported to a supervisor, he/she will report the matter to the Human Resources department, who will conduct an investigation and take appropriate action.

Any employee who engages in or contributes to violent or threatening behavior may be subject to disciplinary action, up to and including termination.

Weapons Policy

The Company is committed to ensuring the safety of our employees, customers, clients, contractors, and visitors. In furtherance of this commitment, the Company maintains a weapons-free workplace (except as otherwise provided by law) and strictly enforces the prohibition of the use, carrying, or possession of deadly weapons or destructive devices while on the Company's property and/or while performing related work or duties for the Company. Employees are also prohibited from keeping or storing weapons or destructive devices in their vehicles in parking areas, unless state law requires that employees be allowed to store or transport certain types of firearms in their own locked vehicles in Company parking areas.

Examples of deadly weapons or destructive devices: firearms, including but not limited to, handguns, rifles, pellet guns, and similar devices; knives with the exception of pocket knives; instruments capable of inflicting a heavy blow, including, but not limited to, nightsticks, clubs and similar devices; explosive devices, including but not limited to bombs, grenades, and similar devices and other devices whose primary purpose is the infliction of bodily harm.

Although some states license individuals to carry concealed firearms, the Company prohibits them on Company property or while participating in work-related duties for the Company. A violation of this policy is considered gross misconduct and will result in immediate discipline and/or termination.

Customers, clients, contractors, or other visitors who violate this policy will be asked to immediately leave the Company's premises and may be subject to arrest and prosecution by law enforcement officials for any criminal acts.

Discipline

Any violation of MV Transportation policies or any inappropriate or improper behavior or conduct may warrant disciplinary action. Although the employment relationship may be terminated at will by the employee or the Company, without following any formal system of discipline or warnings, the Company may, in its discretion use progressive discipline. The progressive discipline system is intended to give the employee advance notice, whenever possible, of problems with their conduct or performance to provide the employee with an opportunity to correct their actions. Normally, progressive discipline involves verbal counseling and one or more written warnings, before an employee is terminated. However, deviations from progressive discipline may occur when serious offenses occur or circumstances warrant alternative measures in the Company's sole discretion. If your employment is governed by a valid collective bargaining agreement, discipline will be governed by that agreement.

Work rules are needed to ensure the safety and well-being of all employees. The purpose of Work Rules is not to punish employees; instead, it is intended to inform employees regarding expectations and provide a framework for coaching and counseling. The Company reserves the right to skip steps in the disciplinary process whenever it determines circumstances warrant. Work Rules are divided into two groups of offenses:

1. *Minor Violations* will usually be addressed in a four-step process (although the Company need not follow this sequence):
 - First violation – Counseling session/verbal warning
 - Second violation- written warning
 - Third violation – Final warning and/or unpaid suspension
 - Fourth violation – Termination
2. *Major Violations* will warrant disciplinary action up to a final warning and/or unpaid suspension, or termination.

Minor Violations

The Company need not follow any particular sequence of discipline and may impose immediate suspension or discharge where circumstances warrant. Violations may be personally observed or reported, or observed via DriveCam and Other Video Systems or Electronic Systems, including GPS and mobile data terminals. Examples of minor violations include, but are not limited to, the following types of workplace behavior.

1. Failure to follow work policies, procedures or duties
2. Failure to follow personal appearance standards
3. Use of abusive or profane language
4. Use of personal radios while operating a Company vehicle.
5. Eating or drinking while operating a Company vehicle.
6. Violation of the Internet, Newsgroup and Electronic Mail Policy, not considered to be a major violation

Major Violations

Major violations will result in termination or other serious discipline. Violations may be personally observed or reported, or observed via DriveCam and Other Video Systems or Electronic Systems, including GPS and mobile data terminals. Examples of major violations include, but are not limited to, the following types of workplace behavior:

1. Reporting to work or working under the influence, possessing alcohol or illegal drugs in the workplace, or any violation of MV's Drug and Alcohol Policy
2. Deliberately damaging or abusing property
3. Carelessness or horseplay resulting in property damage in excess of \$5,000 or personal injury
4. Insubordination, including the refusal and/or failure to follow a directive, to perform assigned work, or to encourage others to do either
5. Violation of confidentiality and proprietary information policy
6. Harassment prohibited by Company policies

7. Violations of State, Federal, County or Municipal laws, regulations or requirements that would disqualify you from employment under MV's hiring criteria, with the exception of moving violations while driving which are governed by the MV Safety Point System. Employees are required to report such arrests and/or convictions within 24 hours.
8. Additional violations of the MV Safety Policy, Attendance Policy, Substance Abuse Policy Violations, or misuse of Company vehicles and/or equipment, including but not limited to:
 - Operating without a valid license appropriate for that vehicle, equipment or service.
 - Driving on a suspended license
 - Driving a commercial vehicle without a valid medical card
 - Transporting school children without proper school bus certification as required by applicable law
 - Un-insurability as a vehicle operator
 - Negligent use of a Company owned or provided vehicle or equipment
 - Unauthorized use of a Company owned or provided vehicle or equipment including transporting unauthorized passengers
 - Use of a personal cell phone while operating a Company vehicle
9. Falsification of any records, such as medical forms, time records or employment applications, or making false statements
10. Unprofessional or disorderly verbal or physical conduct directed towards coworkers, passengers, clients or any third party while acting as a representative of the Company.
11. Engaging in a romantic or sexual relationship with a passenger who is unable to provide meaningful consent.
12. Entering a passenger's home while in service or in Company uniform without a legitimate business purpose
13. Possession of weapons or explosives on Company premises
14. Conviction of driving under the influence, reckless driving or hit-and-run driving whether on or off the job, in a Company or private vehicle, for employees performing safety sensitive functions

15. Use of Company property or Company garages for personal vehicle repair
16. Failing to pass initial, ongoing or changed qualification standards
17. Dishonesty, theft, or improper handling of company assets or cash
18. Gross negligence

Vehicle Citations

In addition to any potential safety point assessments, vehicle citations are the responsibility of the employee. MV will not pay for parking tickets or citations issued to Company vehicles or employees on Company time unless required by law. It is the responsibility of the employee to obey all traffic laws and to operate a vehicle in a safe and legal manner.

Personal Appearance

When at work, employees are expected to present a professional appearance and to dress according to the requirements of their position.

Every employee is expected to practice daily hygiene and good grooming. Scents – whether artificial or natural – should not be distracting to other employees or our passengers.

Where required, employees must come to work in a clean, pressed uniform. Those who report for work inappropriately dressed will be sent home unpaid and directed to return to work in proper attire. For safety reasons, the following appearance standards also apply for all operators and safety sensitive positions:

- Leather, rubber soled shoes must be worn
- Long hair extending past the shoulders must be tied back
- Fingernails cannot exceed 1/2" past the tip of the fingers
- Dangling jewelry, including earrings, is not permitted

If the employee's shift needs to be covered by another employee, the employee may forfeit his/her entire days shift at the manager's or supervisor's discretion. If sent home, the employee will be issued an attendance occurrence noted as an absence.

Smoking

Smoking (both cigarette and e-cigarette) is expressly forbidden in or near Company vehicles at all times. This rule applies to everyone - employees, passengers, clients and the general public. It is also prohibited for any employee to smoke in any MV facility or garage. Employees wishing to smoke must do so on their own time and a minimum of 20 feet from a facility or bus.

Solicitation

MV prohibits:

- Solicitation and distribution of goods, services, or literature by non-employees on Company premises
- Solicitation by employees on Company premises when the person soliciting or the person being solicited is on working time (Working time is the time employees are expected to be working and does not include your scheduled meal or other authorized breaks.)
- Distribution of goods and/or literature by employees on Company premises in non-working areas during working time, as defined above
- Distribution of goods and/or literature by employees on Company premises in working areas

Note: A "working area" is an area, usually inside production areas or offices, where work is performed. It includes halls and aisles used in the course of employees' work. It also may include outside areas like the yard. "Working area" generally does not include break rooms, cafeterias, employee parking lots and Company grounds or recreation areas.

Confidentiality of Information

MV treats employee information as confidential. MV will only release employee information upon 1) written authorization, 2) court order, 3) as necessary in accordance with business needs and to administer benefits, or 4) to meet other contractual or legal requirements.

Security Inspections

Employees should not have an expectation of privacy in Company equipment such as desks, lockers, and computers. Desks, lockers, computer and communications systems are the property of the Company and therefore can be inspected by any agent or representative of the Company at any time, either with or without prior notice. The Company has the right to inspect packages and persons on, entering and/or leaving Company property. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the Company's premises.

Employee Personnel Files

MV Transportation retains the right not to provide an employee with any duplications or copies of any paperwork within his/her personnel file, unless otherwise provided by applicable law. Access to and documents from an employee's personnel file will be provided to employees as required by applicable law. Employees who are interested in reviewing the contents of their personnel file should complete the Personnel File Review Form and submit it to their Manager of Human Resources to schedule a mutually convenient time for an appointment.

To ensure that MV's personnel files are up-to-date and contain accurate, complete information, employees are asked to notify their supervisor or Human Resources of any changes that need to be made in any of the following categories:

- Name
- Telephone number
- Home address
- Individual to notify in case of an emergency

Safety and Incident Policies

Safety Hotline

Since the safety, health and welfare of our employees, passengers and public is our number one priority at MV, we have established an Employee Safety Hotline to report any safety problems or concerns. Our safety hotline number is **1 - 877 - MVSAFE - T (687-2338)**. Concerns including vehicle maintenance issues, unreported incidents, failure to secure wheelchairs, office safety issues, etc. should be reported to the Employee Safety Hotline. You are also expected to report any instances to your supervisor so your concerns can be immediately addressed.

Incident

Any occurrence, event or action (regardless of how minor) which does not follow Company procedures or presents a threat or problem to MV, its passengers, public or its employees is considered an incident. Any occurrence involving a passenger while under the care, custody and control of MV and its employees is considered an incident. Any contact between your vehicle and another person, vehicle or object is considered an incident whether or not there was damage or injury.

Incident Reporting

All incidents, regardless of how minor, must be immediately reported per MV's 'Incident Reporting' procedure. Failure to timely report any incident, regardless of whether or not it results in injury or property damage, may result in disciplinary action up to and including termination. **For workplace injuries, please refer to our 'Workers' Compensation' policy.**

Major Safety Incidents

For incident reporting purposes, a major incident is one involving a transit vehicle or occurring on MV property. This includes, but is not limited to:

- Fatality
- Pedestrian or cyclist incident/injury
- Passenger incident or injury involving a lift
- Passenger incident or injury while entering or exiting a vehicle
- Passenger incident or injury involving improperly securing a passenger
- Preventable roll-away incident
- MV Operator is cited for a major/serious moving violation (reckless driving, DUI)
- Any injury (including to the MV Operator) requiring immediate medical attention away from the scene
- Property damage of at least \$5,000
- Environmental spills
- Vehicle roll-over/lay-over
- Vehicle fire
- Incidents with Operator allegation of equipment or maintenance failure
- Events with potential for negative public relations and/or news media coverage
- Incidents where Operator drug and/or alcohol use may be involved
- Incidents where fault is in question
- Any use of a cellular telephone or electronic device while operating a company vehicle

Minor Safety Incidents

All other incidents that do not meet the definition of a “major” incident.

Subrogation of Incident or Injury Claims

Every employee is expected to protect MV's rights to subrogate for reimbursement of vehicle damages, Workers' Compensation payments and related costs, Medical and Dental Insurance payments and related costs, and other payments/costs which result from the negligence of third-parties. Employees must obtain concurrence from MV (Risk Management for Workers' Compensation claims or Human Resources for Medical/Dental claims) prior to signing any "release of liability" from any responsible third-party or third-party insurer.

Safety Investigation Leave

Any employee involved in a major incident will be placed on administrative leave while the incident is being investigated to determine root causes and preventability. Administrative leave is unpaid unless the incident is determined to be non-preventable. Employees may perform other non-safety sensitive functions if available and/or appropriate until final determination is made.

Electronic Systems

The company employs numerous technologies, including DriveCam, video systems, GPS and mobile data terminals in order to help ensure the safety of the driver and passengers, compliance with Federal, State and Local driving laws as well as regulations for both the driver and the motoring or pedestrian public. Any recording resulting from these technologies may be used as evidence in the investigation and may result in the issuing of appropriate disciplinary action.

Safety Point System

MV safety results are directly related to the actions and behaviors of our employees. At-risk behaviors lead to incidents and injuries. Therefore all MV safety sensitive employees are subject to a Safety Point Program rating which assesses cumulative points for at risk safety behaviors or actions.

Any work related incident, which involves an employee at MV will be investigated and may result in Safety Points being assigned.

If the incident is determined to have been "preventable" by the MV employee, then it will be considered a preventable incident. While an incident may not be legally considered your "fault", it will be treated as preventable, regardless of the cost to MV. Even minor damage incidents cost the Company money in terms of repairs, lost vehicle or driver time, staff time, etc. Any damage to a Company vehicle will automatically be assessed to the most recent employee who drove that vehicle and who failed to report it on a daily vehicle inspection sheet.

Preventability of Incidents and Injuries

The determination as to whether an incident could have been "preventable" will be made by the Division Safety Manager and General Manager. It is subject to review by the Area Safety Director and/or the Region Vice President. If there is a disagreement it will be given to the Vice President of Safety. The Chief Safety Officer has the final determination of preventability on all incidents.

Disciplinary Action

Any employee who has a preventable incident will be subject to re-training and/or discipline up to and including termination based on the safety point system.

Although most situations will be addressed by issuing safety points, MV reserves the right to impose discipline, up to and including termination, for any unsafe act, failure to follow safe work practices and/or procedures, or negligent operation of a Company vehicle regardless of the point assessment under the Safety Point System. Unsafe behaviors are also subject to disciplinary action regardless of whether they lead to injury. Such discipline must be approved by the Chief Safety Officer or a Company President.

Accruing Safety Points

DriveCam and Other Video Systems events/incidents will be assessed safety points based on the current version of the DriveCam and Other Video Systems Points Policy. DriveCam and Other Video Systems Points may result from both coached and auto-resolved events/incidents. DriveCam and Other Video Systems Points are included and considered when applying the following Maximum Allowable Safety Points section. The good-faith filing of a workers' compensation claim shall not accrue safety points or discipline

All preventable incidents will be assigned points in the following manner:

Failure to cycle wheelchair lift	One (1) point
Failure to do a proper vehicle inspection (DVI)	One (1) point
Driver unbelted or improperly belted when legally required	One (1) point
Failure to stop at a Railroad Crossing.....	One (1) point
Unsafe maneuver(s) or act(s)	Two (2) points
Conviction of a minor traffic violation	Two (2) points
Backing incident or collision.....	Three (3) points
Rear-end collision	Three (3) points
Failure to provide door-to-door service, to include failure to properly load/unload a passenger via the lift.....	Three (3) points

Preventable incident and/or collision up to \$15,000 in injuries or property damage	Four (4) points
Preventable incident or collision up to \$20,000 in injuries and/or property damage	Five (5) points
Preventable incident or collision in excess of \$20,000 in injuries and/or property damage	Six (6) points
Any preventable roll-away incident or collision regardless of damage amount	Six (6) points
Failure to properly secure/transport a mobility device	Six (6) points
Failure to properly secure/transport a paratransit passenger	Six (6) points
Failure to immediately report a citation or incident in a Vehicle while in Company service	Six (6) points
Tampering with, disabling, obstructing, abusing, disconnecting, or otherwise interfering with Drive Cam or other monitoring equipment	Six (6) points
Any use of a cellular telephone or electronic device while operating a vehicle in Company Service	Six (6) points
Conviction of a major traffic violation *	Six (6) points

() A major traffic violation is any citation, in either a personal or company vehicle, that involves any item listed under Major Safety Incidents and/or: (1) Driving while intoxicated or under the influence of alcohol or drugs; (2) Failure to stop and immediately report an incident in which you are involved; (3) Homicide, manslaughter, or assault arising out of the operation of a motor vehicle; (4) Driving while your license is suspended or revoked; (5) Reckless driving; (6) Possession of open container or alcoholic beverages; and/or (7) Speed contests, drag racing, or attempts to flee from an officer of the law, (8) leaving the scene of an accident.*

To be clear, and notwithstanding any other language in the Safety and Incidents Policy, an employee will not receive safety points or be otherwise disciplined simply because an incident results in an injury or a worker's compensation claim.

Maximum Allowable Safety Points

For introductory employees:

The occurrence of a preventable incident during the introductory period will result in termination. Receipt of four (4) or more points during the introductory period, outside of preventable incidents, will result in termination. In addition, receipt of two (2) separate safety point assessments during the introductory period will result in termination, regardless of the employee's total point count.

For non-introductory period employees:

In any rolling 18 month period of employment, receipt of six (6) or more points will result in termination. Any infraction which occurred more than eighteen months prior would no longer be included in the safety point count. In addition, receipt of three (3) separate safety point assessments in any rolling one year period will result in termination, regardless of the employee's total point count.

Safety Point Hearing

If an employee feels that he/she has been issued safety points improperly, a point count hearing may be requested. Point count hearing requests must be made within five (5) business days of the point assessment to your supervisor. The supervisor will contact the Area Safety Director to conduct the hearing within ten (10) business days of the request.

The hearing panel will consist of three of the following people: Vice President of Safety, Area Safety Director, General Manager, Assistant General Manager and/or Safety and Training Manager. The hearing will be chaired by the Vice President of Safety or the Area Safety Director. Decisions by the panel must be signed-off and approved by the Regional Vice President and the Chief Safety Officer to be binding.

Retraining

MV reserves the right to require an employee to attend retraining in addition to any discipline imposed. Failure to attend mandated re-training courses may result in disciplinary action up to and including termination.

All customer service related incidents which do not result in termination are subject to retraining from the MV customer service program (Ergometrics START program) or other approved Customer Service Training Module using the applicable section of the training that will apply to the incident. This must be accomplished within one week of the incident date.

All vehicle-related incidents which do not result in termination are subject to retraining using the approved Defensive Driving Training Programs. This must be accomplished within one week of the incident date.

Retraining may also be required based on an unacceptable onboard or field inspection.

MVR Records

All employees in safety sensitive positions who will operate a vehicle in Company service (either on a regular or occasional basis) must provide a copy of their Motor Vehicle Record (MVR). MVR's may also be checked during employment. Such employees must report to their supervisor a citation received in either a vehicle in Company service or personal vehicle within 24 hours. Failure to report a citation will result in immediate termination.

MV retains the right to access your MVR during employment. If an operations employee in a position requiring a driver's license has his/her license suspended, restricted or revoked, as a result of a vehicle citation, his/her employment may be terminated at the sole discretion of the company.

Statements at the Scene of an Incident

Under no circumstances is a MV Operator to discuss the circumstances of a vehicular incident occurring while in the course of his/her duties for MV or make any statement about the incident with anyone other than with police, MV division/safety personnel, MV Risk Management personnel, MV attorneys, and/or MV Third Party Claims Administrator personnel. Drivers are to give their names, addresses, telephone numbers, vehicle insurance, and driver's license information. Any further information can be obtained by contacting the General Manager or the Area Safety Director.

Leaving the Scene of an Incident or Injury

Under no circumstances is a MV Operator to leave the scene of an incident without first doing each of the following:

1. Immediately reporting the incident to the division.
2. Providing any and all claimants or other parties in the incident the personal and Company information required by law and needed to make a claim.
3. Obtaining all information regarding other vehicles and parties involved.
4. Obtaining authorization from the dispatcher to leave the incident scene.
5. Taking pictures of the vehicles involved and the incident scene as well as sketching out the scene of the incident on the incident diagram form.

Safety Inspections

All employees are subject to inspections to ensure safe, quality service for our passengers. Inspections will be done at random as well as scheduled times. Types of inspections include field inspections, on-board evaluations, vehicle inspection audits and facility inspections.

Wheelchair Lift Deployment

Under no circumstances is a MV employee to leave a wheelchair lift partially or completely in the down position outside of the vehicle while not physically there and able to alert any pedestrians to the potential danger. Under no circumstances is the vehicle to be driven unless the wheelchair lift is safely and properly stowed in its secure folded position.

Safety Meetings

Safety meetings are a critical component of our safety program and assist MV in managing contractual and refresher training requirements. All operations employees are required to attend a minimum of one safety meeting per month.

Return of Property

Employees must return all Company property at the time of termination, resignation or layoff, or immediately upon request. Where permitted by law, the Company may withhold from the employee's pay or final pay the cost of any items that are not returned. The Company may also take all action deemed appropriate to recover or protect its property.

Use of Personal Cell Phones and other Electronic Devices

The use of cell phones for personal calls during your working hours is discouraged and should be limited to break or meal periods. Where a client contract prohibits drivers from carrying personal cell phones, the use of personal cells phones is prohibited. Any use of a personal cell phone or other non company-issued electronic device, hands-free or not, during the operation of a company vehicle is prohibited.

Preparedness for Work and Alertness Management

It is the Operator's responsibility to report for duty well rested, with proper equipment and uniform and in sufficient time as required to perform his/her duties.

Professional operators must get adequate rest – ideally a minimum of eight hours – before coming to work. Every operator is responsible for coming to work well rested, as there is a significant risk of fatigue-related incidents. If an operator is not properly rested or is fatigued, they must report their condition to a supervisor or manager immediately.

APPENDIX 1

Federal and State Agencies

Local, state and federal employment discrimination agencies that enforce the laws against sexual harassment and discrimination in California, Maine, Massachusetts, Rhode Island, and Vermont and for government contractors can be contacted at the phone numbers and addresses listed below.

Federal

The Office of Federal Contract Compliance Programs (OFCCP)

U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
Phone (800) 397-6251
TTY (202) 6936-1337
OFCCP-Public@dol.gov

California

Department of Fair Employment and Housing

Sacramento District Office
2000 O Street, Suite 120
Sacramento, CA 95814
Phone (800) 884-1684
Fax (916) 323-6092

Equal Employment Opportunity Commission

901 Market Street, Suite 500
San Francisco, CA 94103
Phone (415) 356-5100

Maine

Main Human Rights Commission

51 State House Station
Augusta, ME 04333
Phone (207) 624-6050
Fax (207) 624-6063
TTY/TTD (888) 577-6690

Equal Employment Opportunity Commission, Area Office

John F. Kennedy Federal Building
Government Center, Room 475
Boston, MA 02203
Phone (617) 565-3200

MassachusettsMassachusetts Commission Against Discrimination

1 Ashburton Place, Room 601 436 Dwight Street
Boston, MA 02108 Springfield, MA 01103
Phone (617) 994-6000 Phone (413) 739-2145

Equal Employment Opportunity Commission, Area Office

John F. Kennedy Federal Building
Government Center, Room 475
Boston, MA 02203
Phone (617) 565-3200

Rhode IslandRhode Island Commission for Human Rights

180 Westminster Street
Providence, RI 02903
Phone (401) 222-2661

Equal Employment Opportunity Commission, Area Office

John F. Kennedy Federal Building
Government Center, Room 475
Boston, MA 02203
Phone (617) 565-3200

VermontVermont Attorney General's Office

Civil Rights Unit
109 State Street
Montpelier, VT 05602
Phone (802) 828-3171

Equal Employment Opportunity Commission, Area Office

John F. Kennedy Federal Building
Government Center, Room 475
Boston, MA 02203
Phone (617) 565-3200

APPENDIX 2

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosure



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV



RECEIPT AND ACKNOWLEDGEMENT

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

I have received a copy of the September 2016 MV Employee Handbook, and I have reviewed and understand its provisions. If at any time I do not understand a policy in this Handbook or any other Company policy, I will seek clarification from my supervisor or the Human Resources Department. Unless otherwise provided under the terms of an applicable Collective Bargaining Agreement or other valid contract, I understand the Company is an 'at will' employer and, as such, employment with the company is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause and without prior notice.

I understand that the Handbook states certain of the Company's policies and practices in effect on the date of publication. I UNDERSTAND THIS HANDBOOK DOES NOT CONSTITUTE A CONTRACT OF EMPLOYMENT. I UNDERSTAND THAT NOTHING CONTAINED IN THIS HANDBOOK MAY BE CONSTRUED AS CREATING A PROMISE OF FUTURE BENEFITS OR A BINDING CONTRACT WITH THE COMPANY FOR BENEFITS OR FOR ANY OTHER PURPOSE. Unless otherwise provided under the terms of an applicable Collective Bargaining Agreement, arbitration agreement, or other valid contract, I also understand that the Company's policies and procedures may be amended, supplemented, modified or terminated at any time, with or without notice.

Employee Signature

Date

Employee Name (please print)

Technology Brochures

Delivering insights. Driving results.™

DriveCam
POWERED BY Lytx 

Proven Results

Major fleet operators return to the DriveCam® Program year-after-year because they realize millions of dollars in savings and indirect benefits when they:



"The DriveCam Program provides us with more than just technology. They provide the service and support we need to improve and grow our business."
 – Waste Management

REDUCE COLLISIONS

Fleet operators see collision cost reductions of up to 80% in Property & Auto Liability and Workers' Compensation claims.

REDUCE FRAUDULENT CLAIMS

Exception-based video captures indisputable evidence when an event occurs, protecting drivers and fleets from fraudulent or other errant claims.

REDUCE FUEL USE

Typical reduction of up to 12% through the management of efficient driving, excessive idling and speeding.

Fleets also realize a variety of important indirect benefits from developing and maintaining a world-class safety culture.

With the DriveCam Program, you'll:

- Protect your drivers from the devastating impact of being involved in a collision – and exonerate them when they are in a no-fault collision.
- Protect your brand by minimizing high-profile collisions that receive broad media coverage.
- Exemplify good corporate citizenship by contributing to a safer and more environmentally conscious community.



The DriveCam Online Experience

With 24/7 secure access, the DriveCam Online® platform provides the important information you need to monitor fleet risk, prioritizes what you need to maximize your safety program and provides the necessary tools for coaching your drivers to improve their driving behavior. The DriveCam Online platform is your key to driver risk management success.



Role-based Home Pages

Including an inbox and a variety of dashboards, you can drill into specifics about a driver or group.



3-Step Coaching Process

- To help guide you through ...
1. Coaching Behaviors (video and non-video)
 2. Selecting an Action Plan
 3. Conducting the Coaching Session

Rank Number	Driver	Home Group	Rank
1	Beth Lavelle	San Diego	LOW
2	Larry Gierler	San Diego	MED
3	Nate Harshbarger	Escondido	MED
4	Tyler Hoffman	San Diego	MED
5	Joan Boneman	San Marcos	MED
6	Ross Peterson	East County	MED
7	Michael Collins	Downtown	HIGH
8	Kristen Chee	Orange County	HIGH
9	Maki Nakano	San Diego	HIGH

Driver Score Ranking

Using our new Lytx Safety Score™ technology, you can now identify your safest drivers, as well as those with a higher probability of being involved in a collision.

How the DriveCam Program Works

The DriveCam Program – powered by the Lytx Engine™ – identifies, prioritizes and helps prevent the causes of poor driving before they lead to a collision. This “programmatic approach” helps clients transform their safety culture and ensures bottom-line results – preventing collisions, fraudulent claims and wasted operating expenses – while protecting their drivers and their brand.

1 MONITOR DRIVING; PROVIDE REAL-TIME FEEDBACK

The DriveCam video event recorder captures driving behavior data and provides real-time driver feedback.

2 UPLOAD VIDEO & DATA

Exception-based video and data are uploaded via a secure wireless connection to the DriveCam Review Center – and are immediately available to the client.

3 ANALYZE, SCORE & PRIORITIZE

Proprietary predictive data analytics, combined with expert video review, highlight the causes of poor driving and prioritize actions needed to reduce fleet risk and operating costs.

4 ACCESS DRIVER MANAGEMENT PORTAL

Configurable alerts direct clients to online tools, including dashboards for company-wide visibility and accountability, and analysis of risky driving behaviors.

5 COACH DRIVER

Flexible coaching and training methods are applied based on operational capabilities and organizational profiles.

6 SAFER DRIVER RETURNS TO THE ROAD

Continuous monitoring verifies that lessons have been applied, resulting in safer drivers and fewer collisions.

Ensuring your program is on track, DriveCam program reviews provide benchmarking and best practices specific to your operations and industry. In addition, proprietary video and data analysis provide a complete profile of drivers and driving, allowing for objective comparisons of driver to driver, site to site, region to region and company to industry.

Why Companies Choose the DriveCam Program

During the decision making process, there are many considerations when evaluating driver risk management, fuel management and fleet tracking services. Read why companies are choosing the DriveCam solution to protect their drivers, their vehicles and their community.



“The DriveCam Program is the first system I have seen that is proactive, instead of reactive. In the first six months we saw a 50% reduction in minor vehicle accidents, a 50% reduction in workers’ compensation claims and a 70% decrease in risky driving behavior.” – US Foods



“Through our use of the DriveCam Program, we are able to reduce litigation and exonerate drivers.

We have saved hundreds of thousands in litigation costs on frivolous claims since implementing the program.” – Cargo Transporters



“Greyhound’s number one focus has always been the safe transportation of millions of passengers every year across North America, and incorporating the DriveCam Program is one more way we are able to reinforce this focus.” – Greyhound

Value-Added Solutions

Fuel Management

The innovative behavior-based DriveCam Fuel Management Solution can help improve fleet performance. Integrated into the DriveCam Online platform, our solution combines real-time in-cab feedback with online reporting and coaching to improve fuel efficiency – by up to 12% – and lower emissions.

Fleet Tracking

Get a real-time view of your fleet operations – helping to ensure compliance and improve productivity – with immediate access to real-time status, trip history and a full suite of reports. Seamlessly integrated into the DriveCam Online platform, there’s no need for additional in-cab equipment, extra peripherals or extra software.

Lytix Engine

Our Lytx Engine™ is powered by human intelligence combined with state-of-the-art predictive analytics and statistical machine learning technologies. In the field, our devices are equipped with real-time automated decision algorithms that determine when data should be captured and stored. In our data centers, automated decision algorithms prioritize, store and route selected data to our human-powered internal processes.

We capture data from multiple sensors embedded in the work environment. In vehicles, our device captures signals from accelerometers, GPS systems, engine control units, video, microphones and advanced safety systems. To make sense of these signals, we have developed and deployed real-time decision algorithms that continuously monitor the sensor stream to determine the likelihood of risky driving behaviors.

The Lytx Engine applies advanced predictive models to prioritize, select and route data to review centers where teams of expert reviewers identify and verify behaviors from video events, adding structured labels to the data. These labels provide the basis for our scoring algorithms and for the continuous improvement of the predictive models that power our real-time decision algorithms in our sensors and servers. Our scoring algorithms and statistical models enable us to create driver safety and coaching effectiveness models that are examples of the tools we use that predict the likelihood of future collisions. These important predictors help safety managers and coaches understand and prioritize their areas of focus. Our constantly growing database enables us to refine and improve our ability to predict risky behaviors so that we can deliver even more value to our clients.



Our data analytics teams include scientists and analysts who apply statistical analysis, feature engineering and data-driven machine learning to develop decision algorithms and predictive models that support our human-powered processes. Over the years, we have learned how to maximize the effectiveness of these processes to help our customers drive positive change throughout their organizations.

Lytix stands for the entire process of Sense, Predict, Prevent (SPP)™. Using our technology, we analyze the data we gather, distill it into actionable insights and leverage it in ways that empower our clients to be safer, better companies.



Lytix, Inc., San Diego, California, USA 858.430.4000 866.419.5861 info@lytx.com www.lytx.com

At Lytx (formerly DriveCam, Inc.), we harness the power of data to change human behavior and help good companies become even better. Our flagship product, DriveCam powered by Lytx, sets the standard for driver safety in the industries we serve, and our RAIR Compliance Services helps DOT-regulated fleets comply with safety regulations, complementing the DriveCam Program. We protect more than 950 commercial and government fleet clients worldwide who drive billions of miles annually. Our clients realize significant ROI by lowering operating and insurance costs, while achieving greater efficiency and compliance. Most of all, we strive to help save lives – on our roads and in our communities, every day. Lytx is privately held and headquartered in San Diego. For more information, visit www.lytx.com.

Lytix; DriveCam powered by Lytx; Lytx Engine; Lytx Insights; Sense, Predict, Prevent; and Delivering Insights, Driving Results, are trademarks of Lytx, Inc. DriveCam, DriveCam Online and RAIR are registered trademarks of Lytx, Inc.

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An Intel
Company

COLLISION AVOIDANCE FOR TRANSIT BUSES

MOBILEYE[®] SHIELD+[™]

- Pedestrian & Cyclist Blind Spot Detection
- Real-Time Collision Avoidance Warnings
- Actionable Data to Improve Safety



SAVING LIVES

Mobileye Shield+ Collision Avoidance System helps avoid collisions in crowded urban environments.

The System's design addresses the large blind spots, greater turning radii and unique challenges bus drivers encounter on crowded city streets. It uses up to six strategically placed cameras to continuously analyze the driving environment and warn drivers of potential collisions in real-time.

Best of all, almost any type of existing transit bus, even an articulated bus, can be retrofitted with Shield+, giving existing vehicles an immediate safety boost. No need to wait for, or worry about, the purchase of new vehicles.



MOBILEYE SHIELD+ SYSTEM

REDUCE THE THREAT OF BLIND SPOTS WITH PEDESTRIAN DETECTION

Drivers receive real-time alerts to potential dangers.

This gives drivers the vital seconds needed to prevent or mitigate a potentially devastating collision.

Blind Spot Detection uses strategically placed cameras and dynamic detection angles to continuously analyze blind spots on the sides of the vehicle and by the A-pillar.

Visual and Audible Alerts warn drivers of the presence of pedestrians or cyclists in blind spots. The System has two levels of alerts.

Caution – Pedestrian *near* a vehicle danger zone
Danger – Pedestrian *in* a vehicle danger zone and at immediate risk of collision

Almost 96% Accuracy* bolsters driver confidence in the System.



ONE SYSTEM, FOUR LIFE-SAVING ALERTS

The advanced technology of Shield+ powers a dynamic set of features.



Forward Collision Warning



Pedestrian & Cyclist Collision Warning



Headway Monitoring & Warning



Lane Departure Warning

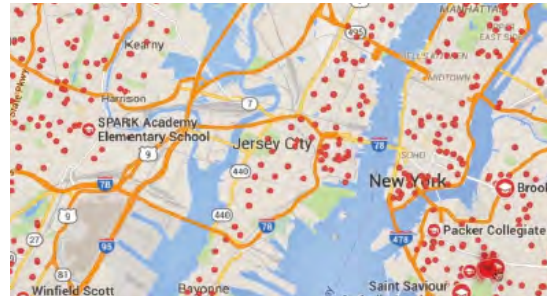


NEW STANDARDS OF SAFETY

Shield+ helps transit systems reduce the number and cost of collisions.

Shield+ comes with an integrated telematics system[†], allowing fleet managers to use alert data, tracked by time and location, to pinpoint Hot Spots on drivers' routes.

The cloud-based, secure system generates a number of safety reports to analyze transit routes and provide data to support evidence-based infrastructure changes and inform driver training programs.



A study by the Washington State Transit Insurance Pool found that buses equipped with Shield+ experienced a 58.5% potential reduction in the value of vehicular and pedestrian claims.*

*Washington State Transit Insurance Pool report.
[†]Telematics system is provided by a third party at no additional cost for the first year.

ABOUT MOBILEYE

Mobileye, an Intel Company, is a global leader in the development of computer vision and machine learning, data analysis, localization, and mapping technologies for Advanced Driver Assistance Systems and autonomous driving solutions. Its technology is integrated into hundreds of new car models from the world's major automakers including BMW, Ford, General Motors, Honda, Volvo, and more. In fact, over 24 million vehicles worldwide are equipped with Mobileye technology.

Mobileye's Aftermarket Collision Avoidance System is available for existing cars, trucks, buses and RVs, so that the driver of almost any vehicle can reap the benefits of a robust safety system. The System is available with a single, forward-facing camera suitable for most vehicles, or in a multi-camera solution (Shield+™) designed specifically for large commercial vehicles with hazardous blind spots.

Fleets worldwide have experienced significant reductions in collisions and associated costs with Mobileye. We can help your fleet achieve the same.



MOBILEYE SHIELD+ SYSTEM

mobileye.com/us (877) 867-4900

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SPBR_0118

EVIR[®]

www.zonarsystems.com

Electronic Vehicle Inspection Report



ACCURATE

Verified inspection reports

REPORTING

Time-stamped reporting and alerts

COMPLY

DOT, OSHA and MSHA inspection regulations

EFFICIENT

Automate service repair scheduling

The Only One Of It's Kind

The patented EVIR system uses the innovative Tag Once, Inspect Regularly, Know Always approach to capture, transmit and record inspection, compliance and maintenance data. Required pre- and post-trip inspections are automated and verified. It complies with all DOT, OSHA and MSHA equipment inspection requirements.

Simple As Tag, Inspect & Transmit

Tag - RFID tags are placed on the asset in critical inspection "zones."

Inspect - Inspections are performed by placing the reader close to the tag and conditions are entered with easy-push-button responses.

Transmit - Drivers place the unit into the vehicle mount and information is transmitted to Zonar's Ground Traffic Control web application.

Features and Capabilities

- Zonar 2010 inspection tool
- RFID tags (asset, specific vehicle information, zone specific information; and driver unique ID number)
- Vehicle mount
- Operating temp: -20C to +70C
- DC input range: 8.0Vdc to 80.0Vdc
- GSM cellular transceiver
- Quad band 850/1900 900/1800
- GPRS



Zonar | 18200 Cascade Ave S. Seattle, Wa 98188 | 206-878-2459

Rev 7/11/14

V3™

Telematics Control Unit

www.zonarsystems.com



TRACK

Asset Location,
Odometer,
Fuel Use

PERFORM

Driver and
Safety
Monitoring

DIAGNOSE

Remote Engine
and System
Diagnostics

QUALITY

Unparalleled
Accuracy and
Reliability

Real-Time Fleet Management

Designed for light- to heavy-duty applications, the V3 captures information directly from the vehicle, GPS satellites and Zonar hardware. Collected data is instantly transmitted to Zonar's Ground Traffic Control™ to provide managers the essential information needed to make important operational decisions and increase overall safety.

Superior GPS Tracking

The highly sensitive GPS receiver is intelligently designed with parallel time and frequency search capabilities to instantly find satellites. The V3 captures data in five dimensions - latitude, longitude, time, odometer and fuel consumption - resulting in greater position accuracy and precise performance metrics.

Features and Capabilities

- High-definition GPS tracking
- Remote vehicle diagnostics
- Reliable 3G network
- Dynamic geo-fencing
- True idle, speed and odometer
- Internal J3 ECU interface and access
- SAE J 1708/1587 and J1939 compatible
- 5 year warranty



Zonar | 18200 Cascade Ave S. Seattle, Wa 98188 | 206-878-2459

Rev 7/11/14

GROUND TRAFFIC CONTROL®

Web-Based Fleet Management



KNOW

Your fleet's
locations and
actions

MONITOR

Your fleet
anytime and
anywhere

RUN

Time-stamped
reports and
receive alerts

MANAGE

A single asset
or your
entire fleet

Your fleet at your fingertips

Ground Traffic Control® will provide your organization with the most accessible real-time picture of its fleet operations. With an unlimited number of users and 24/7 access from any computer, tablet, or smartphone with a web browser, Ground Traffic Control® is the most robust package on the market. All this power for tracking, reporting, and easy exporting of fleet data is included with your Zonar service.

Monitors the field from anywhere

Our web-based software allows back office management to see vehicle speeds, idle times and geo-fence entry at any time, from anywhere. We make it easy to coordinate your workforce with actionable data organized in one accessible location.

Entire fleet or a single asset reporting

Ground Traffic Control® comes pre-built with macro-to-micro reporting capabilities. Calculate overall fleet mileage and asset paths - including each stop and start - and much more.

Features and Capabilities

- Map every turn of the key, every stop and start, and all activity.
- Supervise each driver's speed, path, safety and idling.
- Customize reports, alerts and dashboards for each user's preferences.
- Ensure maximum safety, transparency, and accountability.
- Automate tasks were once a burden on drivers, dispatchers and administrative staff.
- Integrate with third-party systems using our open API.



www.zonarsystems.com | 18200 Cascade Ave S. Seattle, WA 98188 | 206-878-2459

**CITYCITY OF SANDY
PERSONAL SERVICES CONTRACT**

This Personal Services Contract (this “Contract”) is entered into between MV Transportation, Inc. (“Contractor”), and the City of Sandy (“City”), a political subdivision of the State of Oregon on behalf of the Transit Department.

ARTICLE I.

1. Effective Date and Duration. This Contract shall become effective **May 30, 2020** and upon signature of both parties. Unless earlier terminated or extended, this Contract shall expire on **May 30, 2022**. This Contract may be renewed for up to three (3) additional one-year terms, to be exercised by execution of a written amendment on terms and conditions approved by both parties.

2. Scope of Work. Contractor shall provide the following personal services: Sandy Transit Operations Services (“Work”), as noted in RFP #SAM2020, issued by the City of Sandy on February 26, 2020. The Scope of Work is further clarified and modified as described in **Exhibit A**. The following amendments are to be included in the Scope of Work as requested in Items of Discussion in Exhibit B: 1.) Price adjustments may be considered by the City’s governing body for reasons described in Exhibit B. 2.) A body damage assessment of vehicles may be performed to identify existing damage prior to MV employees driving vehicles. However, the City does not accept MV’s proposed Vehicle Acceptance Agreement Standards (Exhibit B, pgs 1-3). MV will accept the vehicles as is, subject to its right to identify existing damage to the vehicle fleet.

3. Consideration. The City agrees to pay Contractor, from available and authorized funds, a sum not to exceed \$2,432,126 for the first two years of the contract, for accomplishing the Work required by this Contract. Consideration rates are on a fixed hourly rate basis in accordance with the rates and costs specified in **Exhibit B**. If any interim payments to Contractor are made, such payments shall be made only in accordance with the schedule and requirements in **Exhibit A and Exhibit B**. Any change to hours and/or routes shall be made in writing on terms mutually acceptable to the parties.

4. Invoices and Payments. Unless otherwise specified, Contractor shall submit monthly invoices for Work performed. Invoices shall describe all Work performed with particularity, by whom it was performed, and shall itemize and explain all expenses for which reimbursement is claimed. The invoices shall include the total amount billed to date by Contractor prior to the current invoice. If Contractor fails to present invoices in proper form within sixty (60) calendar days after the end of the month in which the services were rendered, Contractor waives any rights to present such invoice thereafter and to receive payment therefor. Payments shall be made to Contractor following the City’s review and approval of invoices submitted by Contractor. Contractor shall not submit invoices for, and the City will not be obligated to pay, any amount in excess of the maximum compensation amount set forth above. If this maximum compensation amount is increased by amendment of this Contract, the amendment must be fully effective before Contractor performs Work subject to the amendment.

Invoices shall reference the above Contract Number and be submitted to: Andi Howell
16610 Champion Way Sandy, OR 97055.

5. Travel and Other Expense. Authorized: Yes X No

6. Contract Documents. This Contract consists of the following documents, which are listed in descending order of precedence and are attached and incorporated by reference, this Contract, **Exhibit A, Exhibit B, Exhibit C and Exhibit D**.

7. Contractor and City Contacts.

Contractor	City
Administrator: Dennis Shipman Phone: 1-214-490-2891 Email: dennis.shipman@mvtransit.com	Administrator: Andi Howell Phone: 1-503-489-0925 Email: ahowell@ci.sandy.or.us

Payment information will be reported to the Internal Revenue Service (“IRS”) under the name and taxpayer ID number submitted. (See I.R.S. 1099 for additional instructions regarding taxpayer ID numbers.) Information not matching IRS records will subject Contractor payments to backup withholding.

ARTICLE II.

1. **ACCESS TO RECORDS.** Contractor shall maintain books, records, documents, and other evidence, in accordance with generally accepted accounting procedures and practices, sufficient to reflect properly all costs of whatever nature claimed to have been incurred and anticipated to be incurred in the performance of this Contract. City and their duly authorized representatives shall have access to the books, documents, papers, and records of Contractor, which are directly pertinent to this Contract for the purpose of making audit, examination, excerpts, and transcripts. Contractor shall maintain such books and records for a minimum of six (6) years, or such longer period as may be required by applicable law, following final payment and termination of this Contract, or until the conclusion of any audit, controversy or litigation arising out of or related to this Contract, whichever date is later.
2. **AVAILABILITY OF FUTURE FUNDS.** Any continuation or extension of this Contract after the end of the fiscal period in which it is written is contingent on a new appropriation for each succeeding fiscal period sufficient to continue to make payments under this Contract, as determined by the City in its sole administrative discretion.
3. **CAPTIONS.** The captions or headings in this Contract are for convenience only and in no way define, limit, or describe the scope or intent of any provisions of this Contract.
4. **COMPLIANCE WITH APPLICABLE LAW.** Contractor shall comply with all applicable federal, state and local laws, regulations, executive orders, and ordinances, as such may be amended from time to time. Contractor shall further comply with any and all terms, conditions, and other obligations as may be required by the applicable State or Federal agencies providing funding for performance under this contract, whether or not specifically referenced herein.
5. **COUNTERPARTS.** This Contract may be executed in several counterparts (electronic or otherwise), each of which shall be an original, all of which shall constitute the same instrument.
6. **GOVERNING LAW.** This Contract, and all rights, obligations, and disputes arising out of it, shall be governed and construed in accordance with the laws of the State of Oregon and the ordinances of City without regard to principles of conflicts of law. Any claim, action, or suit between City and Contractor that arises out of or relates to the performance of this Contract shall be brought and conducted solely and exclusively within the Circuit Court for City, for the State of Oregon. Provided, however, that if any such claim, action, or suit may be brought in a federal forum, it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event shall this section be construed as a waiver by the City of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the Eleventh Amendment to the Constitution of the United States or otherwise, from any claim or from the jurisdiction of any court. Contractor, by execution of this Contract, hereby consents to the personal jurisdiction of the courts referenced in this section.
7. **RESPONSIBILITY FOR DAMAGES; INDEMNITY.** Contractor shall be responsible for all damage to property, injury to persons, and loss, expense, inconvenience, and delay which may be caused by, or result from, the conduct of Work, or from any act, omission, or neglect of Contractor, its subcontractors,

agents, or employees. The Contractor agrees to indemnify, hold harmless and defend the City, and its officers, elected officials, agents and employees from and against all claims and actions, and all expenses incidental to the investigation and defense thereof, arising out of or based upon damage or injuries to persons or property to the extent caused by the errors, omissions, fault or negligence of the Contractor or the Contractor's employees, subcontractors, or agents. However, neither Contractor nor any attorney engaged by Contractor shall defend the claim in the name of City or any department of City, nor purport to act as legal representative of City or any of its departments, without first receiving from the City written authority to act as legal counsel for City, nor shall Contractor settle any claim on behalf of City without the written approval of the City. City may, at its election and expense, assume its own defense and settlement.

- 8. INDEPENDENT CONTRACTOR STATUS.** The service(s) to be rendered under this Contract are those of an independent contractor. Although the City reserves the right to determine (and modify) the delivery schedule for the Work to be performed and to evaluate the quality of the completed performance, City cannot and will not control the means or manner of Contractor's performance. Contractor is responsible for determining the appropriate means and manner of performing the Work. Contractor is not to be considered an agent or employee of City for any purpose, including, but not limited to: (A) The Contractor will be solely responsible for payment of any Federal or State taxes required as a result of this Contract; and (B) This Contract is not intended to entitle the Contractor to any benefits generally granted to City employees, including, but not limited to, vacation, holiday and sick leave, other leaves with pay, tenure, medical and dental coverage, life and disability insurance, overtime, Social Security, Workers' Compensation, unemployment compensation, or retirement benefits.
- 9. INSURANCE.** Contractor shall secure at its own expense and keep in effect during the term of the performance under this Contract the insurance required and minimum coverage indicated below. Contractor shall provide proof of said insurance and name the City as an additional insured on all required liability policies. Proof of insurance and notice of any material change should be submitted to the following address: City of Sandy Transit Department 16610 Champion Way Sandy, OR 97055 or ahowell@ci.sandy.or.us.

<input checked="" type="checkbox"/> Required - Workers Compensation: Contractor shall comply with the workers' compensation requirements in ORS 656.017, unless exempt under ORS 656.126.
<input checked="" type="checkbox"/> Required – Commercial General Liability: combined single limit, or the equivalent, of not less than \$5,000,000 per occurrence.
<input checked="" type="checkbox"/> Required – Professional Liability: combined single limit, or the equivalent, of not less than \$1,000,000 per occurrence, with an annual aggregate limit of \$2,000,000 for damages caused by error, omission or negligent acts.
<input checked="" type="checkbox"/> Required – Automobile Liability: combined single limit, or the equivalent, of not less than \$3,000,000 per occurrence for Bodily Injury and Property Damage.

This policy(s) shall be primary insurance as respects to the City. Any insurance or self-insurance maintained by the City shall be excess and shall not contribute to it. Any obligation that City agree to a waiver of subrogation is hereby stricken.

- 10. LIMITATION OF LIABILITIES.** This Contract is expressly subject to the debt limitations applicable to the City under the Oregon Constitution and the City's charter, and is contingent upon funds being appropriated therefore. Any provisions herein which would conflict with law are deemed inoperative to that extent. Except for liability arising under or related to Article II, Section 13 or Section 20 neither party shall be liable for (i) any indirect, incidental, consequential or special damages under this Contract or (ii) any damages of any sort arising solely from the termination of this Contract in accordance with its terms.

- 11. NOTICES.** Except as otherwise provided in this Contract, any required notices between the parties shall be given in writing by personal delivery, email, or mailing the same, to the Contract Administrators identified in Article 1, Section 6. Any communication or notice so addressed and mailed shall be deemed to be given five (5) days after mailing, and immediately upon personal delivery, or within 2 hours after the email is sent during City's normal business hours (Monday – Friday 8:00 a.m. to 4:00 p.m.) (as recorded on the device from which the sender sent the email), unless the sender receives an automated message or other indication that the email has not been delivered.
- 12. OWNERSHIP OF WORK PRODUCT.** All work product of Contractor that results from this Contract (the "Work Product") is the exclusive property of City. City and Contractor intend that such Work Product be deemed "work made for hire" of which City shall be deemed the author. If for any reason the Work Product is not deemed "work made for hire," Contractor hereby irrevocably assigns to City all of its right, title, and interest in and to any and all of the Work Product, whether arising from copyright, patent, trademark or trade secret, or any other state or federal intellectual property law or doctrine. Contractor shall execute such further documents and instruments as City may reasonably request in order to fully vest such rights in City. Contractor forever waives any and all rights relating to the Work Product, including without limitation, any and all rights arising under 17 USC § 106A or any other rights of identification of authorship or rights of approval, restriction or limitation on use or subsequent modifications. The parties expressly acknowledge and agree that Contractor will be licensing software and computer programs for its performance under this Contract and in no way shall City acquire ownership to the software as a result of this Contract.
- 13. REPRESENTATIONS AND WARRANTIES.** Contractor represents and warrants to City that (A) Contractor has the power and authority to enter into and perform this Contract; (B) this Contract, when executed and delivered, shall be a valid and binding obligation of Contractor enforceable in accordance with its terms; (C) Contractor shall at all times during the term of this Contract, be qualified, professionally competent, and duly licensed to perform the Work; (D) Contractor is an independent contractor as defined in ORS 670.600; and (E) the Work under this Contract shall be performed in a good and workmanlike manner and in accordance with the highest professional standards. The warranties set forth in this section are in addition to, and not in lieu of, any other warranties provided.
- 14. SURVIVAL.** All rights and obligations shall cease upon termination or expiration of this Contract, except for the rights and obligations set forth in Article II, Sections 1, 6, 7, 11, 13, 14, 16, 21, and 27 and all other rights and obligations which by their context are intended to survive. However, such expiration shall not extinguish or prejudice the City's right to enforce this Contract with respect to: (a) any breach of a Contractor warranty; or (b) any default or defect in Contractor performance that has not been cured.
- 15. SEVERABILITY.** If any term or provision of this Contract is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Contract did not contain the particular term or provision held to be invalid.
- 16. SUBCONTRACTS AND ASSIGNMENTS.** Contractor shall not enter into any subcontracts for any of the Work required by this Contract, or assign or transfer any of its interest in this Contract by operation of law or otherwise, without obtaining prior written approval from the City, which shall be granted or denied in the City's sole discretion. In addition to any provisions the City may require, Contractor shall include in any permitted subcontract under this Contract a requirement that the subcontractor be bound by this Article II, Sections 1, 7, 8, 13, 16 and 27 as if the subcontractor were the Contractor. City's consent to any subcontract shall not relieve Contractor of any of its duties or obligations under this Contract.

- 17. SUCCESSORS IN INTEREST.** The provisions of this Contract shall be binding upon and shall inure to the benefit of the parties hereto, and their respective authorized successors and assigns.
- 18. TAX COMPLIANCE CERTIFICATION.** The Contractor shall comply with all federal, state and local laws, regulation, executive orders and ordinances applicable to this Contract. Contractor represents and warrants that it has complied, and will continue to comply throughout the duration of this Contract and any extensions, with all tax laws of this state or any political subdivision of this state, including but not limited to ORS 305.620 and ORS chapters 316, 317, and 318. Any violation of this section shall constitute a material breach of this Contract and shall entitle City to terminate this Contract, to pursue and recover any and all damages that arise from the breach and the termination of this Contract, and to pursue any or all of the remedies available under this Contract or applicable law.
- 19. TERMINATIONS.** This Contract may be terminated for the following reasons: (A) by mutual agreement of the parties or by the City (i) for convenience upon sixty (60) days written notice to Contractor, or (ii) at any time the City fails to receive funding, appropriations, or other expenditure authority as solely determined by the City; or (B) if contractor breaches any Contract provision or is declared insolvent, City may terminate after thirty (30) days written notice with an opportunity to cure.
- Upon receipt of written notice of termination from the City, Contractor shall immediately stop performance of the Work. Upon termination of this Contract, Contractor shall deliver to City all documents, Work Product, information, works-in-progress and other property that are or would be deliverables had the Contract Work been completed. Upon City's request, Contractor shall surrender to anyone City designates, all documents, research, objects or other tangible things needed to complete the Work.
- 20. REMEDIES.** If terminated by the City due to a breach by the Contractor, then the City shall have any remedy available to it in law or equity. If this Contract is terminated for any other reason, Contractor's sole remedy is payment for the goods and services delivered and accepted by the City, less any setoff to which the City is entitled.
- 21. NO THIRD PARTY BENEFICIARIES.** City and Contractor are the only parties to this Contract and are the only parties entitled to enforce its terms. Nothing in this Contract gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Contract.
- 22. TIME IS OF THE ESSENCE.** Contractor agrees that time is of the essence in the performance this Contract.
- 23. FOREIGN CONTRACTOR.** If the Contractor is not domiciled in or registered to do business in the State of Oregon, Contractor shall promptly provide to the Oregon Department of Revenue and the Secretary of State, Corporate Division, all information required by those agencies relative to this Contract. The Contractor shall demonstrate its legal capacity to perform these services in the State of Oregon prior to entering into this Contract.
- 24. FORCE MAJEURE.** Neither City nor Contractor shall be held responsible for delay or default caused by events outside the City or Contractor's reasonable control including, but not limited to, fire, terrorism, riot, acts of God, or war. However, Contractor shall make all reasonable efforts remove or eliminate such a cause of delay or default and shall upon the cessation of the cause, diligently pursue performance of its obligations under this Contract.
- 25. WAIVER.** The failure of City to enforce any provision of this Contract shall not constitute a waiver by City of that or any other provision.

- 26. PUBLIC CONTRACTING REQUIREMENTS.** Pursuant to the public contracting requirements contained in Oregon Revised Statutes (“ORS”) Chapter 279B.220 through 279B.235, Contractor shall:
- a. Make payments promptly, as due, to all persons supplying to Contractor labor or materials for the prosecution of the work provided for in the Contract.
 - b. Pay all contributions or amounts due the Industrial Accident Fund from such Contractor or subcontractor incurred in the performance of the Contract.
 - c. Not permit any lien or claim to be filed or prosecuted against City on account of any labor or material furnished.
 - d. Pay the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.
 - e. As applicable, the Contractor shall pay employees for work in accordance with ORS 279B.235, which is incorporated herein by this reference. The Contractor shall comply with the prohibitions set forth in ORS 652.220, compliance of which is a material element of this Contract, and failure to comply is a breach entitling City to terminate this Contract for cause.
 - f. If the Work involves lawn and landscape maintenance, Contractor shall salvage, recycle, compost, or mulch yard waste material at an approved site, if feasible and cost effective.
- 27. NO ATTORNEY FEES.** In the event any arbitration, action or proceeding, including any bankruptcy proceeding, is instituted to enforce any term of this Contract, each party shall be responsible for its own attorneys’ fees and expenses.
- 28. CONFIDENTIALITY.** Contractor acknowledges that it and its employees and agents may, in the course of performing their obligations under this Contract, be exposed to or acquire information that the City desires or is required to maintain as confidential. Any and all information of any form obtained by Contractor or its employees or agents in the performance of this Contract, including but not limited to Personal Information (as “Personal Information” is defined in ORS 646A.602(11)), shall be deemed to be confidential information of the City (“Confidential Information”). Any reports or other documents or items (including software) which result from the use of the Confidential Information by Contractor shall be treated with respect to confidentiality in the same manner as the Confidential Information.

Contractor agrees to hold Confidential Information in strict confidence, using at least the same degree of care that Contractor uses in maintaining the confidentiality of its own confidential information, and not to copy, reproduce, sell, assign, license, market, transfer or otherwise dispose of, give or disclose Confidential Information to third parties or use Confidential Information for any purposes whatsoever (other than in the performance of this Contract), and to advise each of its employees and agents of their obligations to keep Confidential Information confidential.

Contractor agrees that, except as directed by the City, Contractor will not at any time during or after the term of this Contract, disclose, directly or indirectly, any Confidential Information to any person, and that upon termination or expiration of this Contract or the City’s request, Contractor will turn over to the City all documents, papers, records and other materials in Contractor’s possession which embody Confidential Information. Contractor acknowledges that breach of this Contract, including disclosure of any Confidential Information, or disclosure of other information that, at law or in good conscience or equity, ought to remain confidential, will give rise to irreparable

injury to the City that cannot adequately be compensated in damages. Accordingly, the City may seek and obtain injunctive relief against the breach or threatened breach of the foregoing undertakings, in addition to any other legal remedies that may be available. Contractor acknowledges and agrees that the covenants contained herein are necessary for the protection of the legitimate business interests of the City and are reasonable in scope and content.

Contractor agrees to comply with all reasonable requests by the City to ensure the confidentiality and nondisclosure of the Confidential Information, including if requested and without limitation: (a) obtaining nondisclosure agreements, in a form approved by the City, from each of Contractor's employees and agents who are performing services, and providing copies of such agreements to the City; and (b) performing criminal background checks on each of Contractor's employees and agents who are performing services, and providing a copy of the results to the City.

Contractor shall report, either orally or in writing, to the City any use or disclosure of Confidential Information not authorized by this Contract or in writing by the City, including any reasonable belief that an unauthorized individual has accessed Confidential Information. Contractor shall make the report to the City immediately upon discovery of the unauthorized disclosure, but in no event more than two (2) business days after Contractor reasonably believes there has been such unauthorized use or disclosure. Contractor's report shall identify: (i) the nature of the unauthorized use or disclosure, (ii) the Confidential Information used or disclosed, (iii) who made the unauthorized use or received the unauthorized disclosure, (iv) what Contractor has done or shall do to mitigate any deleterious effect of the unauthorized use or disclosure, and (v) what corrective action Contractor has taken or shall take to prevent future similar unauthorized use or disclosure. Contractor shall provide such other information, including a written report, as reasonably requested by the City.

Notwithstanding any other provision in this Contract, Contractor will be responsible for all damages, fines and corrective action (including credit monitoring services) arising from disclosure of such Confidential Information caused by a breach of its data security or the confidentiality provisions hereunder.

The provisions in this Section shall operate in addition to, and not as limitation of, the confidentiality and similar requirements set forth in the rest of the Contract, as it may otherwise be amended. Contractor's obligations under this Contract shall survive the expiration or termination of the Contract, as amended, and shall be perpetual.

29. CRIMINAL BACKGROUND CHECK REQUIREMENTS. Contractor shall be required to have criminal background checks (and in certain instances fingerprint background checks) performed on all employees, agents, or subcontractors that perform services under this Contract. Only those employees, agents, or subcontractors that have met the acceptability standards of the City may perform services under this Contract or be given access to Personal Information, Confidential Information or access to City facilities. For a candidate who has a felony conviction, the Contractor will conduct individual assessments of each applicant/employee in accordance with applicable state and federal laws.

30. KEY PERSONS. Contractor acknowledges and agrees that a significant reason the City is entering into this Contract is because of the special qualifications of certain Key Persons set forth in the contract. Under this Contract, the City is engaging the expertise, experience, judgment, and personal attention of such Key Persons. Neither Contractor nor any of the Key Persons shall delegate performance of the management powers and responsibilities each such Key Person is required to provide under this Contract to any other employee or agent of the Contractor unless the City provides prior written consent to such delegation. Contractor shall not reassign or transfer a Key Person to other duties or positions such that the Key Person is no longer available to provide the City with such Key Person's services unless the City provides prior written consent to such reassignment or transfer.

31. EMPLOYEE RETENTION

Contractor acknowledges and agrees that an equally significant reason the City is entering into this Contract is because of the employee retention methods set forth. For current full time City of Sandy

operations employees, MV will honor participation in a benefit package as explained in Exhibit B pgs. 17-18, pay the employee's current wage as listed in Appendix A of Exhibit A and provide a \$400 monthly bonus throughout their employment with MV. Brian Jensen (represented as person 1 in Appendix A of Exhibit A) is assigned to the FT Fleet Maintenance Coordinator position and Ben Smith is assigned to Road Supervisor/Safety Trainer (represented as person 22 in Appendix A of Exhibit A). Wages will begin May 30, 2020 and benefits will begin June 1, 2020. Part time employees will be retained at their current wage and vacation levels.

31. **MERGER.** THIS CONTRACT CONSTITUTES THE ENTIRE AGREEMENT BETWEEN THE PARTIES WITH RESPECT TO THE SUBJECT MATTER REFERENCED THEREIN. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS CONTRACT. NO AMENDMENT, CONSENT, OR WAIVER OF TERMS OF THIS CONTRACT SHALL BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY ALL PARTIES. ANY SUCH AMENDMENT, CONSENT, OR WAIVER SHALL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. CONTRACTOR, BY THE SIGNATURE HERETO OF ITS AUTHORIZED REPRESENTATIVE, IS AN INDEPENDENT CONTRACTOR, ACKNOWLEDGES HAVING READ AND UNDERSTOOD THIS CONTRACT, AND CONTRACTOR AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.
32. **FURTHER ASSURANCES.** Contractor agrees to take all necessary steps, and execute and deliver any and all necessary written instruments, to perform under this Contract including, but not limited to, executing all additional documentation necessary for County to comply with applicable State or Federal funding requirements.
33. **ADDITIONAL TERMS AND CONDITIONS.** Contractor agrees to comply with the applicable terms and conditions set forth in Agreement, attached hereto as **Exhibit C**, which terms and conditions shall be incorporated herein. Those additional terms and conditions include, but are not necessarily limited to, the following:
 - a) **Records:** Contractor shall make and retain proper and complete books of record and account and maintain all fiscal records related to this Contract in accordance with all applicable generally accepted accounting principles, generally accepted governmental auditing standards and state minimum standards for audits of municipal corporations. The State of Oregon, the Secretary of State of the State of Oregon (Secretary), the United States Department of Transportation (USDOT), the Federal Transit Administration (FTA) and their duly authorized representatives shall have access to the books, documents, papers and records of Contractor that are directly related to this Contract, the funds provided hereunder, or the project for the purpose of making audits and examinations. In addition, the State of Oregon, the Secretary, USDOT, FTA and their duly authorized representatives may make and retain excerpts, copies, and transcriptions of the foregoing books, documents, papers, and records. Contractor shall permit authorized representatives of State, the Secretary, USDOT and FTA to perform site reviews of the project, and to inspect all vehicles, real property, facilities and equipment purchased by Contractor as part of the project, and any transportation services rendered by Contractor.
 - b) **Indemnification:**
 - i) Contractor shall indemnify, defend, save and hold harmless the State of Oregon and its officers, employees and agents from and against any and all claims, actions, liabilities, damages, losses, or expenses, including attorneys' fees, arising from a tort, as now or hereafter defined in ORS 30.260, caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Contractor or any of such party's officers, agents, employees or subcontractors ("Claims"). It is the specific intention of the parties that the State of Oregon shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the State of Oregon, be indemnified by Contractor from and against any and all Claims.
 - ii) Neither Contractor, nor any attorney engaged by Contractor, shall defend any claim in the name of the State of Oregon or any agency of the State of Oregon, nor purport to act as legal

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