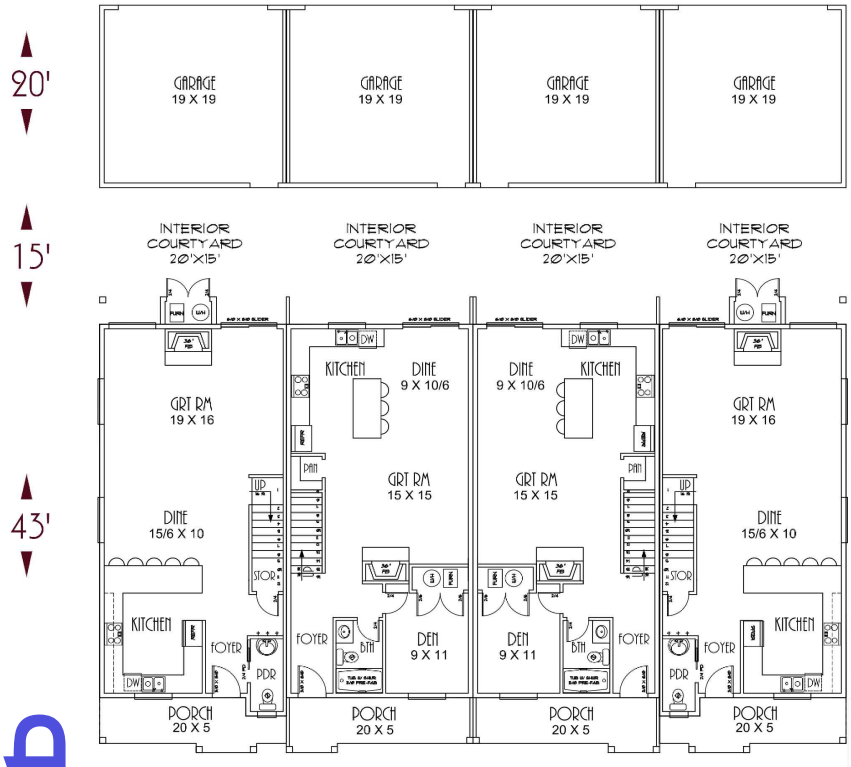
TOWNHOME A

THE VIEWS



T.A

MAIN FLOOR PLAN

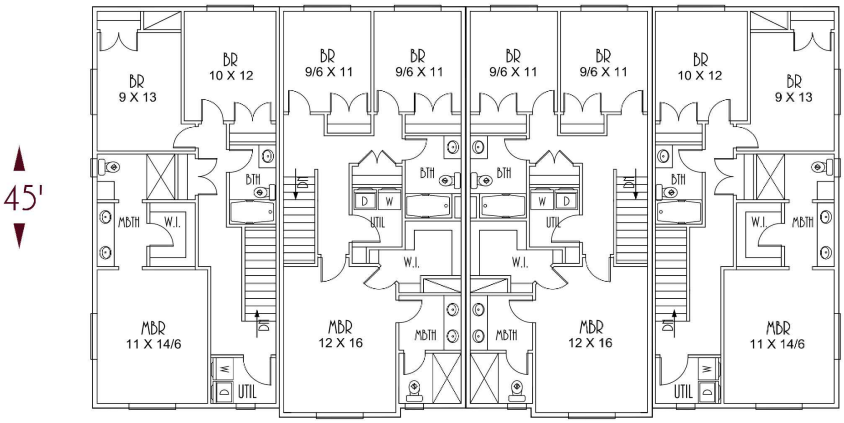
828 SQUARE FEET EA. AVG.
1648 SQUARE FEET TOTAL EA. AVG.

DESIGN PROVIDENCE, LLC

PMB 362 12042 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

TOWNHOME B

THE VIEWS

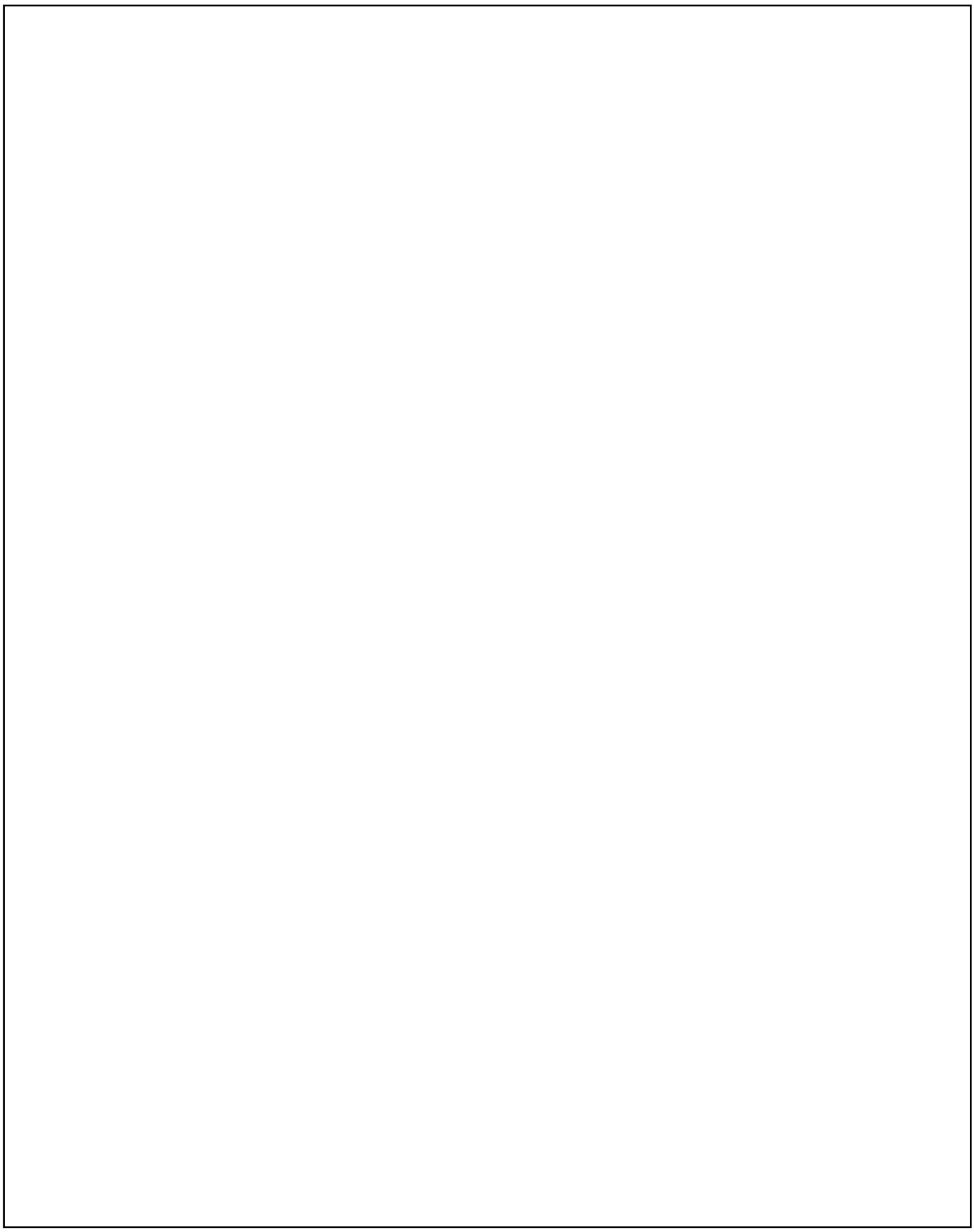


T.B UPPER FLOOR PLAN

820 SQUARE FEET EA. AVG.
1648 SQUARE FEET TOTAL EA. AVG.

DESIGN PROVIDENCE, LLC

PMB 362 12042 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM



THE WILLAMETTE C 3CAR NO.113016 C3C

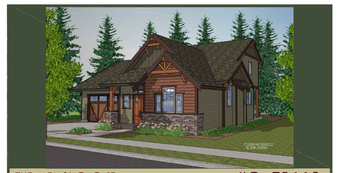
5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

1

THE TAMARACK NO. 21016

5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

2



THE MEMALOOSE NO. 73112

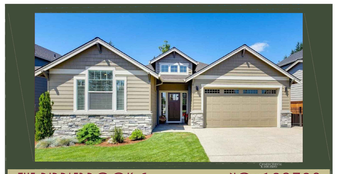
5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

3

THE CANEMAH 3CAR NO. 21712 3C

5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

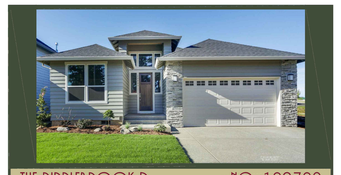
4



THE RIPPLEBROOK C NO. 102708

5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

5



THE RIPPLEBROOK D NO. 102708

5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

6

THE CEDAR NO.1521

5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

7

THE FAIRVIEW NO. 11514

5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

8

THE CHARLOTTE NO. 4212

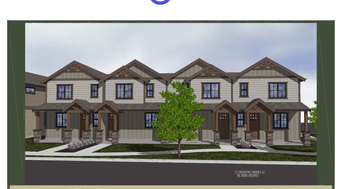
5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

9

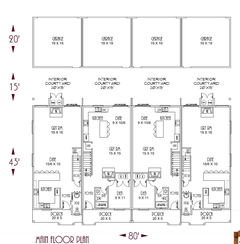
THE CHARLOTTE B NO. 4212 B

5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

10



TOWNHOME A THE VIEWS



5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

T.A

TOWNHOME B THE VIEWS

5140 362 19249 S.E. SUNNYSIDE RD. CLACKAMAS, OR 97015 PHONE & FAX: 503-760-0446 WEB: DESIGNPROVIDENCELLC.COM

T.B

The Views
Lower Views Townhouses

Table 17.90.150 – A: Number of Required Design Elements
*Detached Garage
(An independent, self-supporting structure separated from the dwelling by at least 6 feet)
4 elements plus 4 elements on the garage
*Rear Loaded Garage
4 elements (zero for garage)

Townhouse Design Elements:
Front Façade:
1. Covered porch entry – minimum 40 square foot covered front porch, minimum five (5) feet deep.
2. Building face containing two (2) or more off-sets of 16 inches or greater
3. Roof overhang of 16 inches or greater
4. Columns, pillars or posts at least four (4) inches wide and containing larger base materials.
5. Decorative gables – cross or diagonal bracing, shingles, trim, corbels, exposed rafter ends, or brackets
6. Decorative "belly-band" between building floors or gables
7. Windows and front door – occupying a minimum of 10 percent of the primary street facing façade
8. Sidelight and/or transom windows associated with the front door or windows in the front door
9. Window grids on all façade windows
10. Other item – mixing board and batt siding with lap siding for architectural detail

Additional Street Facing Façades (3) minimum:
1. Roof overhang of 16 inches or greater.
2. Decorative "belly-band" between building floors or gables
3. Window grids on all façade windows

ADDITIONAL REQUIREMENTS
Roofs shall be gabled or hip type roofs (minimum pitch 3:12)
Proposed: 7:12 pitch

Garage Design Elements:
1. Roof overhang of 16 inches or greater
2. Decorative gables – cross or diagonal bracing, shingles, trim, corbels, exposed rafter ends, or brackets
3. Decorative "belly-band" between building floors or gables

The Views
Upper & Lower Views Houses

Table 17.90.150 – A: Number of Required Design Elements
Garage Width Percent:
Greater than 60 percent and up to 70 percent or a garage under home design 7 elements

Typical Design Elements:
1. Covered porch entry – minimum 40 square foot covered front porch, minimum five (5) feet deep.
2. Building face containing two (2) or more off-sets of 16 inches or greater
3. Roof overhang of 16 inches or greater
4. Columns, pillars or posts at least four (4) inches wide and containing larger base materials.
5. Decorative gables – cross or diagonal bracing, shingles, trim, corbels, exposed rafter ends, or brackets
6. Decorative "belly-band" between building floors or gables
7. Windows and front door – occupying a minimum of 10 percent of the primary street facing façade
8. Sidelight and/or transom windows associated with the front door or windows in the front door
9. Window grids on all façade windows
10. Other item – mixing board and batt siding with lap siding for architectural detail

EXHIBIT K

SHEET A1 OF 1

NO.	DATE	REVISION	BY
-	-	-	-

DESIGNED: XX
DRAWN: XX
CHECKED: XX
APPROVED: XX

SCALE: HORIZ. N/A VERT. N/A
DATE: 6-19-2020
FILE/HOUSE PLANS.dwg

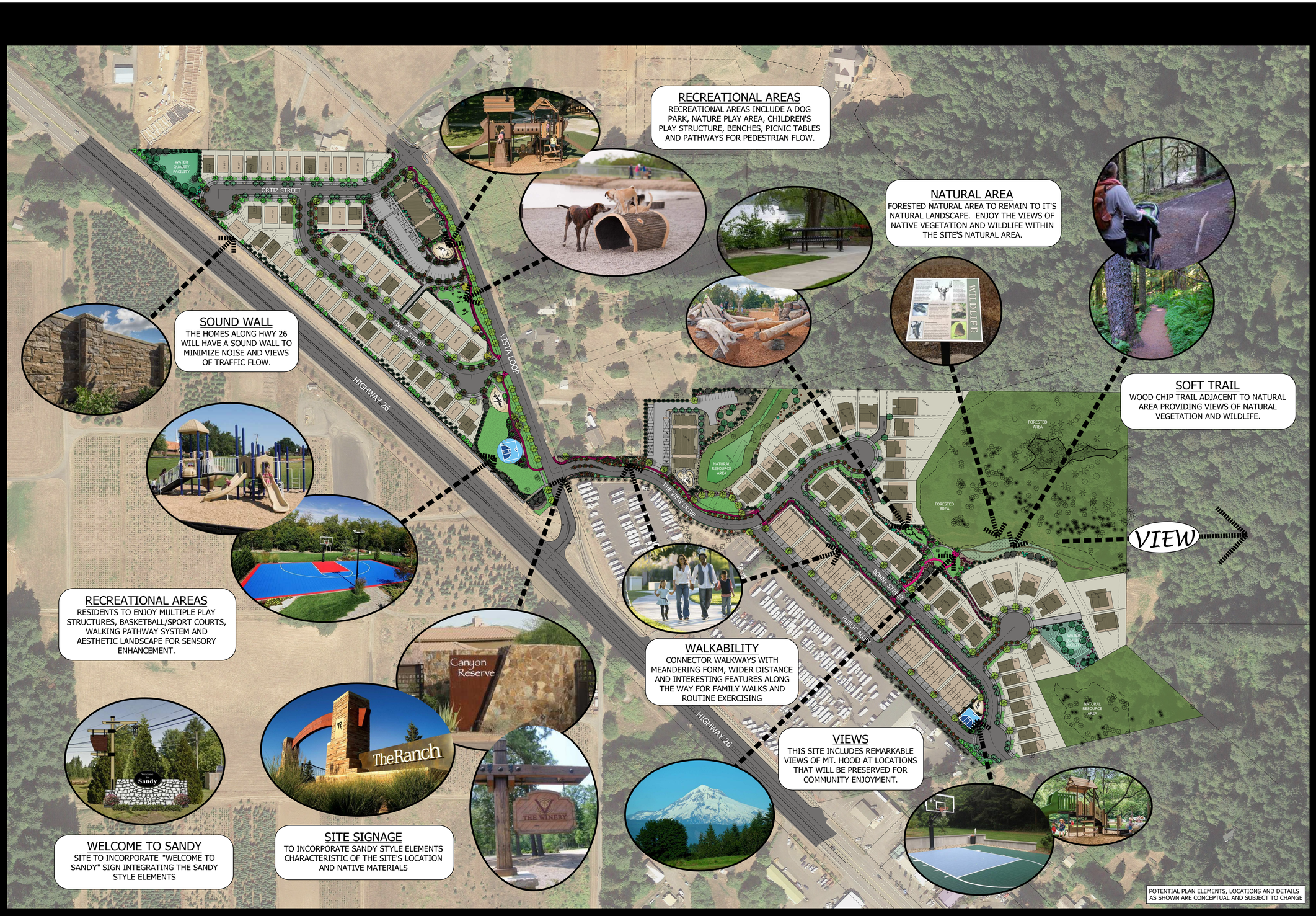
SECTION 13 TWP. 1N RANGE 3E

PROJECT: THE VIEWS PD
PROPOSED HOMES
-
LOCATION: 4717 HIGHWAY 26, SANDY, OR 97055

DATE OF A.D.R. 6-19-20

THE VIEWS

CLIENT:
EVEN BETTER HOMES, INC.
MIKE COSTA
PO BOX 2021
GRESHAM, OR 97030
mike@evenbetterhomes.com
PHONE: (503) 348-580



RECREATIONAL AREAS

RECREATIONAL AREAS INCLUDE A DOG PARK, NATURE PLAY AREA, CHILDREN'S PLAY STRUCTURE, BENCHES, PICNIC TABLES AND PATHWAYS FOR PEDESTRIAN FLOW.

NATURAL AREA

FORESTED NATURAL AREA TO REMAIN TO IT'S NATURAL LANDSCAPE. ENJOY THE VIEWS OF NATIVE VEGETATION AND WILDLIFE WITHIN THE SITE'S NATURAL AREA.

SOUND WALL

THE HOMES ALONG HWY 26 WILL HAVE A SOUND WALL TO MINIMIZE NOISE AND VIEWS OF TRAFFIC FLOW.

SOFT TRAIL

WOOD CHIP TRAIL ADJACENT TO NATURAL AREA PROVIDING VIEWS OF NATURAL VEGETATION AND WILDLIFE.

RECREATIONAL AREAS

RESIDENTS TO ENJOY MULTIPLE PLAY STRUCTURES, BASKETBALL/SPORT COURTS, WALKING PATHWAY SYSTEM AND AESTHETIC LANDSCAPE FOR SENSORY ENHANCEMENT.

WALKABILITY

CONNECTOR WALKWAYS WITH MEANDERING FORM, WIDER DISTANCE AND INTERESTING FEATURES ALONG THE WAY FOR FAMILY WALKS AND ROUTINE EXERCISING

VIEWS

THIS SITE INCLUDES REMARKABLE VIEWS OF MT. HOOD AT LOCATIONS THAT WILL BE PRESERVED FOR COMMUNITY ENJOYMENT.

WELCOME TO SANDY

SITE TO INCORPORATE "WELCOME TO SANDY" SIGN INTEGRATING THE SANDY STYLE ELEMENTS

SITE SIGNAGE

TO INCORPORATE SANDY STYLE ELEMENTS CHARACTERISTIC OF THE SITE'S LOCATION AND NATIVE MATERIALS

POTENTIAL PLAN ELEMENTS, LOCATIONS AND DETAILS AS SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE

THE VIEWS PLANNED DEVELOPMENT

EVEN BETTER HOMES, INC.

41717 HIGHWAY 26, SANDY, OR 97055

ALL COUNTY SURVEYORS AND PLANNERS, INC. CIVIL ENGINEER | **TRACY BROWN PLANNING CONSULTANTS** PLANNING |
MEARS DESIGN GROUP LANDSCAPE ARCHITECT | **DESIGN PROVIDENCE** ARCHITECT

OCTOBER 2020

ALL RIGHTS RESERVED BY ALL FIRMS

EXHIBIT L

L1- OVERALL CONCEPT PLAN

SCALE: 1" = 80'-0"

80' 40' 0' 80' 160'

SUGGESTED PLANT MATERIALS LISTING: (LOWER VIEWS)

Botanical name
Common Name

SYM	TREES	QTY.	SIZE	CONDITION	REMARKS
	Acer circinatum Vine Maple	26	6-7'	B&B	Multi-stem Collected
	Acer rubrum 'Bowhall' Bowhall Maple	140	1.5" Cal.	B&B	
	Betulus 'Heritage' River Birch	25	2" Cal.	B&B	
	Calocedrus decurrens Incense Cedar	9	6-7'	B&B	
	Carpinus betulus 'Fastigiata' Columnar Hornbeam	20	1.5" Cal.	B&B	
	Styrax japonica Japanese Snowbell	83	1.5" Cal.	B&B	
	Thuja x plicata 'Excelsa' Excelsa Western Red Cedar	88	6-7'	B&B	
	Tilia cordata 'Greenspire' Greenspire Linden	6	2" Cal.	B&B	
	Zelkova serrata 'Village Green' Village Green Zelkova	39	2" Cal.	B&B	

SUGGESTED PLANT MATERIALS LISTING: (LOWER VIEWS)

Botanical name
Common Name

SYM	SHRUBS	QTY.	SIZE	CONDITION	REMARKS
	Cornus alba 'Elegantissima' Variegated Redtwig Dogwood	305	2 Gal	Can	
	Euonymus alata Burning Bush	6	5 Gal	Can	
	Prunus lusticantica Portuguese Laurel	132	5 Gal	Can	
	Prunus 'Otto Luken' Otto Luken Laurel	111	5 Gal	Can	
	Rosa 'Double Red Knockout' Double Red Knockout Rose	305	2 Gal	Can	
	Spiraea Anthony Waterer Anthony Waterer Spirea	45	2 Gal	Can	
	Viburnum plicatum 'Maresii' Shasta Viburnum	105	5 Gal	Can	

SYM	GROUND COVER	QTY.	SIZE	CONDITION	REMARKS
	Rudbeckia fulgida 'Little Goldstar' Black Eye Susan	92	1 gal	Can	24" O.C.
	Fragaria chiloensis Coastal Strawberry	1,675	4"	Pots	24" O.C.
	Rosa Flower Carpet Pink Supreme Pink Supreme Carpet Rose	760	1 gal	Can	24" O.C.
	Lawn (hydro-seed)	35,626 square feet			
	Native Seed Mix	7,650 square feet			
	Soft Trail - 4" depth min.	3,050 square feet			
	Water Quality Facility Planting per City standards	13,836 square feet			

THE VIEWS

THE VIEWS PLANNED DEVELOPMENT

EVEN BETTER HOMES, INC.

41717 HIGHWAY 26, SANDY, OR 97055

ALL COUNTY SURVEYORS AND PLANNERS, INC. CIVIL ENGINEER | **TRACY BROWN PLANNING CONSULTANTS** PLANNING |
MEARS DESIGN GROUP LANDSCAPE ARCHITECT | **DESIGN PROVIDENCE** ARCHITECT

JUNE 2020

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EXHIBIT M

L2 - LOWER VIEWS DETAILED CONCEPT PLAN

SCALE: 1" = 40'-0"

40' 20' 0' 40' 80'

SUGGESTED PLANT MATERIALS LISTING: (UPPER VIEWS)

Botanical name
Common Name

SYM	TREES	QTY.	SIZE	CONDITION	REMARKS
	Acer circinatum Vine Maple	25	6-7'	B&B	Multi-stem Collected
	Acer rubrum 'Bowhall' Bowhall Maple	2	1.5" Cal.	B&B	
	Betulus 'Heritage' River Birch	11	2" Cal.	B&B	
	Calocedrus decurrens Incense Cedar	18	6-7'	B&B	
	Carpinus betulus 'Fastigiata' Columnar Hornbeam	62	1.5" Cal.	B&B	
	Cercidiphylum japonicum Katsura	4	1.5" Cal.	B&B	
	Styrax japonica Japanese Snowbell	22	1.5" Cal.	B&B	
	Thuja x plicata 'Excelsa' Excelsa Western Red Cedar	163	6-7'	B&B	
	Tilia cordata 'Greenspire' Greenspire Linden	60	2" Cal.	B&B	
	Zelkova serrata 'Village Green' Village Green Zelkova	51	2" Cal.	B&B	

SUGGESTED PLANT MATERIALS LISTING: (UPPER VIEWS)

Botanical name
Common Name

SYM	SHRUBS	QTY.	SIZE	CONDITION	REMARKS
	Cornus alba 'Elegantissima' Variegated Redtwig Dogwood	254	2 Gal	Can	
	Prunus lusticantica Portuguese Laurel	116	5 Gal	Can	
	Prunus 'Otto Luken' Otto Luken Laurel	36	5 Gal	Can	
	Rosa 'Double Red Knockout' Double Red Knockout Rose	212	2 Gal	Can	
	Spiraea Anthony Watereri Anthony Waterer Spirea	84	2 Gal	Can	
	Viburnum plicatum 'Maresii' Shasta Viburnum	13	5 Gal	Can	

SYM	GROUND COVER	QTY.	SIZE	CONDITION	REMARKS
	Rudbeckia fulgida 'Little Goldstar' Black Eye Susan	110	1 gal	Can	24" O.C.
	Hemerocallis 'Stella d'oro' Stella d'oro Daylily	370	1 gal	Can	24" O.C.
	Fragaria chiloensis Coastal Strawberry	40	4"	Pots	24" O.C.
	Rosa Flower Carpet Pink Supreme Pink Supreme Carpet Rose	460	1 gal	Can	24" O.C.
	Lawn (hydro-seed)	56,837 square feet			
	Water Quality Facility Planting per City standards	16,224 square feet			

THE VIEWS

THE VIEWS PLANNED DEVELOPMENT

41717 HIGHWAY 26, SANDY, OR 97055

EVEN BETTER HOMES, INC.

ALL COUNTY SURVEYORS AND PLANNERS, INC. CIVIL ENGINEER | **TRACY BROWN PLANNING CONSULTANTS** PLANNING |
MEARS DESIGN GROUP LANDSCAPE ARCHITECT | **DESIGN PROVIDENCE** ARCHITECT

JUNE 2020

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EXHIBIT N

L3 - UPPER VIEWS DETAILED CONCEPT PLAN

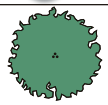
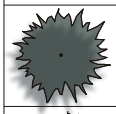
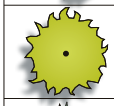
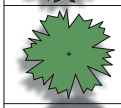
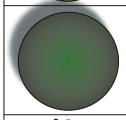
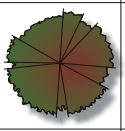
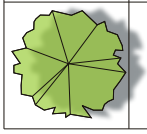
SCALE: 1" = 40'-0"

40' 20' 0' 40' 80'

EXHIBIT O

SUGGESTED PLANT MATERIALS LISTING:

Botanical name
Common Name

SYM	TREES	SIZE	CONDITION	REMARKS
	Acer circinatum Vine Maple	6-7'	B&B	Multi-stem Collected
	Acer rubrum 'Bowhall' Bowhall Maple	1.5" Cal.	B&B	
	Betulus 'Heritage' River Birch	2" Cal.	B&B	
	Calocedrus decurrens Incense Cedar	6-7'	B&B	
	Carpinus betulus 'Fastigiata' Columnar Hornbeam	1.5" Cal.	B&B	
	Cercidiphylum japonicum Katsura	1.5" Cal.	B&B	
	Chamaecyparis lawsoniana Port Orford Cedar	6-7'	B&B	
	Cornus kousa Kousa Dogwood	1.5" Cal.	B&B	
	Metasequoia glyptostroboides Dawn Redwood	6-7'	B&B	
	Styrax japonica Japanese Snowbell	1.5" Cal.	B&B	
	Thuja x plicata 'Excelsa' Excelsa Western Red Cedar	6-7'	B&B	
	Tilia cordata 'Greenspire' Greenspire Linden	2" Cal.	B&B	
	Zelkova serrata 'Village Green' Village Green Zelkova	2" Cal.	B&B	

SUGGESTED PLANT MATERIALS LISTING:

Botanical name
Common Name

SYM	SHRUBS	SIZE	CONDITION	REMARKS
	Berberis thunbergii 'Crimson Pygmy' Crimson Pygmy Barberry	1 Gal	Can	
	Calamagrostis x acutiflora 'Karl Foerster' Foerster's Feather Reed Grass	1 Gal	Can	
	Carex 'Bowles Golden' Bowles Golden Sedge	1 Gal	Can	
	Choisya ternata Mexican Orange	5 Gal	Can	
	Cornus alba 'Elegantissima' Variegated Redtwig Dogwood	2 Gal	Can	
	Cornus sericea 'Kelseyi' Kelseyi Dwarf Redtwig Dogwood	2 Gal	Can	
	Euonymus alata Burning Bush	5 Gal	Can	
	Imperata cylindrica 'Rubra' Japanese Blood Grass	1 Gal	Can	
	Pennisetum alopecuroides 'Hameln' Dwarf Fountain Grass	1 Gal	Can	
	Polystichum munitum Sword Fern	1 Gal	Can	
	Prunus lusticantica Portuguese Laurel	5 Gal	Can	
	Prunus 'Otto Luken' Otto Luken Laurel	5 Gal	Can	
	Rhododendron 'Nova Zembla' Nova Zembla Rhododendron	18-24"	Can	
	Rosa 'Double Red Knockout' Double Red Knockout Rose	2 Gal	Can	
	Sarcococca confusa Fragrant Box	2 Gal	Can	
	Spiraea Anthony Watereri Anthony Waterer Spirea	2 Gal	Can	
	Viburnum plicatum 'Maresii' Shasta Viburnum	5 Gal	Can	

SYM	GROUND COVER	SIZE	CONDITION	REMARKS
	Rudbeckia fulgida 'Little Goldstar' Black Eye Susan	4"	Pots	18" O.C.
	Fragaria chiloensis Coastal Strawberry	4"	Pots	24" O.C.
	Hemerocallis 'Stella d'oro' Stella d'oro Daylily	1 gal	Can	24" O.C.
	Rosa Flower Carpet Pink Supreme Pink Supreme Carpet Rose	1 gal	Can	24" O.C.
	Lawn (hydro-seed)			
	Native Seed Mix			
	Wood chips - 4" depth minimum			

EXHIBIT P

Botanical	Common
Tree	
Acer circinatum	Vine Maple
Acer rubrum 'Bowhall'	Bowhall Red Maple
Betula nigra	River Birch
Cercidiphyllum japonicum	Katsura Tree
Cornus kousa	Kousa or Japanese Dogwood
Styrax japonicus	Japanese Snowbell
Tilia cordata	Littleleaf Linden
Zelkova serrata	Sawleaf Zelkova
Shrub	
Berberis thunbergii 'Rose Glow'	Rose Glow Barberry
Choisya ternata	Mexican Orange, Mex. Mock Orange
Cornus alba 'Elegantissima'	Variegated Red Twig Dogwood
Cornus sericea 'Kelseyi'	Kelsey's Dwarf Red-Osier Dogwood
Euonymus alatus 'Compactus'	Compact Burning Bush
Hemerocallis 'Stella de Oro'	Stella de Oro Daylily
Prunus laurocerasus 'Otto Luyken'	Luykens Laurel
Rosa 'Radtko' KNOCK OUT	Double Red Knock Out® Rose
Sarcococca confusa	Sweet Box
Spiraea japonica 'Anthony Waterer'	Anthony Waterer Pink Spirea
Viburnum pli. tom. 'Shasta'	Shasta Doublefile Viburnum
Ground cover	
Fragaria chiloensis	Coastal Strawberry
Rosa Flower Carpet Pink Supreme	Pink Supreme Carpet Rose
Perennial	
Rudbeckia f.s. 'Goldstrum'	Blackeyed Susan
Grass	

Botanical	Common
Calamagrostis X acu. 'Karl Foerster'	Karl Foerster Feather Reed Grass
Carex 'Bowles Golden'	Bowles Golden Sedge
Imperata cylindrica 'Rubra'	Japanese Blood Grass
Pennisetum alo. 'Hamelin'	Hamelin Dwarf Fountain Grass
Broadleaf Evergreen	
Rhododendron 'Nova Zembla'	Nova Zembla Rhododendron
Conifer	
Calocedrus decurrens	Incense Cedar
Chamaecyparis lawsoniana	Port Orford Cedar
Metasequoia glyptostroboides	Dawn Redwood
Thuja X plicata 'Excelsa'	Excelsa Western Red Cedar
Fern	
Polystichum munitum	Western Sword Fern

/

Acer circinatum

Vine Maple

This plant is either a shrub or small tree that reaches 35' in height . It has light green leaves which turn orange-scarlet in the fall. It also has new spring foliage with a reddish hue. A. circinatum can be used as an espalier against a wall. To accent Vine Maple effectively, plant it with the Douglas Fir, Western Sword Fern, as well as the Oregon-Grape. It has a color that is especially striking during the fall season.

Anatomy

PLANT TYPE
Tree, Shrub

HEIGHT RANGE
25-40'

WIDTH RANGE

FLOWER COLOR
Green, Red

FLOWER SEASON
Spring

LEAF COLOR
Light Green

Culture

SUN
Half, Shade

WATER
Low, Medium

SOIL TYPE
Clay, Loam

SOIL CONDITION
Average, Rich

GROWTH RATE
Moderate

TOLERANCES
n/a

Designer Notes

Acer rubrum 'Bowhall'

Bowhall Red Maple

40' tall with a 15' spread. Upright, pyramidal form. Reliable scarlet-red fall color.

Anatomy

PLANT TYPE
Tree

HEIGHT RANGE
40-60'

WIDTH RANGE

FLOWER COLOR
n/a

FLOWER SEASON
n/a

LEAF COLOR
Dark Green

Culture

SUN
Full, Half

WATER
Medium

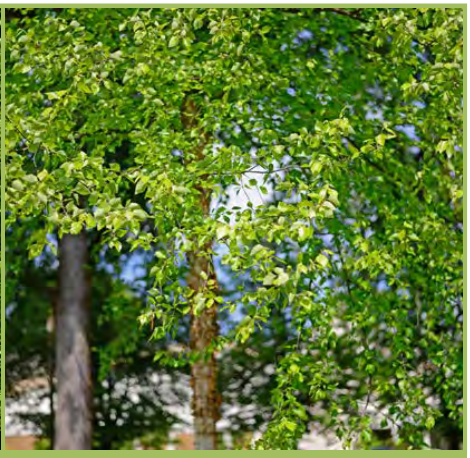
SOIL TYPE
Loam

SOIL CONDITION
Average, Moist

GROWTH RATE
Moderate

TOLERANCES
n/a

Designer Notes



Betula nigra

River Birch

The River Birch is a deciduous tree that reaches 40' tall by 30' wide. It has a less pendulous habit than the European White Birch. Its bark is closer to paper birch, peeling off in dark, translucent orange sheets from cherry-like trunks. It has a good, strong yellow fall color. It should be grown in sun to part shade, receiving at least average watering. It resists bronze birch borer, and will tolerate wetter soils than the pendula. Also known as: Black or Red Birch

Anatomy

PLANT TYPE
Tree

HEIGHT RANGE
25-40', 40-60'

WIDTH RANGE
25-40'

FLOWER COLOR
n/a

FLOWER SEASON
n/a

LEAF COLOR
Green

Culture

SUN
Full, Half

WATER
Medium, High, Extra in Summer

SOIL TYPE
Sandy, Clay, Loam, Rocky

SOIL CONDITION
Average, Rich, Well-drained, Moist

GROWTH RATE
Moderate

TOLERANCES
Heat, Verticillium, Wet Conditions

Designer Notes

Cercidiphyllum japonicum

Katsura Tree

Katsura Tree is an attractive deciduous tree that can reach 40'-60' tall. It is typically a multi-trunked tree. Spring foliage is rounded and reddish purple, changing to blue green in summer and then gold, red or orange in fall. Leaf litter in fall is considered aromatic as some describe it like cinnamon or burnt sugar. Small flowers do appear before spring foliage but are considered insignificant. This tree does well in full or part sun with well draining, moist, fertile soil. It does not tolerate drought when still growing. It can be used as a street or lawn tree.

Anatomy

PLANT TYPE
Tree

HEIGHT RANGE
40-60'

WIDTH RANGE

FLOWER COLOR
n/a

FLOWER SEASON
n/a

LEAF COLOR
Green, Purple, Red

Culture

SUN
Full, Half

WATER
Medium, Extra in Summer

SOIL TYPE
Loam

SOIL CONDITION
Rich, Well-drained, Moist

GROWTH RATE
Fast, Moderate

TOLERANCES
n/a

Designer Notes

Cornus kousa

Kousa or Japanese Dogwood

Cornus kousa is a deciduous tree that slowly grows 15'-20' tall and wide. Foliage is dark green on top and light green on bottom. In the fall, the leaves turn red. White flowers appear in spring followed by red fruit that resemble raspberries in late summer and early fall, attracting birds. The bark is smooth and light brown but will exfoliate when more mature, looking like a patchwork of tan and brown. Overall shape of tree is very attractive especially for mature trees, as the branches spread in a horizontal pattern. It likes well drained, loamy, moist, acidic soil. It likes half shade to full sun. It is not drought or heat tolerant. Falling fruit cause some litter. It is prone to some insects and disease especially dogwood canker.

Anatomy

PLANT TYPE
Tree

HEIGHT RANGE
12-25', 25-40'

WIDTH RANGE
12-25', 25-40'

FLOWER COLOR
White

FLOWER SEASON
Spring

LEAF COLOR
Dark Green, Light Green

Culture

SUN
Full, Half

WATER
Medium, Extra in Summer

SOIL TYPE
Loam

SOIL CONDITION
Rich, Well-drained, Moist

GROWTH RATE
Slow

TOLERANCES
Verticillium

Designer Notes

Styrax japonicus

Japanese Snowbell

Japanese Snowbell is a small deciduous tree that slowly grows from 20 to 30 feet in height and has rounded canopy with a horizontal branching pattern (Fig. 1). With lower branches removed, it forms a more vase-shaped patio-sized shade tree. The smooth, attractive bark has orange-brown interlacing fissures adding winter interest to any landscape. The white, bell-shaped, drooping flower clusters of Japanese Snowbell are quite showy in May to June.

Anatomy

PLANT TYPE
Tree

HEIGHT RANGE
12-25', 25-40'

WIDTH RANGE
6-12', 12-25'

FLOWER COLOR
White

FLOWER SEASON
Spring

LEAF COLOR
Green

Culture

SUN
Full, Half

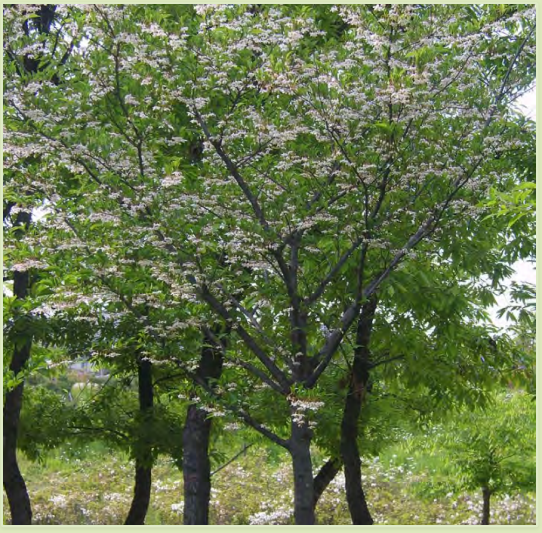
WATER
Medium

SOIL TYPE
Loam

SOIL CONDITION
Average

GROWTH RATE
Moderate

TOLERANCES
n/a



Designer Notes

Tilia cordata

Littleleaf Linden

A large deciduous tree that can reach 30'-50' tall, Littleleaf Linden creates a dense pyramid that can be used as a screen. It blooms with white fragrant flowers. It does well in urban settings. Its cultivars are budded onto the understocks of the seedlings. Should the native soil be of a clay-like nature, then plant the tree high so as to allow for drainage. They combine well with bulbs, azaleas, Japanese Holly, and Burkwood viburnum.

Anatomy

PLANT TYPE
Tree

HEIGHT RANGE
40-60'

WIDTH RANGE
12-25', 25-40'

FLOWER COLOR
White

FLOWER SEASON
Spring

LEAF COLOR
Dark Green

Culture

SUN
Full

WATER
Medium

SOIL TYPE
Sandy, Clay, Loam, Rocky, Unparticular

SOIL CONDITION
Average, Rich, Poor, Well-drained

GROWTH RATE
Moderate

TOLERANCES
Smog, Alkaline Soil

Designer Notes

Zelkova serrata

Sawleaf Zelkova

A moderately growing, deciduous tree, the Sawleaf Zelkova usually reaches a size 50'-60' high and as wide. Its 2"-3" leaves are elm-like, with a size that is 1/2" long and 1.5" wide. The fall foliage color ranges from yellow to red shades.

Anatomy

PLANT TYPE
Tree

HEIGHT RANGE
25-40'

WIDTH RANGE
25-40'

FLOWER COLOR
n/a

FLOWER SEASON
n/a

LEAF COLOR
Dark Green, Red, Yellow

Culture

SUN
Full

WATER
Medium

SOIL TYPE
Sandy, Clay, Loam, Rocky, Unparticular

SOIL CONDITION
Average, Poor

GROWTH RATE
Fast

TOLERANCES
Heat, Windy Conditions, Smog, Alkaline Soil

Designer Notes

Berberis thunbergii 'Rose Glow'

Rose Glow Barberry

A deciduous shrub (4-6' tall and wide) with bronze-red foliage that is mottled with pinkish cream coloring; it deepens to rose and bronze. Full sun is needed to develop the colors. Bright red berries appear in the fall. Each branch has long, sharp thorns so it forms a good barrier.

Anatomy

PLANT TYPE
Shrub

HEIGHT RANGE
3-6'

WIDTH RANGE
1-3'

FLOWER COLOR
Yellow

FLOWER SEASON
Spring

LEAF COLOR
Red, Variegated

Culture

SUN
Full

WATER
Very Low, Medium

SOIL TYPE
Sandy, Loam

SOIL CONDITION
Average, Rich, Poor, Well-drained

GROWTH RATE
Fast

TOLERANCES
Heat, Smog, Rabbits

Designer Notes

Choisya ternata

Mexican Orange, Mex. Mock Orange

This evergreen shrub has glossy yellow-green leaves and produces clusters of white flowers that have a fragrance similar to that of orange blossoms. It makes an excellent informal hedge or screen. It requires full sun for growth and partial shade when grown in hot areas. It will need soil amendments if grown in alkaline soil or if water is high in salts.

Anatomy

PLANT TYPE
Shrub

HEIGHT RANGE
3-6'

WIDTH RANGE
3-6'

FLOWER COLOR
White

FLOWER SEASON
Spring, Summer

LEAF COLOR
Dark Green

Culture

SUN
Full, Half

WATER
Medium

SOIL TYPE
Loam

SOIL CONDITION
Average, Rich, Well-drained, Moist

GROWTH RATE
Fast, Moderate

TOLERANCES
n/a

Designer Notes

Cornus alba 'Elegantissima'

Variegated Red Twig Dogwood

Growing to 6'-8' tall and 4'-6' wide, this deciduous shrub produces white fragrant flowers in late spring, which are followed by white berries that have blue or green tinges. Leaves are green with white margins. During winter, this shrub is outstanding with its red stems. It does best in full to part sun with regular watering and more during hot spells. Birds love this plant. Prune in late winter to get desired shape and refresh red stems.

Anatomy

PLANT TYPE
Shrub

HEIGHT RANGE
6-12'

WIDTH RANGE
3-6'

FLOWER COLOR
White

FLOWER SEASON
Spring

LEAF COLOR
Green, White, Variegated

Culture

SUN
Full, Half

WATER
Medium, Extra in Summer

SOIL TYPE
Sandy, Loam, Rocky, Unparticular

SOIL CONDITION
Average, Well-drained, Moist

GROWTH RATE
Fast

TOLERANCES
Verticillium

Designer Notes

This dogwood plant is best known for its leaf color as well as the color of its fall-winter wood color. This plant needs protection from the hot afternoon sun. Plant on the eastside of the house. This plant will not hold up to hot dry winds.

Cornus sericea 'Kelseyi'

Kelsey's Dwarf Red-Osier Dogwood

A dwarf dogwood with a low, compact form and lush green foliage that perfectly foils less attractive bases of larger shrubs. Its neat, rounded shape works well in mass plantings and border foundations. Excellent for erosion control on steep slopes. Bare red stems provide striking seasonal color to dormant winterscapes. Deciduous. -Monrovia Nursery

Anatomy

PLANT TYPE
Shrub

HEIGHT RANGE
1-3'

WIDTH RANGE
3-6'

FLOWER COLOR
White

FLOWER SEASON
Spring

LEAF COLOR
Green, White, Variegated

Culture

SUN
Full, Half

WATER
Medium, Extra in Summer

SOIL TYPE
Sandy, Loam, Rocky, Unparticular

SOIL CONDITION
Average, Well-drained, Moist

GROWTH RATE
Fast

TOLERANCES
Verticillium

Designer Notes

Euonymus alatus 'Compactus'

Compact Burning Bush

The Euonymus 'Compactus' is really not that compact since it can grow to about 10'. So it is a large shrub with horizontal branching, reaching 10' tall and wide. Foliage is deciduous, dark green and fine-toothed. Yellow flowers bloom in spring followed by reddish purple fruit that hide under the foliage. While it may withstand heavy pruning, it is intolerant of water-logged and drought-inflicted soils. It tolerates full to part sun with well draining, moist soil, needing regular watering and more during hot summer months. It has stunning fall color with red "burning" leaves.

Anatomy

PLANT TYPE
Shrub

HEIGHT RANGE
3-6', 6-12'

WIDTH RANGE
3-6', 6-12'

FLOWER COLOR
Yellow

FLOWER SEASON
Spring, Summer, Fall

LEAF COLOR
Dark Green

Culture

SUN
Full, Half

WATER
Medium, Extra in Summer

SOIL TYPE
Sandy, Loam

SOIL CONDITION
Average, Well-drained, Moist

GROWTH RATE
Moderate, Slow

TOLERANCES
Heat

Designer Notes

Hemerocallis 'Stella de Oro'

Stella de Oro Daylily

The most popular daylily around has 2.5" diameter, sunny yellow blooms that appear during summer. This perennial may reach an overall height of 2.5' tall. Encourage more blooming by removing spent flowers; this daylily may rest and rebloom up to 4 times, depending on conditions. Foliage is deciduous and attractive. New leaves appear in spring. This plant does best in areas with cool winters. It does not do well in coastal Southern California or Florida. It tolerates full sun but will appreciate afternoon shade in warm, inland areas. It does best with regular watering and more during hot spells. Established plants need only occasional watering. 'Stella de Oro' prefers well draining soil and a thick layer of mulch around the plants.

Anatomy

PLANT TYPE
Shrub, Ground cover, Perennial

HEIGHT RANGE
1-3'

WIDTH RANGE
1-3'

FLOWER COLOR
Gold, Yellow

FLOWER SEASON
Summer

LEAF COLOR
Green

Culture

SUN
Full, Half

WATER
Low, Extra in Summer

SOIL TYPE
Sandy, Clay, Loam, Rocky, Unparticular

SOIL CONDITION
Average, Rich, Poor, Moist, Dry

GROWTH RATE
Fast, Moderate

TOLERANCES
Salt Ocean Spray, Heat, Saline Soil, Windy Conditions, Smog, Oak Root Fungus, Rabbits, Verticillium, Alkaline Soil, Wet Conditions

Prunus laurocerasus 'Otto Luyken'

Luykens Laurel

Otto Luyken Laurel is a dwarf form of English laurel growing to about 3' in height. This lush growing, compact, evergreen shrub offers year-round interest with glossy dark green leaves and showy, fragrant, creamy white flower spikes, followed by small black ornamental fruit. Dense foliage provides winter shelter for birds. This plant works well as a hedge, an accent plant or filler. It is shade tolerant.

Anatomy

PLANT TYPE
Shrub

HEIGHT RANGE
1-3'

WIDTH RANGE

FLOWER COLOR
White

FLOWER SEASON
Spring

LEAF COLOR
Dark Green

Culture

SUN
Full, Half

WATER
Medium

SOIL TYPE
Sandy, Clay, Loam, Rocky, Unparticular

SOIL CONDITION
Average

GROWTH RATE
Fast

TOLERANCES
n/a

Designer Notes

Rosa 'Radtko' KNOCK OUT

Double Red Knock Out® Rose

Single petals, just like the original, but in a beautiful shade of bright pink! Like the other members of the family, The Pink Knock Out® Rose is black spot resistant, drought-tolerant and self-cleaning. A perfect companion to other shrubs, roses and perennials

Anatomy

PLANT TYPE
Shrub

HEIGHT RANGE
3-6'

WIDTH RANGE
3-6'

FLOWER COLOR
Red

FLOWER SEASON
Spring, Summer, Fall

LEAF COLOR
Dark Green

Culture

SUN
Full, Half

WATER
Medium, Extra in Summer

SOIL TYPE
Loam

SOIL CONDITION
Rich, Well-drained, Dry

GROWTH RATE
Fast

TOLERANCES
Heat

Designer Notes

Sarcococca confusa

Sweet Box

Sarcococca confusa, the sweet box, is a species of flowering plant in the family Buxaceae. It is an evergreen shrub growing to 7 ft tall by 3 ft broad, with glossy green ovate leaves and honey-scented white flowers in winter, followed by glossy black spherical fruits, 5 mm in diameter. It is a very adaptable and reliable shrub that is easily grown in many situations, including dense shade with very dry soil. It will however grow in full sun, even though the foliage appears to "bleach" a little. The soil should be kept damp if grown in sun or part shade. The shrub is midwinter flowering with a delightful sweet scent. The small black berries are eaten by birds which disperse the seeds

Anatomy

PLANT TYPE
Shrub

HEIGHT RANGE
3-6', 6-12'

WIDTH RANGE
1-3'

FLOWER COLOR
White

FLOWER SEASON
Winter, Spring

LEAF COLOR
Green

Culture

SUN
Shade, Deep Shade

WATER
Low, Medium

SOIL TYPE
Loam

SOIL CONDITION
Rich, Well-drained

GROWTH RATE
Slow

TOLERANCES
Deer

Designer Notes

Spiraea japonica 'Anthony Waterer'

Anthony Waterer Pink Spirea

This 'Anthony Waterer' is a broad shrub, growing 2'-3' with a flattop and dark, blue green leaves. The immature growth is a pinkish red color. From summer until early fall, the flowers are a deep carmine pink color. The pink color of the shrub's flowers makes a nice focal point, and the plant provides structure to a perennial border. It is presented well around lilacs.

Anatomy

PLANT TYPE
Shrub

HEIGHT RANGE
1-3', 3-6'

WIDTH RANGE
1-3', 3-6'

FLOWER COLOR
Pink

FLOWER SEASON
Spring, Summer

LEAF COLOR
Bronze, Green, Blue Green, Red

Culture

SUN
Full, Half

WATER
Very Low, Medium, Extra in Summer

SOIL TYPE
Unparticular

SOIL CONDITION
Average, Rich, Poor, Well-drained

GROWTH RATE
Fast, Moderate

TOLERANCES
Heat

Designer Notes

After cutting this shrub to the ground in early spring, it will be able to rejuvenate every 3-4 years. Regular, seasonla pruning keeps the shrub bushy and neat. After leaves have emerged, the twiggy, dead wood should be removed.

Viburnum pli. tom. 'Shasta'

Shasta Doublefile Viburnum

This deciduous shrub reaches 4'-6' tall and 9'-12' wide. Attractive, white flowers that look like flat-topped clusters bloom in the spring and summer. Later in the season, flowers give way to large clusters of red berries which mature to a black color. Birds and wildlife love the fruit. Ovate, dark green leaves turn an attractive reddish purple in fall. This shrub likes full to partial sun (plant in shade in hot summer areas) and medium watering. It makes a nice hedge. It needs well-drained soil. It has a tiered horizontal branching habit with profuse white blooms in Spring. Compact habit - 6 feet tall and 11 feet wide

Anatomy

PLANT TYPE
Shrub

HEIGHT RANGE
3-6'

WIDTH RANGE
6-12'

FLOWER COLOR
White

FLOWER SEASON
Spring, Summer

LEAF COLOR
Green

Culture

SUN
Full, Half

WATER
Medium, Extra in Summer

SOIL TYPE
Sandy, Loam

SOIL CONDITION
Average, Rich, Well-drained

GROWTH RATE
Moderate

TOLERANCES
n/a

Designer Notes

Fragaria chiloensis

Coastal Strawberry

This perennial, used as a ground cover, grows 1' high and 3' wide. It has tooth-edged, reddish green, evergreen leaves. Tiny white flowers with yellow centers appear in spring through early fall, followed by edible red fruit. This perennial can be used as a lawn replacement, in coastal areas as it tolerates sand and hot inland areas as long as it has afternoon shade. It needs regular watering. Birds love this plant.

Anatomy

PLANT TYPE
Ground cover, Perennial

HEIGHT RANGE
Under 1', 1-3'

WIDTH RANGE
1-3'

FLOWER COLOR
White

FLOWER SEASON
Spring, Summer, Fall

LEAF COLOR
Green

Culture

SUN
Full, Half

WATER
Medium, Extra in Summer

SOIL TYPE
Sandy, Clay, Loam, Rocky

SOIL CONDITION
Average, Rich, Well-drained, Moist

GROWTH RATE
Moderate

TOLERANCES
Salt Ocean Spray

Designer Notes

Rosa Flower Carpet Pink Supreme

Pink Supreme Carpet Rose

Flower Carpet® Pink Supreme is one of the NEXT GENERATION Flower Carpet® roses where refined breeding has produced improved heat & humidity tolerance on top of its existing disease resistance. Masses of rich lipstick pink blooms cover the bush from late Spring to late Fall and even early Winter. Flower Carpet® Pink Supreme has rich glossy green foliage, on a bush which is more compact than the original Flower Carpet® Pink.

Anatomy

PLANT TYPE
Ground cover

HEIGHT RANGE
1-3'

WIDTH RANGE
1-3'

FLOWER COLOR
Pink

FLOWER SEASON
Spring, Summer, Fall

LEAF COLOR
Green

Culture

SUN
Full

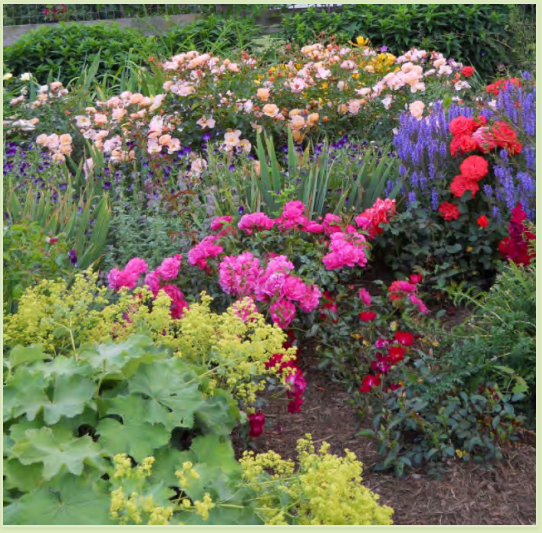
WATER
Medium

SOIL TYPE
Loam

SOIL CONDITION
Rich

GROWTH RATE
Moderate

TOLERANCES
Heat



Designer Notes

Rudbeckia f.s. 'Goldstrum'

Blackeyed Susan

This cultivar is an eastern native, with long-lasting, golden daisy-like flowers with black cones. It should be placed under full sun or part sun and in average soil. The flowers are great for cutting and are abundant from July through September. Overall height of perennial is 2' tall. Butterflies love this plant. Cut spent flowers to encourage more blooming.

Anatomy

PLANT TYPE
Perennial

HEIGHT RANGE
1-3'

WIDTH RANGE
1-3'

FLOWER COLOR
Gold, Multi-Colored

FLOWER SEASON
Summer, Fall

LEAF COLOR
Dark Green

Culture

SUN
Full

WATER
Medium

SOIL TYPE
Sandy, Clay, Loam

SOIL CONDITION
Average

GROWTH RATE
Moderate

TOLERANCES
Salt Ocean Spray, Deer

Designer Notes

Calamagrostis X acu. 'Karl Foerster'

Karl Foerster Feather Reed Grass

This ornamental perennial grass grows 4-6' tall x 1-1.5' wide and has semi-evergreen foliage that is green in spring and summer and turns green/brown in fall. The flowers look like feathery plumes; they bloom in mid June and emerge a light green but quickly turn to pink/purple. Flowers look great in a dried flower arrangement. This grass does well in full sun but will tolerate afternoon shade in warm, inland valleys. It needs regular watering and fertile soil. Great for erosion control and in wet areas.

Anatomy

PLANT TYPE
Grass

HEIGHT RANGE
3-6'

WIDTH RANGE
1-3'

FLOWER COLOR
Pink, Purple

FLOWER SEASON
Summer

LEAF COLOR
Green

Culture

SUN
Full, Half

WATER
Medium, Extra in Summer

SOIL TYPE
Sandy, Clay, Loam

SOIL CONDITION
Rich, Moist

GROWTH RATE
Fast

TOLERANCES
Salt Ocean Spray, Smog, Alkaline Soil, Wet Conditions

Designer Notes

Carex 'Bowles Golden'

Bowles Golden Sedge

This sedge has bright gold foliage with thin green margins and is taller than most other sedges. It is an excellent choice as a highlight plant for a shade or water garden. 'Bowles Golden' is a moisture loving grass that needs to be constantly wet or moist to thrive

Anatomy

PLANT TYPE
Grass, Aquatic

HEIGHT RANGE
Under 1'

WIDTH RANGE
Under 1'

FLOWER COLOR
n/a

FLOWER SEASON
n/a

LEAF COLOR
Gold, Yellow

Culture

SUN
Full, Half

WATER
Medium, Extra in Summer

SOIL TYPE
Sandy, Clay, Loam, Rocky, Unparticular

SOIL CONDITION
Average, Rich, Poor, Well-drained, Moist

GROWTH RATE
Slow

TOLERANCES
Heat, Windy Conditions, Wet Conditions

Designer Notes

Imperata cylindrica 'Rubra'

Japanese Blood Grass

This groundcover/grass can slowly reach up to 1' tall and 18" wide. During spring, thin lime green blades of grass rise, with red tips. With warmer weather, blades turn completely red. During fall and winter, grass turns gray brown. This attractive and dramatic looking grass tolerates full to part sun, preferring moist, well draining soil. This plant looks great in containers, with rocks, in alpine gardens, in borders. It is dramatic when back lit.

Anatomy

PLANT TYPE
Ground cover, Grass

HEIGHT RANGE
1-3'

WIDTH RANGE
1-3'

FLOWER COLOR
n/a

FLOWER SEASON
n/a

LEAF COLOR
Brown, Grey Green, Light Green, Red

Culture

SUN
Full, Half

WATER
Medium

SOIL TYPE
Sandy, Loam, Rocky

SOIL CONDITION
Average, Well-drained, Moist

GROWTH RATE
Slow

TOLERANCES
n/a

Designer Notes

Pennisetum alo. 'Hamelin'

Hamelin Dwarf Fountain Grass

More compact and shorter than the species, 'Hameln' has finely textured leaves that are especially lovely when backlit by the early morning or late afternoon sun. Soft, greenish-cream colored panicles begin to appear in midsummer, a few weeks earlier than the species. This grass works most effectively in mass plantings, but also can be used as an accent plant in gardens and in containers.

Anatomy

PLANT TYPE
Perennial, Grass

HEIGHT RANGE
1-3'

WIDTH RANGE
1-3'

FLOWER COLOR
White

FLOWER SEASON
Summer, Fall

LEAF COLOR
Green

Culture

SUN
Full, Half

WATER
Low, Medium

SOIL TYPE
Sandy, Clay, Loam, Rocky, Unparticular

SOIL CONDITION
Average

GROWTH RATE
Fast

TOLERANCES
Windy Conditions

Designer Notes

Rhododendron 'Nova Zembla'

Nova Zembla Rhododendron

A popular and attractive broadleaf evergreen shrub with rich red flowers in spring and an upright rounded habit, quite hardy, good in partial shade; absolutely must have well-drained, highly acidic and organic soil, use plenty of peat moss when planting. Nova Zembla Rhododendron is draped in stunning clusters of crimson trumpet-shaped flowers with dark red spots at the ends of the branches in mid spring. It has green foliage. The large narrow leaves remain green throughout the winter.

Anatomy

PLANT TYPE
Broadleaf Evergreen, Shrub

HEIGHT RANGE
6-12'

WIDTH RANGE
6-12'

FLOWER COLOR
Red

FLOWER SEASON
Spring

LEAF COLOR
Dark Green

Culture

SUN
Full, Half, Shade

WATER
Medium, Extra in Summer

SOIL TYPE
Sandy, Loam

SOIL CONDITION
Rich, Well-drained, Moist

GROWTH RATE
Moderate

TOLERANCES
n/a

Designer Notes

Calocedrus decurrens

Incense Cedar

The Cedar is an attractive, stiff, narrow evergreen tree which has a columnar growing pattern and maintains a central leader. The foliage is aromatic, dark green and needle-like, while the coarse bark has an attractive cinnamon red-brown coloring. The cedar retains its color in winter and under good cultural conditons, will maintain its foliage to the ground. It grows slowly to about 30' tall and 8'-12' wide. Brown cones are on the tree most of the year, attracting birds for the seeds.

Anatomy

PLANT TYPE
Tree, Conifer

HEIGHT RANGE
25-40'

WIDTH RANGE
12-25', 25-40'

FLOWER COLOR
n/a

FLOWER SEASON
n/a

LEAF COLOR
Dark Green

Culture

SUN
Full, Half

WATER
Very Low, Low

SOIL TYPE
Sandy, Clay, Loam, Rocky, Unparticular

SOIL CONDITION
Average, Rich, Poor, Well-drained, Moist, Dry

GROWTH RATE
Slow

TOLERANCES
Heat, Windy Conditions, Smog, Oak Root Fungus, Wet Conditions

Designer Notes

Chamaecyparis lawsoniana

Port Orford Cedar

Port Orford Cedar is a handsome pyramid shaped tree to 60' tall. Drooping tips of the wide branches give this elegant tree a pendulate appearance. This plant also comes in many cultivar forms, including dwarf cultivars. Foliage is evergreen, blue green and flattened with a fern-like appearance. Mature trunk becomes furrowed and reddish brown. Flowers and fruit are inconspicuous. This tree does best in full sun with well draining, moist soil. It does not tolerate clay soil and windy areas. It can be grown in containers for bonsai.

Anatomy

PLANT TYPE
Tree, Conifer

HEIGHT RANGE
40-60', 60-100'

WIDTH RANGE

FLOWER COLOR
n/a

FLOWER SEASON
n/a

LEAF COLOR
Blue Green

Culture

SUN
Full

WATER
Medium, Extra in Summer

SOIL TYPE
Loam

SOIL CONDITION
Rich, Well-drained, Moist

GROWTH RATE
Slow

TOLERANCES
Heat, Windy Conditions

Designer Notes

Metasequoia glyptostroboides

Dawn Redwood

The Metasequoia is a dense, pyramidal, deciduous conifer with a central leader, quickly reaching 70-90' tall and spreading 15-25'. It has an opposite branching pattern, with branchlets of long, simple needles that appear to be flattened. During the spring, its foliage is feathery, fern-like and light green, changing to dark green in summer, and bronzy red during fall. Its furrowed bark is attractive, orange-brown to red-brown and peels in vertical strips. This attractive tree needs space to grow, needs full sun with moist, even wet, rich, well draining soil. Also known as: Water Fir

Anatomy

PLANT TYPE
Tree, Conifer

HEIGHT RANGE
60-100'

WIDTH RANGE
25-40'

FLOWER COLOR
n/a

FLOWER SEASON
n/a

LEAF COLOR
Dark Green, Light Green

Culture

SUN
Full

WATER
Medium, High

SOIL TYPE
Sandy, Loam, Rocky

SOIL CONDITION
Rich, Well-drained, Moist

GROWTH RATE
Fast

TOLERANCES
Smog, Oak Root Fungus, Wet Conditions

Designer Notes

Thuja X plicata 'Excelsa'

Excelsa Western Red Cedar

The Excelsa Western Red Cedar is a gorgeous fast-growing, full-bodied conifer that can reach up to 35 feet tall with a 20 ft spread. Its bright green fan-like foliage emits an unmistakable aroma loved by many. Excelsa is suitable for both urban and rural settings and acts as an excellent sound barrier and privacy screen. Thuja plicata and its cultivars are native to the Pacific Northwest and are thus well adapted to thrive in the region. This tree prefers full to partial sun with moist soils, although it can tolerate wet soils. Once established, it is tolerant of drought, clay soils, and urban pollution. -Plant Oregon

Anatomy

PLANT TYPE
Tree, Conifer

HEIGHT RANGE
25-40'

WIDTH RANGE
25-40'

FLOWER COLOR
n/a

FLOWER SEASON
n/a

LEAF COLOR
Dark Green

Culture

SUN
Full, Half

WATER
Medium

SOIL TYPE
Sandy, Loam

SOIL CONDITION
Average, Rich, Well-drained

GROWTH RATE
Fast

TOLERANCES
Salt Ocean Spray

Designer Notes

Polystichum munitum

Western Sword Fern

This Fern produces upright fronds, reaching 4'-5' tall in moist, cool forests in Northern California. This size is usually lower, especially without summer watering. It is great in containers or dry shade landscapes. This species is especially useful to give the illusion of lush, moist gardens where little water is actually being used. It should receive part shade to dense shade. -Monterey Bay Nursery

Anatomy

PLANT TYPE
Fern

HEIGHT RANGE
1-3'

WIDTH RANGE
1-3'

FLOWER COLOR
n/a

FLOWER SEASON
n/a

LEAF COLOR
Dark Green

Culture

SUN
Half, Shade

WATER
Medium

SOIL TYPE
Loam

SOIL CONDITION
Rich, Well-drained, Moist

GROWTH RATE
Moderate

TOLERANCES
n/a

Designer Notes

EXHIBIT Q

Oregon
Kate Brown, Governor

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
(503) 986-5200
FAX (503) 378-4844
www.oregon.gov/dsl

State Land Board

Kate Brown
Governor

Bev Clarno
Secretary of State

Tobias Read
State Treasurer

April 16, 2020

Even Better Homes, Inc.
Attn: Mac Even
PO Box 2021
Gresham, OR 97030

All County Surveyors & Planners, Inc.
Attn: Ray Moore
PO Box 955
Sandy, OR 97055

Re: WD # 2020-0086 **Approved**
Wetland Delineation Report for the Views
Clackamas County; T2S R5E S19 TL200
City of Sandy Local Wetland Inventory CC3, CC4

Dear Mr. Even and Mr. Moore:

The Department of State Lands has reviewed the wetland delineation report prepared by Schott & Associates, Inc. for the site referenced above. Based upon the information presented in the report, we concur with the wetland and waterway boundaries as mapped in revised Figures 6a and 6b of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps.

Within the study area, 2 wetlands (Wetland 1 and 2, totaling approximately 0.47 acres) and 2 streams (Stream 1 and 2) were identified. The wetlands and streams are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined).

This concurrence is for purposes of the state Removal-Fill Law only. We recommend that you attach a copy of this concurrence letter to any subsequent state permit application to speed application review. Federal or local permit requirements may apply as well. The U.S. Army Corps of Engineers will determine jurisdiction under the Clean Water Act, which may require submittal of a complete Wetland Delineation Report.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Since measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction. Individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. If you have any questions, please contact Chris Stevenson, the Jurisdiction Coordinator for Clackamas County at (503) 986-5246.

Sincerely,

Peter Ryan, PWS
Aquatic Resource Specialist

Enclosures

ec: Kim Biafora, Schott & Associates
City of Sandy Planning Department (Maps enclosed for updating LWI)
Jessica Menichino, Corps of Engineers
Anita Huffman, DSL

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

Fully completed and signed report cover forms and applicable fees are required before report review timelines are initiated by the Department of State Lands. Make checks payable to the Oregon Department of State Lands. To pay fees by credit card, go online at: https://apps.oregon.gov/DSL/EPS/program?key=4.

Attach this completed and signed form to the front of an unbound report or include a hard copy with a digital version (single PDF file of the report cover form and report, minimum 300 dpi resolution) and submit to: **Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279.** A single PDF of the completed cover from and report may be e-mailed to: **Wetland_Delineation@dsl.state.or.us**. For submittal of PDF files larger than 10 MB, e-mail DSL instructions on how to access the file from your ftp or other file sharing website.

Contact and Authorization Information

☒ Applicant ☐ Owner Name, Firm and Address:
Mac Even, Even Better Homes, Inc
PO Box 2021
Gresham, Oregon 97030

Business phone # (503) 348-5602
Mobile phone # (optional)
E-mail: mac@evenbetterhomes.com

☒ Authorized Legal Agent, Name and Address (if different):
Ray Moore, All County Surveyors & Planners, Inc
PO Box 955
Sandy, Oregon 97055

Business phone # (503) 668-3151
Mobile phone # (optional)
E-mail: raym@allcountysurveyors.com

I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.

Typed/Printed Name: Mac Even **Signature:** _____
Date: 2/17/2020 Special instructions regarding site access: _____

Project and Site Information

Project Name: The Views

Latitude: 45.386736° Longitude: -122.232202°
decimal degree - centroid of site or start & end points of linear project

Proposed Use:
Residential development

Tax Map # 25E19
Tax Lot(s) 200

Tax Map #
Tax Lot(s)

Project Street Address (or other descriptive location):
41717 Hwy 26

Township 2S Range 5E Section 19 QQ NE/NE

Use separate sheet for additional tax and location information

City: Sandy County: Clackamas

Waterway: n/a River Mile: n/a

Wetland Delineation Information

Wetland Consultant Name, Firm and Address:
Kim Biafora, Schott & Associates
21018 NE Hwy 99E
Aurora, OR 97002

Phone # (503) 678-6007
Mobile phone # (if applicable)
E-mail: kim@schottandassociates.com

The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge
Consultant Signature: Kim Biafora Date: 2/18/2020

Primary Contact for report review and site access is ☐ Consultant ☐ Applicant/Owner ☒ Authorized Agent

Wetland/Waters Present? ☒ Yes ☐ No Study Area size: 23.24 Total Wetland Acreage: 0.4700

Check Applicable Boxes Below

☐ R-F permit application submitted
☐ Mitigation bank site
☐ Industrial Land Certification Program Site
☐ Wetland restoration/enhancement project (not mitigation)
☒ Previous delineation/application on parcel
If known, previous DSL # WD2014-0465

☐ Fee payment submitted $ _____
☐ Fee ($100) for resubmittal of rejected report
☐ Request for Reissuance. See eligibility criteria. (no fee)
DSL # _____ Expiration date _____

☒ LWI shows wetlands or waters on parcel
Wetland ID code CC-3, CC-4

For Office Use Only

DSL Reviewer: CS Fee Paid Date: ____/____/____ DSL WD # 2020-0086

Date Delineation Received: 2/18/20 Scanned: ☐ Electronic: ☐ DSL App.# _____

March 2018

Date: 1/27/2020

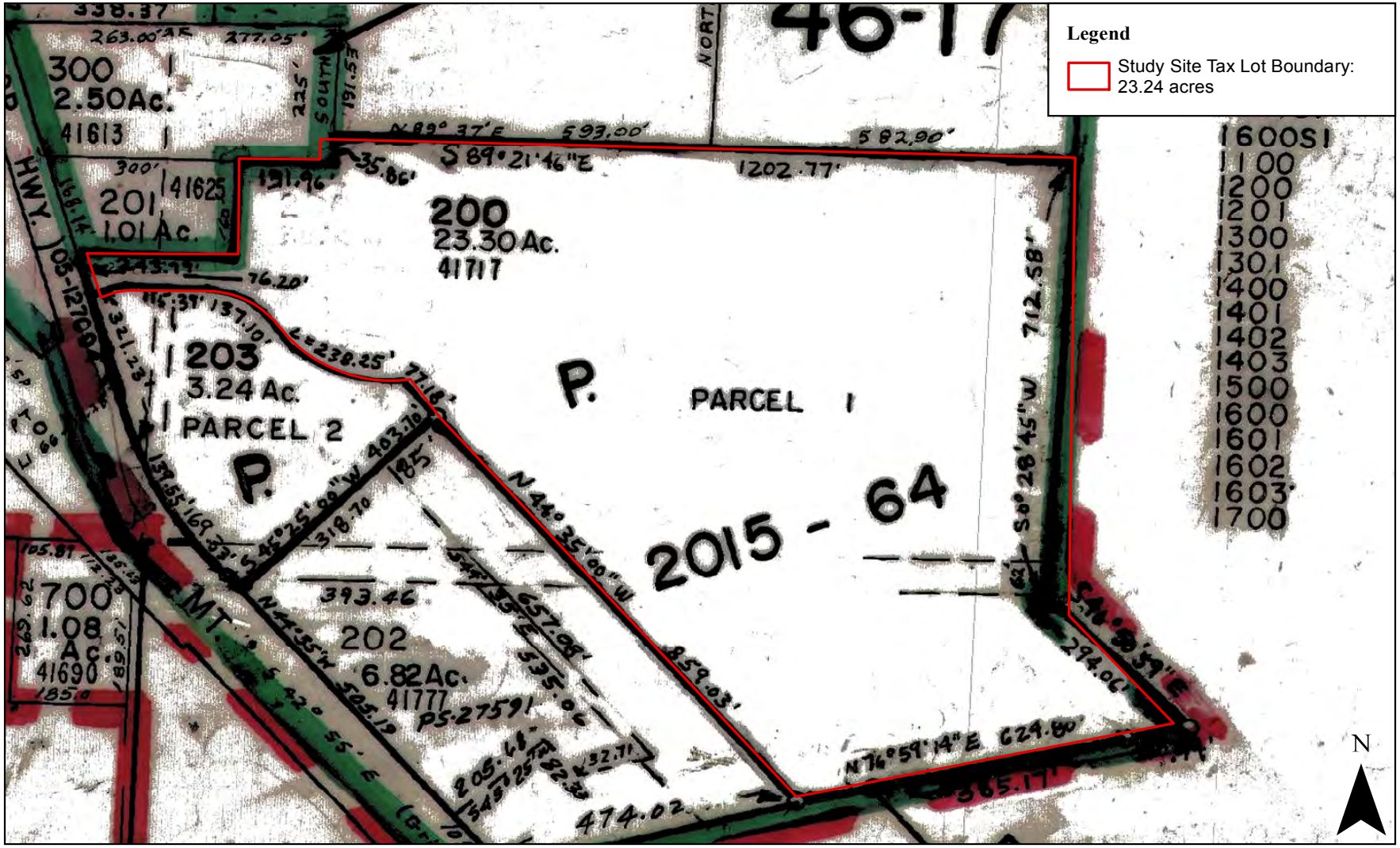
Data Source: ESRI, 2020

Figure 1. Location Map

SCHOTT & ASSOCIATES, Inc.

The Views Project Site: S&A #2748

0 0.5 1 2 Miles



Date: 1/27/2020

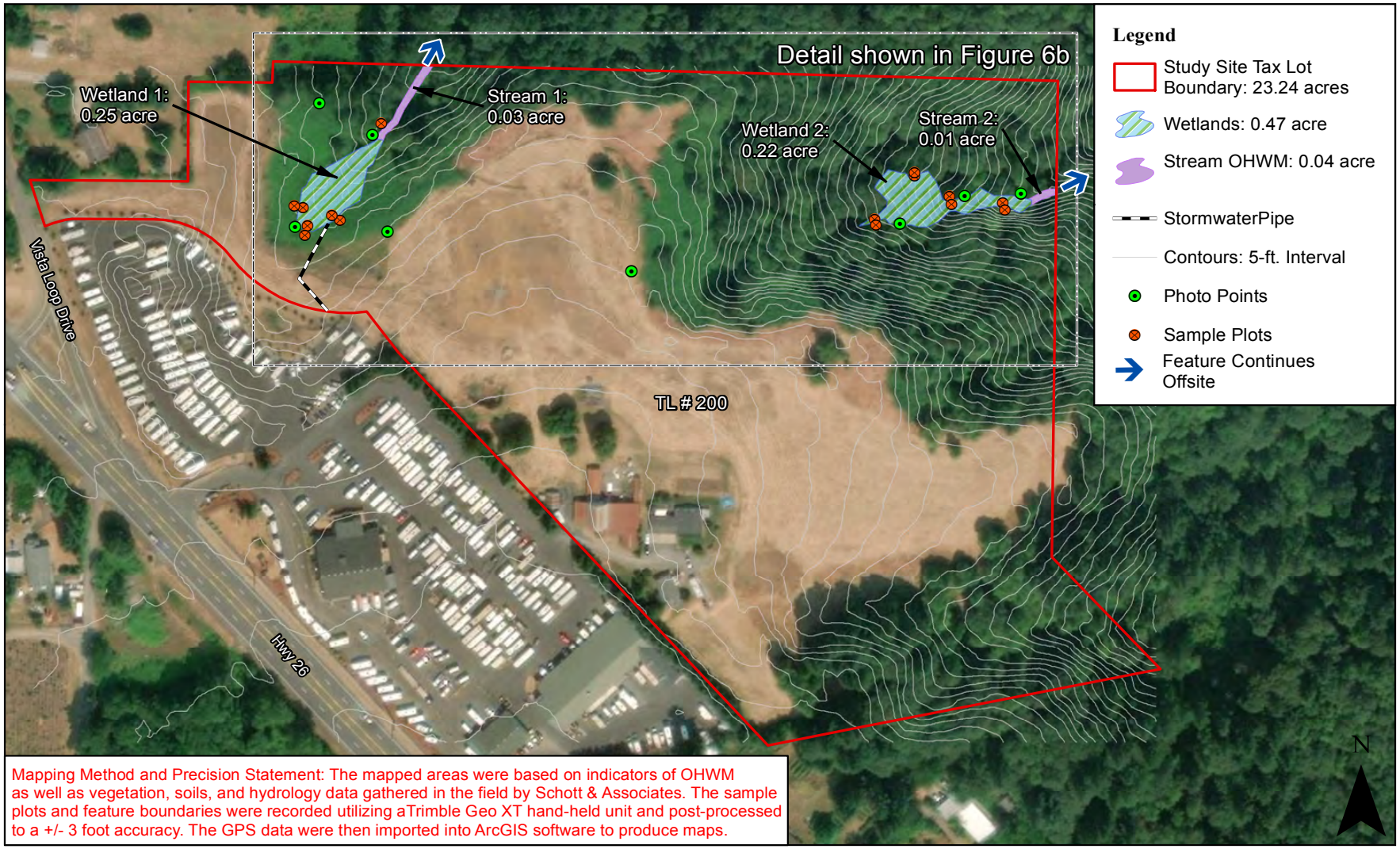
Figure 2. Clackamas County Tax Map - 2S5E19

Data Source: ESRI, 20120; Clackamas County GIS Dept., 2019; USFWS, NWI, 2019; ODF, 2019

SCHOTT & ASSOCIATES, Inc.

The Views Project Site: S&A #2748

0 75 150 300 Feet



Mapping Method and Precision Statement: The mapped areas were based on indicators of OHWM as well as vegetation, soils, and hydrology data gathered in the field by Schott & Associates. The sample plots and feature boundaries were recorded utilizing aTrimble Geo XT hand-held unit and post-processed to a +/- 3 foot accuracy. The GPS data were then imported into ArcGIS software to produce maps.

Date: 1/28/2020
1 inch = 208 feet
Data Source:ESRI, 2020; Clackamas GIS Dept., 2019 ; USGS, NED, 2011

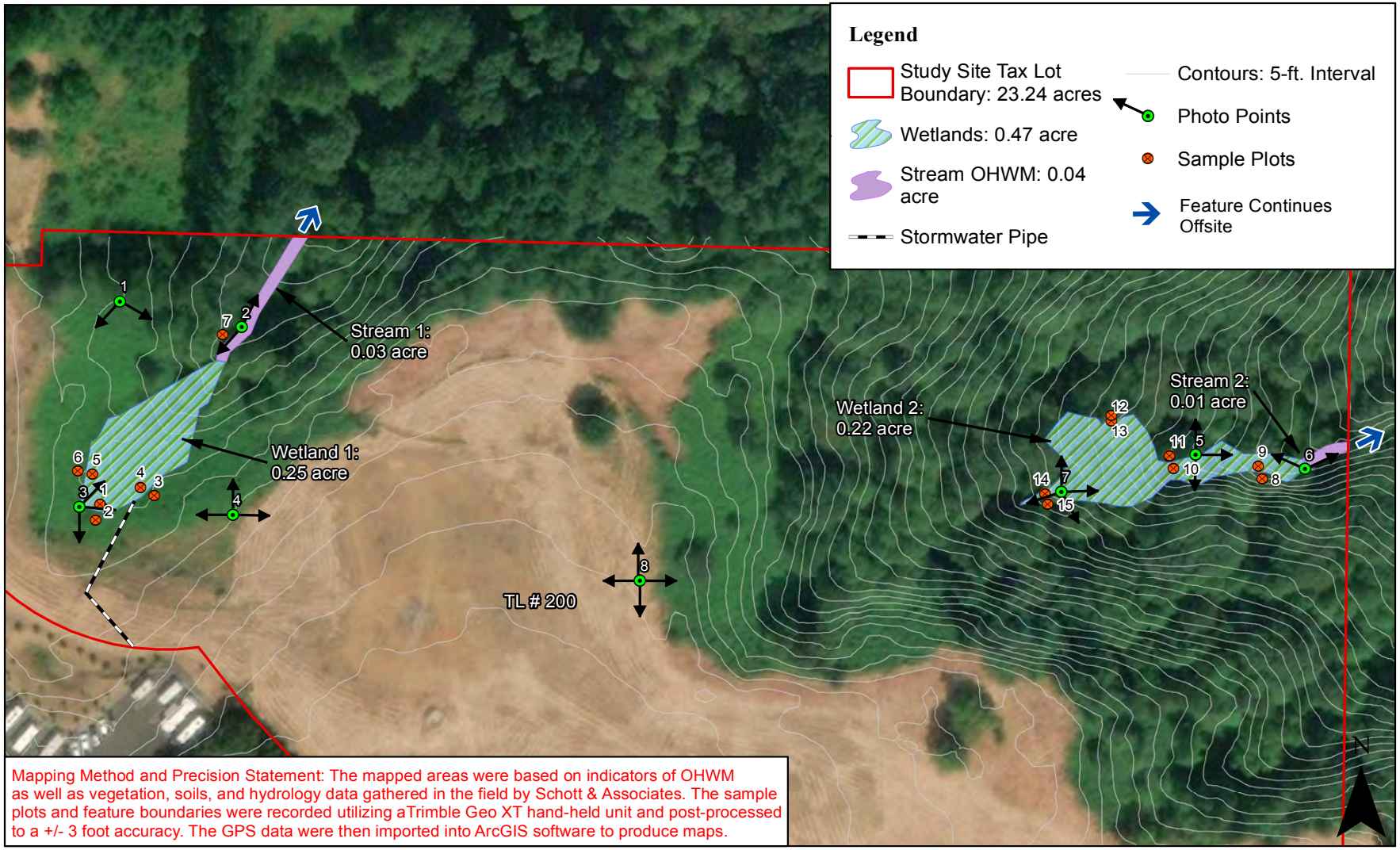
DSL WD # 2020-0086
Approval Issued 4/15/2020
Approval Expires 4/15/2025

Figure 6a. Wetland Delineation Map - Overview

The Views Project Site: S&A #2748

SCHOTT & ASSOCIATES, Inc.

0 50 100 200 Feet



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Date: 1/28/2020
1 inch = 125 feet
Data Source: ESRI, 2020; Clackamas GIS Dept., 2019; USGS, NED, 2011

DSL WD # 2020-0086
Approval Issued 4/15/2020
Approval Expires 4/15/2025

Figure 6b. Wetland Delineation Map - Detail

The Views Project Site: S&A #2748

SCHOTT & ASSOCIATES, Inc.

0 50 100 200 Feet

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21018 NE Hwy 99E
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Phone # (503) 678-6007
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E-mail: kim@schottandassociates.com

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☐ Mitigation bank site
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DSL # _____ Expiration date _____

☒ LWI shows wetlands or waters on parcel
Wetland ID code CC-3, CC-4

For Office Use Only

DSL Reviewer: _____ Fee Paid Date: ___/___/___ DSL WD # _____

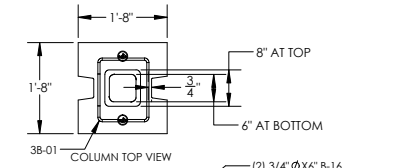
Date Delineation Received: ___/___/___ Scanned: ☐ Electronic: ☐ DSL App.# _____

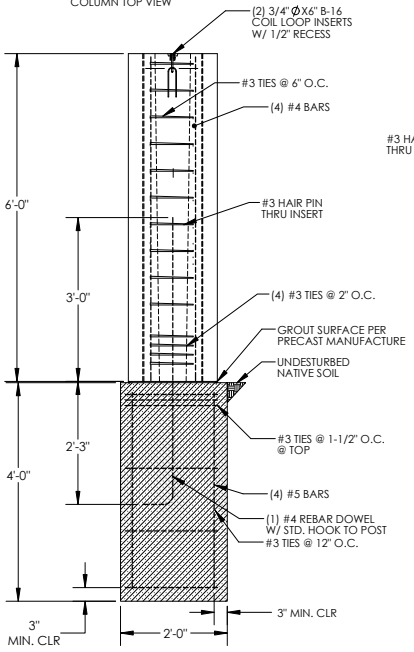
March 2018

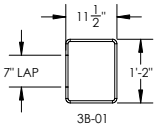
EXHIBIT R

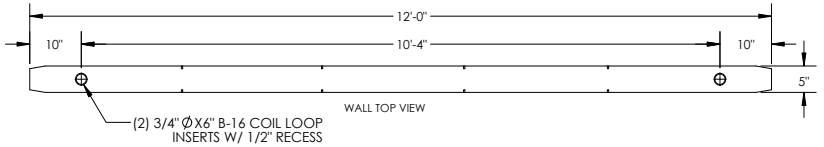
The Views PD
Sound Wall Details

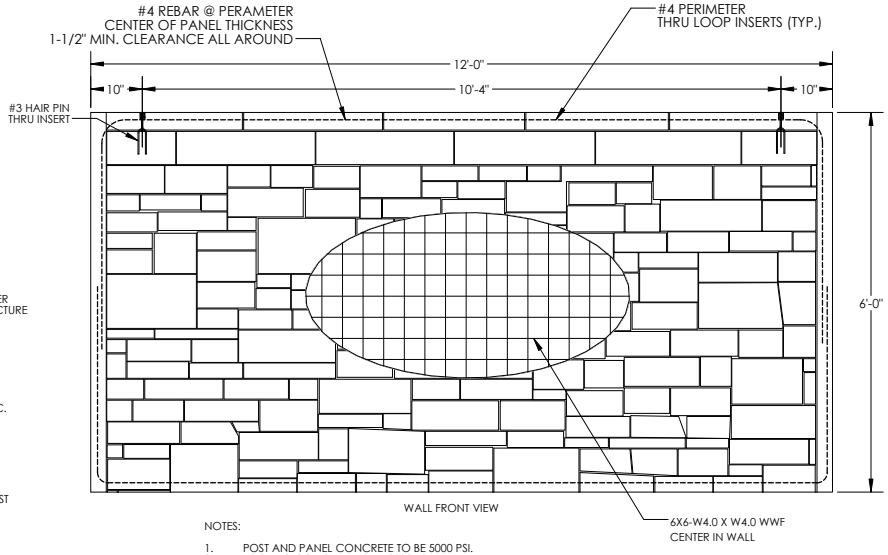
The applicant proposes using a Verti-Crete (https://verti-crete.com) wall system for the sound wall along Highway 26 in the Upper Views. The wall panels have a ledge stone finish on both sides and the posts are Ashlar finished. The applicant proposes installing a six foot tall wall. The posts are 20-inch x 20-inches. The posts and panels come to the site in a concrete gray color and are stained in the field after the wall is installed. The applicant proposes staining the wall "Nutmeg" from the attached color chart.

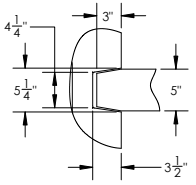












NOTES:

1. POST AND PANEL CONCRETE TO BE 5000 PSI.
2. FOOTING CONCRETE TO BE 3000 PSI.
3. MIN. SOIL LATERAL BEARING ALLOWABLE: 150 PSF/FT OF DEPTH BELOW GRADE.
4. MIN. ALLOWABLE SOIL BEARING PRESSURE: 2000 PSF
5. DIMENSIONS MAY BE REDUCED TO FIT PROJECT REQUIREMENTS.
6. GROUT BETWEEN POST AND FOOTING TO BE 2500 PSI.
7. THIS DESIGN IS FOR A 6' TALL WALL ONLY.

VERTI-CRETE® MOLDS FORMS

DRAWN BY: RYAN FONTANESI	DATE: 6/4/2018
γ = 150 PCF	f'_c = 5000 PSI
PANEL WEIGHT: ~4500 LBS	f'_ci = 2500 PSI
POST WEIGHT: ~2005 LBS	SLUMP = 4"-9"
	AIR: 5%

16500 S 500 W
BLUFFDALE, UT 84065
PH: (801) 571-2028

TITLE:

TYP. 6' X 12' REINF. PANEL, PIER, & POST ENGINEERED SOUND WALL

DWG #:

VC-5.1

SCALE: NA | SHEET 1 OF 1

VERTI-CRETE
MOLDS FORMS

Color Chart

Colors

White

Limestone

Sunset

Harvest Gold

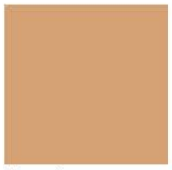
Nutmeg

Khaki Bronze

Beige

Washed Suede

Smokey Beige


Terra Cotta

Sepia

Chestnut

Western Cedar

Cocoa Brown

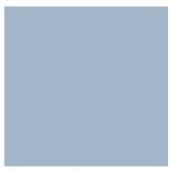
Dark Walnut

Plum

Taupe

Brick Red

Island Spruce


Blue Slate

Heather Grey

Stonewall

Deep Grey

Charcoal

Wrought Iron

Product description, usage and technical data on back

- Interior & exterior use
- Easy soap-and-water cleanup
- Available in a variety of premixed and tintable colors
- Satin finish

H&C® COLORTOP™ WATER-BASED SOLID COLOR CONCRETE STAIN

PRODUCT DESCRIPTION

H&C® COLORTOP™ Water-Based Solid Color Concrete Stain is a water-based stain that provides a long-lasting, durable and decorative finish to interior or exterior concrete, masonry, or asphalt surfaces.

**** H&C® COLORTOP™ Water-Based Solid Color Concrete Stain is formerly known as H&C® Concrete Stain Solid Color Water-Based.***

FEATURES & BENEFITS

- Provides a durable finish that extends the life of concrete and masonry surfaces
- Highly resistant to pool chemicals and many other household chemicals for long lasting beauty and protection
- Water-Based formulation allows for easier application and clean-up
- Can be applied to previously painted surfaces with proper preparation

RECOMMENDED USES

H&C® COLORTOP™ Water-Based Solid Color Concrete Stain is formulated for use on concrete, masonry and asphalt. It can be used on both interior and exterior surfaces including walkways, patios, pool decks, basement floors, and block and stucco walls.

COVERAGE RATES

Substrate*	**sq ft/gal**
Concrete floors	200-300
Porous concrete	150-250
Concrete block	100-150
Split-faced block	75-125
Fluted block	50-100
Brick (clay)	100-150
Asphalt	200-250

*Coverage will vary depending on the porosity and texture of the substrate.

JOBSITE TEST SECTION

Due to the wide variety of substrates, preparation methods, application methods and environments, it is important to test the product in an inconspicuous spot for adhesion and compatibility prior to full-scale application.

LIMITATIONS

Do not use on wood surfaces.

SURFACE PREPARATION

New Concrete: Allow new concrete to cure at least 28 days. Concrete surfaces should be able to absorb water. To test absorption, spray various sections of the surface to be stained with water. If the water does not absorb rapidly, then acid etch the surface using H&C™ CONCRETEREADY™ Etching Solution, following label instructions. After proper etching, the surface should feel like 120-grit sandpaper. If not, then etch again. Mechanical abrasion methods may be necessary to achieve proper profile. Do not apply the stain until all surfaces are porous. Allow all surfaces to dry at least 24 hours before staining. Prepared concrete must have a pH of 6 to 10.

Existing and Previously Painted Concrete: All concrete must be porous, clean, dry and free of grease, oil and other contaminates. To spot clean, use H&C™ CONCRETEREADY™ Cleaner Degreaser, following label directions. If mold, mildew, or fungus is present, kill and remove with a solution of 1 cup household bleach to 1 gallon of water. If surface has been previously painted, remove all old, peeling, flaking paint by rough sanding to ensure adhesion of H&C® COLORTOP™. Rinse away sanding dust before stain application.* DO NOT ETCH PREVIOUSLY PAINTED SURFACES.

*__WARNING:__ Removal of old paint by sanding, scraping or other means may generate dust or fumes that contain lead. To avoid exposure to lead dust, wear proper protective equipment, such as a properly fitted respirator (NIOSH approved) and follow proper containment and cleanup procedures. For more information, call the National Lead Information Center at 1-800-424-LEAD (in U.S.) or contact your local health authority.

Garage Floors and Driveways: Proper surface preparation is crucial for garage floors and driveways. For garage floors, apply H&C® SHIELD-CRETE Water-Based Epoxy Garage Floor Coating. On driveways, use H&C®COLORTOP™ Solvent-Based Solid Color Concrete Sealer.

Asphalt: Asphalt surfaces must be free of grease, oil, dirt, wax, and other surface contaminates. Scrub with a solvent-free cleaner, following label directions. Do not etch asphalt. Not recommended for use on freshly sealed asphalt.

Repair: For the best repair on vertical and horizontal concrete and masonry surfaces, use H&C™ CONCRETEREADY™ Quick Patch and Repair to fill low spots and spalled concrete. Please note that patching compounds will generally be visible through clear coatings.

TOOLS REQUIRED

Brush: Use nylon or polyester paint brushes.
Roller: Use a solvent-resistant soft woven roller (3/8- to ½-inch nap).
Airless sprayer: Pressure 1500 psi; tip .013 to .017 inch.
Conventional sprayer: Air pressure 30-50 psi; fluid pressure 15-20 psi; cap/tip 704/FX or equivalent.
HVLP: Cap/needle Titan #3 or equivalent.

NOTE: Back rolling is recommended after spraying.

APPLICATION INSTRUCTIONS

Apply H&C® COLORTOP™ Water-Based Solid Color Concrete Stain onto dry surfaces only. Moisture content should not exceed 3 lbs/1,000 sq. ft. of surface (ASTM F710). Air, surface and material temperatures must be between 50° and 90° F and at least 5° F above the dew point during and for 24 hours after application. Do not apply H&C® COLORTOP™ Water-Based if rain is expected within 12 hours following application. A minimum of two coats are required.

How to Apply: Apply with a brush, roller, or sprayer. Stir product thoroughly before and during application. When using more than one container, intermix all containers together to ensure color uniformity. Prior to applying the first coat, dry sweep the concrete with a stiff broom or shop vacuum to remove all loose surface contaminants.

First Coat: Apply first coat evenly, working in one direction. Allow to dry at least 2 hours before applying the second coat.

Second Coat: For best coverage, apply the second coat perpendicular to the first coat. Two coats of H&C® COLORTOP™ Water-Based Solid Color Concrete Stain are usually sufficient. However, extremely porous surfaces may require a third coat for a uniform appearance. Allow 2 hours of dry time between coats.

SLIP RESISTANCE

Some surfaces such as inclined driveways, garage floors, steps and patios may require a slip-resistant additive for safety. Add H&C® SHARKGRIP® Slip-Resistant Additive to the final coat, following label directions. This product should not be used in place of a nonskid finish.

CLEANUP

Clean tools and any spills or spatters immediately using soap and warm water.

DISPOSAL

Follow your state or local regulations for disposal methods.

PHYSICAL PROPERTIES

Typical Physical Properties and Characteristics

Property	Test Method	Value
Dry Time (@ 77°F, 50% RH)	Dry-to-touch	30 minutes
	Light traffic (foot)	2 hours
	Heavy traffic	72-96 hours
	Recoat	2 hours
	Full cure	7-14 days
Flash Point	ASTM D93, PMCC	499 deg. F.
VOC	EPA Method 24	<224 g/L; 1.87 lb/gal*
Static Coefficient of Friction	ANSI/NFSI B1011-2007	0.9
Water-Vapor Transmission	ASTM D1653, Method A	5.21 ± 0.12 grains/sq ft/hr
Perm Rating	ASTM D1653	11.2 ± 0.3 grains/(hr ft² in Hg)
Accelerated Weathering	ASTM G154 Color change	3,000 hrs., no effect Delta E = 0.35
Wind-Driven Rain Resistance	Rilem Tube Method #11.4	Zero water penetration after 60 mins. exposure
Salt Spray Resistance	ASTM B117	No film defect after 500 hrs. exposure
Chemical Resistance	• 10% sodium hydroxide • 10% ammonium hydroxide • Mineral spirits (KB value 38)	No softening or color change
Sulfide Staining Resistance	ASTM D1712	No change after 15 mins.
Chloride Ion Penetration	AASHTO T 259/T 260	Reduction of 54% @ 0.0625-0.5"penetration, 83% @ 0.5-1.0"penetration, 36% @ 1.0-1.5"penetration
Impact Resistance (6 inch-pounds direct impact)	Fed. Std. 141A Method 2051 ASTM D2794	No film chipping
Abrasion Resistance	ASTM D968	>2,000 liters of sand
Flexibility (1-inch-diameter mandrel)	ASTM D522 Method B	No cracking or breaking
Scrub-Resistance Testing	ASTM D2486	1,200 cycles, no failure
Adhesion Testing	ASTM 3359 • Method A X-cut tape test • Method B cross-cut tape test	 No film loss; Classification 5A Less than 5% removed; Classification 4B
Reflectance of White	ASTM E1331	86% ± 3%
Color & Gloss Retention	ASTM G90	Color: Less than 0.30 change Sheen: 0.5 difference @ 60°
Sheen (pigmented & clear)	ASTM D523	Low luster < 35
Volume Solids Pigmented: Solids by Weight Solids by Volume Volume Solids Clear: Solids by Weight Solids by Volume	ASTM D2832	 43% ± 2%* 30% ± 2%* 22% 19%
Weight per Gallon	ASTM D1475	10 lbs.*

**May vary depending on color*

MAINTENANCE

Surfaces treated with H&C® COLORTOP™ Water-Based are easily cleaned using 3 parts water to 1 part H&C™ CONCRETEREADY™ Cleaner Degreaser.

ORDERING INFORMATION

Clear	**Part Number/SMIS**
1 gallon	20.001204/163-2702
5 gallons	20.001205/163-2710

Extra White	**Part Number/SMIS**
1 gallon	20.101214/6507-11450
5 gallons	20.101215/6507-11468

Deep Base	**Part Number/SMIS**
1 gallon	20.102214/6507-11633
5 gallons	20.102215/6507-11641

Ultra Deep	**Part Number/SMIS**
1 gallon	20.103214/6507-11690
5 gallons	20.103215/6507-11708

Bombay	**Part Number/SMIS**
1 gallon	20.101254/6507-11492
5 gallons	20.101255/6507-11500

Sandstone	**Part Number/SMIS**
1 gallon	20.101324/6507-11559

Terracotta	**Part Number/SMIS**
1 gallon	20.101354/6507-11575
5 gallons	20.101255/6507-11583

Tile Red	**Part Number/SMIS**
1 gallon	20.101364/6507-11591
5 gallons	20.101365/6507-11609

Pearl Gray	**Part Number/SMIS**
1 gallon	20.101314/6507-11534
5 gallons	20.101314/6507-11542

Gull Gray	**Part Number/SMIS**
1 gallon	20.101284/6507-11518
5 gallons	20.101285/6507-11526

Silver Gray	**Part Number/SMIS**
1 gallon	20.101344/6507-11567

Black	**Part Number/SMIS**
1 gallon	20.101224/6507-11476
5 gallons	20.10225/6507-11484

CAUTION

CAUTIONS: CONTAINS CRYSTALLINE SILICA. Use only with adequate ventilation. To avoid overexposure, open windows and doors or use other means to ensure fresh air entry during application and drying. If you experience eye watering, headaches, or dizziness, increase fresh air, or wear respiratory protection (**NIOSH** approved) or leave the area. Adequate ventilation required when sanding or abrading the dried film. If adequate ventilation cannot be provided wear an approved particulate respirator (**NIOSH** approved). Follow respirator manufacturer's directions for respirator use. Avoid contact with eyes and skin. Wash hands after using. Keep container closed when not in use. Do not transfer contents to other containers for storage.
FIRST AID: In case of eye contact, fl ush thoroughly with large amounts of water. Get medical attention if irritation persists. If swallowed, call Poison Control Center, hospital emergency room, or physician immediately. **DELAYED EFFECTS FROM LONG TERM OVEREXPOSURE**. Abrading or sanding of the dry fi lm may release crystalline silica which has been shown to cause lung damage and cancer under long term exposure.
WARNING: This product contains chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. **DO NOT TAKE INTERNALLY. KEEP OUT OF THE REACH OF CHILDREN.**

LIMITED WARRANTY

Seller's and manufacturers only obligations shall be to replace such quantity of product proved to be defective. Neither seller nor manufacturer shall be liable for any injury, loss or damage, direct or consequential, arising from the applicator's inability to use the product for his/her intended use. The user assumes all risk and liability.

TECHNICAL SERVICES

The information and recommendations set forth in this product data sheet are based on tests conducted by or on behalf of H&C® Products Group and The Sherwin-Williams Company. Such information and recommendations set forth herein are subject to change and pertain to the product offered at the time of publication. Consult your H&C® or Sherwin-Williams representative to obtain the most recent product data sheet.

For technical assistance, call 1-800-867-8246 or visit www.hcconcrete.com.

LOWER YOUR OPER
The ease of forming, inst
mobile design means th
blocks anyways.

EXHIBIT S

REPLINGER & ASSOCIATES LLC
TRANSPORTATION ENGINEERING

September 14, 2020

Ms. Shelley Denison
City of Sandy
39250 Pioneer Blvd.
Sandy, OR 97055

SUBJECT: REVIEW OF TRANSPORTATION IMPACT STUDY – THE VIEWS SUBDIVISION

Dear Shelley:

In response to your request, I have reviewed materials submitted in support of The Views subdivision on SE Vista Loop in the east part of Sandy. The Transportation Impact Study (TIS), dated June 15, 2020 was prepared under the direction of Michael Ard, PE of Ard Engineering.

The TIS describes a proposal to subdivide the properties and construct 168 dwelling units consisting of 48 apartments, 32 units in four-plex buildings and 88 single-family homes. The development is on the north side of US 26 abutting SE Vista Loop. Some of the development is proposed on the east side of SE Vista Loop; some is proposed on the west side of Vista Loop. Access will be on SE Vista Loop. Three new access points on SE Vista Loop are proposed: two serving the development on the west side of SE Vista Loop and one serving the development on the east side of Vista Loop.

Overall

I find the TIS addresses the city's requirements and provides an adequate basis to evaluate impacts of the proposed development.

Comments

1. ***Study Area.*** The study addresses the appropriate intersections. It includes analyses of:
    - Highway 26 at SE Vista Loop (west)
    - Highway 26 at SE Vista Loop (east)
    - SE Vista Loop at Ortiz Street Site Access
    - SE Vista Loop at S Knapp Site Access
    - SE Vista Loop at Picking Site Access

2. ***Traffic Counts.*** The AM and PM peak hour traffic counts were conducted during March 2019 for US 26 at SE Vista Loop (west) and in July 2019 for US 26 at SE Vista Loop (east). The engineer adjusted the traffic counts to account for seasonal variations. The engineer used a combination approach to account for seasonal variation of recreational traffic and separately for commuter traffic. The methodology appears consistent with the procedures defined by the Oregon Department of Transportation (ODOT). The adjusted counts appear reasonable.

3. ***Trip Generation.*** The TIS uses trip generation for single-family dwellings and multi-family dwellings (land use code 210 and 220, respectively) from the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*. The engineer calculates that the subdivision would produce 109 total AM peak hour trips; 136 total PM peak hour trips; and 1564 total daily trips.

   The engineer also calculated trips based on the underlying zoning using single-family dwellings based on 152 single-family dwellings. The trip generation of the proposed development is not significantly different from the 152 single-family dwellings. Slightly lower trips would be generated during the AM and PM peak hours and slightly more for a daily total. The engineer concludes the trip generation will not be significantly different than under the existing zoning. I concur.

   The calculation of trips generated by the development appears reasonable.

4. ***Trip Distribution.*** The TIS provided information about trip distribution from the site. The engineer assumed 85 percent of the traffic would travel to and from the northwest on Highway 26 and 15 percent would travel to and from the southeast on Highway 26. The engineer notes that a future connection of Dubarko Road on the southwest side of Highway 26 could alter trip distribution with an estimated 15 percent of trips using this future facility. The trip distribution seems reasonable.

5. ***Traffic Growth.*** The TIS uses a 1.93 percent annual increase for Highway 26 based on projected volumes at the west boundary of Sandy. For other facilities it uses a 2.0 percent annual growth rated background traffic growth. A development on the west side of US 26 at Dubarko Road was also included as an in-process development. 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. All three existing intersections and the two new intersections are stop-controlled. The analyses were conducted for existing conditions, 2022 background conditions, and 2022 with the development.

The engineer calculates that the intersections of US 26 with Vista Loop (west) and Vista Loop (east) meet the v/c standards specified by ODOT for both the main highway and the minor street approaches under all scenarios. Delays may increase on the minor street approaches and could be most pronounced for minor street vehicles attempting to make left turns.

The operations at SE Vista Loop with Ortiz Street and with the two new proposed intersections on SE Vista Loop were determined to meet standards.

A queuing analysis was also undertaken to determine whether there would be any interference along SE Vista Loop with the new access points. The engineer calculated the queues would be short and that adequate storage distance was provided. I concur.

7. ***Crash Information.*** The TIA provides information on crashes for the most recent available five-year period. No crashes were reported at any of the subject intersections. The engineer did not recommend safety mitigations. I concur.

8. ***Site Plan and Access.*** The site plan provides for three access points. One would be opposite Ortiz Street; two would be new access points intersecting SE Vista Loop as T-intersections. The locations appear appropriate.

9. ***Sight Distance.*** The engineer analyzed sight distance at the intersection of SE Vista Loop and SE Ortiz Street and at the two new proposed access points. The engineer determined that sight distance in excess of 280 feet, the distance associated with 25 mph, could be achieved with vegetation removal at Ortiz Street and the other access serving the westerly part of the development. The proposed access serving the easterly part of the development is located 230 feet from the intersection of US 26 and SE Vista Loop, which is less than the desirable 280 feet. Based on a speed of 25 mph for traffic exiting westbound US 26 onto SE Vista Loop, the engineer calculated stopping sight distance to be 155 feet. Since the access is 230 feet from US 26, he determined stopping sight distance would be adequate for safe operation of the new site access.

   The engineer recommended no mitigation for sight distance for any of the proposed site access points. I concur.

10. ***Left-Turn Lane and Signal Warrants.*** The TIA indicates that left turn lanes are provided on eastbound US 26 at SE Vista Loop (west) and SE Vista Loop (east).

    The engineer indicates right-turn lane warrants for westbound traffic on US 26 are not met at the intersections with either SE Vista Loop (east) or SE Vista Loop (west).

The engineer determined that turn lanes were not needed on SE Vista Loop for any of the access points serving this development.

Traffic signal warrants are not met for US 26 at either SE Vista Loop (west) or SE Vista Loop (east).

11. ***Conclusions and Recommendations.*** The engineer concludes that the intersections will meet ODOT operational standards for both the highway approaches on US 26 and the minor street approaches with or without the proposed development. Traffic signal warrants are not met for either intersection on Highway 26. The engineer recommends no mitigation for operations, sight distance or safety. I concur with his conclusions.

Conclusion and Recommendations

Based on the information provided by the applicant, I find the TIS meets City requirements.

I recommend that that ODOT requirements and standards associated with frontage improvements where the development abuts US 26 be made conditions of approval for the development.

If you have any questions or need any further information concerning this review, please contact me at replinger-associates@comcast.net.

Sincerely,

John Replinger

John Replinger, PE
Principal

TheViewsTIS091420

EXHIBIT T

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS
6655 S.W. HAMPTON STREET, SUITE 210
PORTLAND, OREGON 97223

September 14, 2020

Ms. Shelley Denison
City of Sandy
39250 Pioneer Blvd.
Sandy, OR 97055

RE: CITY OF SANDY
THE VIEWS PUD (FILE NO. 20-028 SUB/TREE/FSH/PD)
PRELIMINARY REVIEW

Dear Shelley:

We have reviewed the submittal preliminary plans and supporting documents for the above noted development and have the following comments:

1. A Geotechnical Engineering Report was not submitted with this application. Due to the site terrain, it is recommended that such a report be prepared addressing the in-situ site conditions and any future considerations being taken during the grading activities, utilities and home construction. The developer shall retain appropriate professional geotechnical services for observation of grading activities. The grading setbacks, drainage and terracing should comply with the Oregon Structural Specialty Code (OSSC) requirements. When the final 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 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 2016 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. The detention ponds shall be constructed to meet the requirements of the 2016 City of Portland Stormwater Management Manual (SWWM) for landscaping section 2.4.1 and escape route, section 2.30.

4. The access to the detention shall be paved or all-weather surface to a minimum of 12-foot in width as per the 2016 City of Portland Stormwater Management Manual (SWWM).

PHONE: (503) 684-3478 E-MAIL: cmi@curran-mcleod.com FAX: (503) 624-8247

5. A Wetlands Report outlining the delineated wetlands/ high water level was not submitted with this application based on the National Wetland Inventory (NWI) or the Local Wetland Inventory (LWI). The report shall concur with by the State of Oregon Division of State Lands (ODSL) and the US Army Corps of Engineers (COE) and the Oregon Department of Fish and Wildlife.

6. FSH Overlay District line should be reviewed by the City of Sandy Planning Department in conformance with Sandy Municipal Code (SDC), section 17.60.

7. Traffic Impact Analysis was not submitted with this application. It is recommended that such a study be prepared and submitted to identify if any offsite improvements will be required as a result of this development.

8. US Hwy 26 is under the jurisdiction of the Oregon Department of Transportation (ODOT). We recommend a copy of the application and the preliminary plans be submitted to the Oregon Department of Transportation Development Section for review and comments for the required improvements along the site frontage.

9. All interior streets shall 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.

10. The proposed right of way width for The Views Drive and Bonnie Street don't meet the minimum right of way width requirement 50 feet as per the City of Sandy Transportation System Plan (TSP), figure 12. Sidewalk is also proposed to be on one side of the road which doesn't comply with the City Municipal Code and City public works standards.

11. The proposed cul-de-sacs curb radii aren't shown on the preliminary plans. The curb radii shall be a minimum of 48 feet measured to the face of the curb in conformance with Oregon Fire Code Metro Code Committee minimum requirements. A review by the Fire Department to confirm compliance will be recommended.

12. The cul de sac at the terminus of Bonnie street and the Public Alley has three street connections which makes the traffic movement slightly confusing. We recommend a raised island or a median be constructed at the center of the cul de sac.

13. Vista Loop Drive is classified in the City of Sandy Transportation System Plan (TSP), figure 5 as a collector street. Half Street improvements plus a minimum of 10 additional 10 feet of paved surface width shall be required including curb on one side, 5-foot planter

strips and 6-foot wide sidewalks along the entire plat boundary as per the City of Sandy Development Code, chapter 17.84. A structural section core will be required to determine if the existing section meets Crushed Base Equivalence (CBE) of 20" for collector street.

14. The vertical design grade for landing at all the Tee intersections where controlled with "Stop" signs should be no greater than 8% for a minimum of 50 feet or two car lengths.

15. The preliminary plans are not clear if a 50-foot tangent is provided at the of the following intersections as per Sandy Municipal Code (SDC), section 17.84.50.H.5.c: Vista Loop Drive and The View Drive, Bonnie Street and Public Alley, The View Drive and Public Alley.

16. The developer's engineer should provide a profile design for a minimum of 200 feet at the terminus of Bonnie Street past the project boundary to ensure future grades can be met.

17. All ADA ramps shall be designed, inspected by the design engineer and constructed by the contractor to meet the most current PROWAG requirements.

18. 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.

We have no concerns about the proceedings with this project subject to the above stated comments.

Very truly yours,

CURRAN-McLEOD, INC.

Hassan A. Ibrahim, PE

cc: Mr. Mike Walker, City of Sandy

EXHIBIT U

SANDY FIRE DISTRICT NO. 72
Fire Prevention Division

E-mail Memorandum

To: Shelley Denison

From: Gary Boyles

Date: September 15, 2020

Re: File 20-028 SUB/TREE/FSH/PD The Views PD (120-SFD and 48 MFD)

Review and comments are based upon the current version of the Oregon Fire Code (OFC) as adopted by the Oregon Office of State Fire Marshal. The scope of this review is typically limited to fire apparatus access and water supply, although the applicant shall comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. References, unless otherwise specified, include provisions found in the Metro Code Committee's Fire Code Applications Guide, OFC Chapter 5 and appendices B, C and D.

COMMENTS:

General

1. **Construction documents detailing compliance with fire apparatus access and fire protection water supply requirements shall be provided to Sandy Fire District for review and approval upon building permit submittal.**

2. Approved fire apparatus access roadways and an approved water supply for fire protection, either temporary or permanent, shall be installed and operational prior to any combustible construction or storage of combustible materials on site in accordance with OFC Chapter 33.

3. Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except where approved alternative methods of protection are provided.

4. Buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property, including monument signs. The address shall be plainly legible and visible from the road fronting the property

5. A key lock box or key switch for multi-family buildings and/or any gated access points will be required. Sandy Fire District NO. 72 uses KNOX brand key lock boxes. To order a KNOX lock box or KNOX key switch that is compatible with the Fire District, please visit the resources tab located on Sandy Fire's website (sandyfire.org) for ordering information.

6. In order to comply with the requirements for two remotely separated fire apparatus access roads, an emergency vehicle access easement and maintenance agreement (EVAE) will be required with the Johnson RV recreational vehicle business. The EVAE shall be deeded and recorded as a condition of approval and a copy provided to the Fire District. **In lieu of an EVAE, an approved second means of access will not be required provided that ALL dwelling units in the Lower Views are equipped throughout with an approved automatic sprinkler system.**

7. Regarding the three private drives in the Lower Views, a deeded and recorded access easement and maintenance agreement shall be deeded and recorded as a condition of approval and a copy provided to the Fire District.

Fire Apparatus Access

1. Fire apparatus access roads shall be within 150 feet of all portions of the exterior wall of the first story of any building as measured by an approved route around the exterior of the building. An approved turnaround will be required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet.

2. Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround.

3. Dead-end streets in excess of 150 ft., resulting from a phased project or future development, are to be provided with an approved temporary turnaround.

4. For developments of one- and two-family dwellings where the number of dwelling units exceed 30, or multiple-family residential projects where the number of dwelling units exceeds 100, at least two approved means of access shall be provided.

5. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

6. Multi-family buildings exceeding three stories or 30 feet in height shall have not fewer than two means of fire apparatus access for each building.

7. Multi-family buildings having a gross building area of more than 62,000 square feet (124,000 square feet if equipped throughout with an approved automatic sprinkler systems) shall be provided with two separated and approved fire apparatus access roads.

8. Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet when adjacent to a fire hydrants) and an unobstructed vertical clearance of 13 feet 6 inches.

9. When the vertical distance between the grade plane and the highest roof surface of any building exceeds 30 feet, approved aerial fire apparatus access roads shall be provided. For purposes of this requirement, the highest roof surface shall be determined by measurements to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater. If buildings are more than 30 feet in height, as measured above, the following requirements apply:

    a. Aerial fire apparatus access roads shall be provided and have a minimum unobstructed width of 26 feet exclusive of shoulders or parking, in the immediate vicinity of the building or portion thereof that will accommodate aerial operations.
    b. The aerial fire apparatus access road shall be located not less than 15 feet nor greater than 30 feet from the building and shall be positioned parallel to one entire side of the building.
    c. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
    d. Overhead utility and power lines shall not be located within the aerial fire apparatus access road or between the aerial fire apparatus access road and the building.

10. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with the requirements of the OFC may be requested.

11. The inside turning radius and outside turning radius for fire apparatus access roads shall be not less than 28 feet and 48 feet respectively, measured from the same center point.

12. The installation of security gates or barricades across a fire apparatus access road shall comply with the following:

    a. Minimum unobstructed width shall be 16-feet, or two 12-foot sections with a center post or island.
    b. Gates or barricades shall be set back a minimum of 30 feet from the intersecting roadway.
    c. Gates shall be of the swinging or sliding type.
    d. Electric gates shall be equipped with an approved means of emergency operation. A KNOX box or KNOX key switch may be required.
    e. The security gates or barricades and the emergency operation shall be maintained in an operative condition at all times and replaced when defective.

13. Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "NO PARKING-FIRE LANE" signs shall be placed on one or both sides of the roadway and in turnarounds as needed. Fire apparatus access roads that are 20-26 feet wide require fire lane signs to be posted on both sides. Fire apparatus access roads that are more than 26 feet wide and less than 32 feet wide require fire lane signs to be posted on one side.

14. Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles.

Firefighting Water Supplies

1. Approved vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions and maintained until permanent apparatus access roads are available in accordance with OFC Chapter 33.

2. The minimum available fire-flow and flow duration for commercial and industrial buildings shall be as specified in OFC Appendix B. In no case shall the resulting fire-flow be less than 1,500 gpm at 20 psi residual.

3. The minimum available fire flow for one- and two-family dwellings served by a municipal water supply shall be 1,000 gpm at 20 psi residual provided the fire area of the dwelling(s) does not exceed 3,600 square feet. For dwellings that exceed 3,600 square feet, the required fire-flow shall be determined in accordance with OFC Appendix B, Table B105.1(2).

4. Fire flow testing will be required to determine available fire flow. Testing will be the responsibility of the applicant. Applicant to contact the City of Sandy Public Works for testing information and requirements.

5. For one- and two-family dwellings served by a municipal water system, all portions of the dwellings shall be located within 600 feet from a fire hydrant on a fire apparatus access road, as measured in an approved route that is approved by the fire code official.

6. For multi-family buildings served by a municipal water system where a portion of the building is more than 400 feet from a fire hydrant on a fire apparatus access road (600 feet for buildings equipped throughout with an approved automatic sprinkler system), as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided.

7. Fire department connections (FDC) shall be located within 100 feet of a fire hydrant. All FDC's shall be permanently labeled with appropriate address in which it serves and shall be accessible and visible from the fire apparatus access road.

8. Prior to the start of combustible construction, required fire hydrants shall be operational and accessible.

9. Fire hydrants installed within the Sandy Fire District shall comply with the following requirements:

    a. Flow requirements and location of fire hydrants will be reviewed and approved by Sandy Fire upon building permit submittal.
    b. Each new fire hydrant installed shall be **ordered** in an OSHA safety red finish and have a 4-inch non-threaded metal faced hydrant connection with cap installed on the steamer port. If a new building, structure, or dwelling is already served by an existing hydrant, the existing hydrant shall also be OSHA safety red and have a 4-inch non-threaded metal faced hydrant connection with cap installed.

10. The minimum number and distribution of fire hydrants shall be in accordance with City of Sandy requirements and OFC Appendix C.

NOTE:

Sandy Fire District comments may not be all inclusive based on information provided. A more detailed review may be needed for future development to proceed.

Please do not hesitate to contact Fire Marshal Gary Boyles at 503-891-7042 or fmboyles.sandyfire@gmail.com should you have any questions or concerns.

EXHIBIT V

Marisol Martinez <mmartinez@ci.sandy.or.us>

TRANSMITTAL: FILE NO. 20-028 SUB/TREE/FSH/PD (THE VIEWS PD)

Shelley Denison <sdenison@ci.sandy.or.us> Tue, Sep 22, 2020 at 6:47 AM
To: Marisol Martinez <mmartinez@ci.sandy.or.us>

Hey Marisol,

Go ahead and add Greg's email to 20-028 too. Thanks!

---------- Forwarded message ---------
From: **Greg Brewster** <gbrewster@ci.sandy.or.us>
Date: Wed, Sep 16, 2020 at 11:02 AM
Subject: Re: TRANSMITTAL: FILE NO. 20-028 SUB/TREE/FSH/PD (THE VIEWS PD)
To: Shelley Denison <sdenison@ci.sandy.or.us>

Shelley,

In regards to The Views, the only thing we need is a note stating that SandyNet shall receive a set of PGE utility plans to design and return a SandyNet broadband deployment plan. You can just direct it to gbrewster@ci.sandy.or.us for now.

Thanks,
Greg Brewster
[Quoted text hidden]
--
IT Director/SandyNet General Manager
City of Sandy/SandyNet
SandyNet: 503-668-2923
Desk Phone: 503-489-0937

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Shelley Denison
Associate Planner

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
503-783-2587
sdenison@ci.sandy.or.us

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 W

ODOT Response

Project Name: The Views Planned Development (Vista Loop)	**Applicant:** Mac Even
Jurisdiction: City of Sandy	**Jurisdiction Case #:** 20-028 SUB/TREE/FSH/PD:
Site Address: 41717 Mt Hood Hwy (US 26), Sandy, OR 97055	**Legal Description:** 02S 05E 19 **Tax Lot(s):** 00100
State Highway: US 26	

The site of this proposed land use action is adjacent to US 26. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation. **Please direct the applicant to the District Contact indicated below to determine permit requirements and obtain application information.**

COMMENTS/FINDINGS

The proposed land use notice is to construct 128 single family residential units and 48 multi-family units within the vicinity of the US 26/Vista Loop Drive intersection. The "Upper Views" site is located adjacent to the highway. ODOT has review the Traffic Impact Study prepared by Ard Engineering for the development. The development will increase the number of vehicles turning right onto Vista Loop Drive from the highway. The posted speed on the highway is 55mph and vehicles making this turning movement must to slow down significantly to safely make the turn. Due to the high speed of through traffic, increasing the number of vehicles turning from the through lane onto Vista Loop Drive is a safety concern. In order to separate the right turning vehicles from the through movement, ODOT recommends that the city require the applicant to provide space for right turning vehicles to utilize while turning right onto Vista Loop Drive.

The city's Transportation System Plan (TSP) cross section for the highway includes a planter strip and a sidewalk. We recommend the city require frontage improvements along the "Upper Views" highway frontage consistent with the

All alterations within the State highway right of way are subject to the ODOT Highway Design Manual (HDM) standards. Alterations along the State highway but outside of ODOT right-of-way may also be subject to ODOT review pending its potential impact to safe operation of the highway. If proposed alterations deviate from ODOT standards a Design Exception Request must be prepared by a licensed engineer for review by ODOT Technical Services. Preparation of a Design Exception request does not guarantee its ultimate approval. Until more detailed plans have been reviewed, ODOT cannot make a determination whether design elements will require a Design Exception.

Note: Design Exception Requests may take up to 3 months to process.

All ODOT permits and approvals must reach 100% plans before the District Contact will sign-off on a local jurisdiction building permit, or other necessary requirement prior to construction.

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

Frontage Improvements

☒ The applicant shall install pedestrian improvements along the US 26 frontage consistent with the city's Transportation System Plan and ODOT/ADA standards.

Roadway Improvements

☒ The applicant shall provide additional space on US 26 to accommodate westbound right turning vehicles from US 26 onto Vista Loop Drive.

Permits and Agreements to Work in State Right of Way

☒ An ODOT Permit to Occupy or Perform Operations Upon a State Highway shall be obtained for all work in the State highway right of way. When the total value of improvements within the ODOT right of way is estimated to be $100,000 or more, an agreement with ODOT is required to address the ownership, maintenance, and operations of any improvements or alterations made in highway right of way. An Intergovernmental Agreement (IGA) is required for agreements involving local governments and a Cooperative Improvement Agreement (CIA) is required for private sector agreements. The agreement shall address the project standards that must be followed, compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements, and any other ODOT requirements for project construction, including costs for ODOT staff time for project approvals, inspection, and completion. **Application for ODOT Permit to Occupy or Perform Operations Upon a State Highway.**

Note: If a CIA is required, it may take up to **6 months** to process.

Please send a copy of the Notice of Decision including conditions of approval to:

ODOT Region 1 Planning
Development Review
123 NW Flanders St
Portland, OR 97209

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
District Contact: Loretta Kieffer	503.667.7441 Loretta.L.KIEFFER@odot.state.or.us

EXHIBIT X

Transit

Memorandum

Date: September 21, 2020
To: Kelly O'Neill, Planning Director
Shelly Denison, Associate Planner
From: Andi Howell, Transit Director
Re: Transit Amenities
The Views Subdivision

The proposed development will require a concrete bus shelter pad and a green bench (Fairweather model PL-3, powder-coated RAL6028). The required pad size is 7' x 9.5' and should be located at the entrance of the view Drive (see blue x for preferred location). Engineering specifications are available from the transit department.

If I can be of further assistance please contact me at 503-489-0925.

20-028 SUB/TREE/FSH/PD: The Views

Site Plan

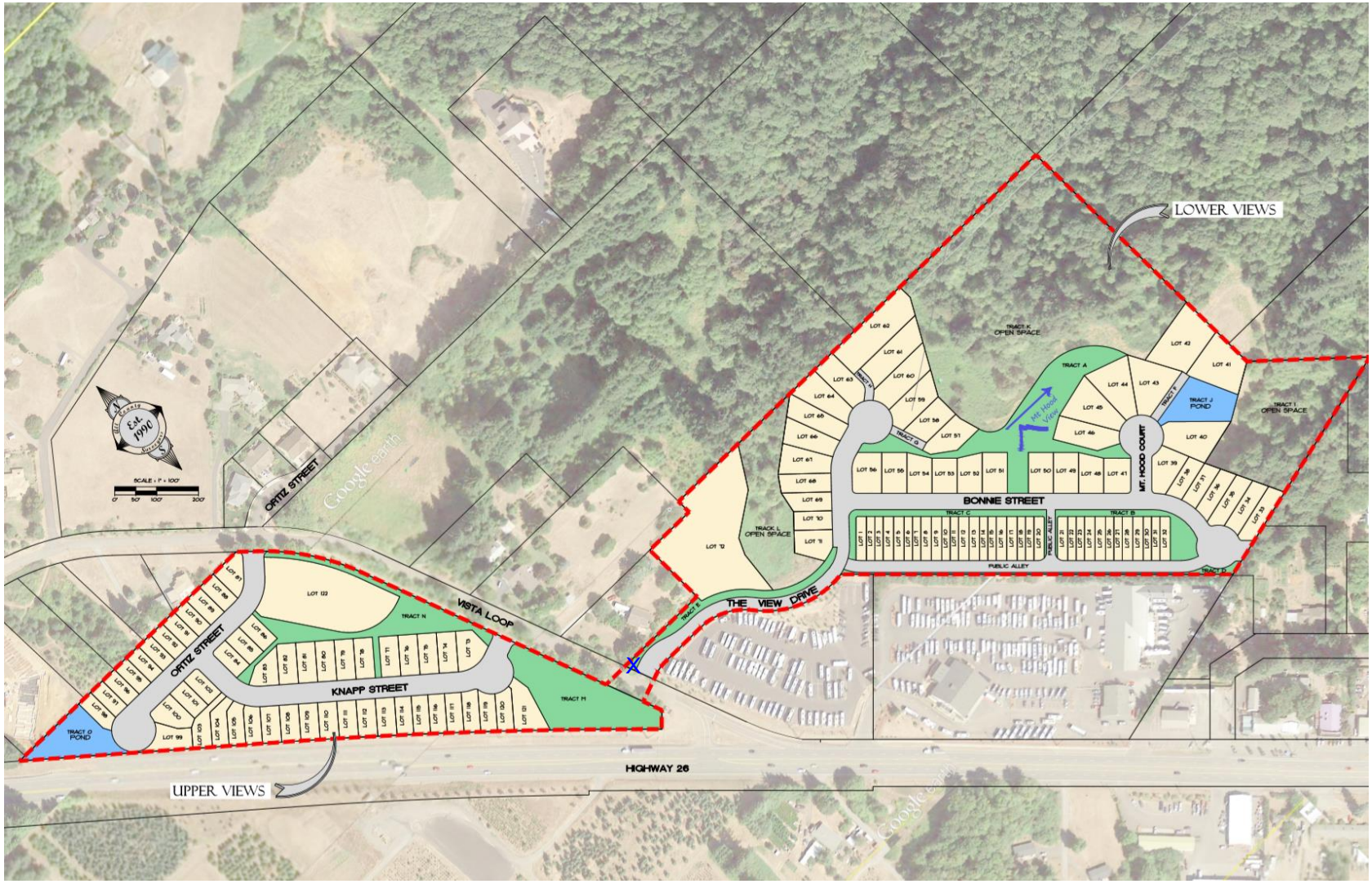


EXHIBIT Y

M E M O R A N D U M

TO: Shelley Dennision, Associate Planner
FROM: Mike Walker, Public Works Director
RE: File 2020-028 The Views PD
DATE: November 6, 2020

The following are Public Works' comments on the above-referenced application:

Utilities

There are two private storm drain lines crossing the proposed right of way of View Dr. These lines serve private developments to the south of the site. Private utility facilities serving single sites are not permitted in public rights of way. When the land use application for the private development south of the site was processed the City made it clear that the location of these lines would present a conflict if a public right-of-way was ever dedicated across these private lines.

The applicant has three options: 1) relocate these lines outside the public right-of-way; 2) Replace the existing lines with materials conforming to City standards or demonstrate that the pipeline materials comply with and were installed in conformance with City standards and dedicate these improvements as public; 3) Have the owner of the adjacent site served by these lines apply for a revocable permit to place private drainage facilities in a public right-of-way. Since the exact location relative to proposed improvements in the right-of-way is unknown at this time the City will determine the most suitable option during construction plan review.

The proposed public utility layout is provided solely to comply with the planned development submission requirements in section 17.64.90(B)2 Sandy Municipal Code (SMC). Approval of the land use application does not connote approval of the public improvement plans (which may be submitted and reviewed later) and shall not be considered as such.

Transportation

The applicant shall improve all public street frontages (including the US 26 right-of-way, and the street frontage of Tracts H and O) in conformance with the requirements of 17.84.30 and 17.84.50 SMC. Street frontage improvements include but are not limited to: street widening, curbs, sidewalks, storm drainage, street lighting and street trees. The applicant is not showing any street frontage improvements along US 26. The intent of providing an urban section (curbs, sidewalks, lighting, etc.) inside the city limits is to provide motorists with a visual cue that they are entering an urbanized area and to adjust their speed and alertness to match the visual cues. The area on both sides of US 26 is within the UBG and Urban Reserve so it will eventually become urbanized. It is a facile argument that speeds on US 26 make it unsafe to provide sidewalks in the adjacent right-of-way. If the highway right-of-way makes drivers aware that they are

entering a city (and in this case a neighborhood) they will adjust their speed to match the conditions. As the city grows and these areas become urbanized the posted speed limit will be lowered to match the conditions. This is the case at the west end of Sandy where US 26 is an arterial street instead of a rural highway. This is also the case east of the couplet where the speed limit drops from basic rule to 40 mph and then to 25 mph as one travels west.

The east-west alley shall be widened by 2 feet to provide the minimum 28 ft. required width. The mountable curb will only be permitted on the north (driveway) side of the alley, a Type C (vertical) curb will be required on the parking side of the alley to prevent vehicles from parking on the curb. The shed section shown in the original submittal could create icing problems in an alley with a two-story dwellings on a northern exposure. A crown section will be required during construction plan review. Since the east-west alley functions as a local street as it is the sole means of vehicle access to the adjacent lots street lighting shall be required in the alley.

The various streets and public alleys shall include a minimum four-foot wide utility and sign easement on both sides to provide enough room for street name, traffic control and regulatory signage and utility pedestals, fire hydrants, water meters, etc.

The applicant has submitted a turning diagram demonstrating that there should be sufficient room for a 22 ft. long vehicle to back out of a driveway (with an adjacent parked car in the driveway) and into the public alley with cars parked on the opposite side of the alley in a single motion without any conflict. The garage face setback from the alley shall meet or exceed that shown in the turning diagram.

The proposed public sidewalks outside of the street right-of-way will require pedestrian scale bollard lighting conforming to the City's standards. Use of full-cutoff, Type II roadway distribution streetlights will not provide sufficient illumination for pedestrians where the sidewalk is set back so far from the street and obscured by trees. In lieu of this requirement the applicant shall submit a photometric design demonstrating that pedestrian lighting standards can be met in and along all pedestrian easements located outside of public rights-of-way with the proposed roadway illumination while still complying with section 15.30 SMC.

The applicant proposes extensive use of sidewalks located in easements as an alternative to the sidewalk and planter strip in the public right-of-way required in 17.84.30 SMC. The applicant proposes using a Homeowners Association to maintain sidewalks, planter strips and trees adjacent to public rights-of-way. The applicant shall submit a draft agreement between the City and the HOA detailing the minimum maintenance requirements and responsibilities including a means for the City to remedy any failure to meet the agreed-upon standards. The agreement shall be finalized and recorded prior to plat approval and referenced on the face of the plat.

Please let me know if you have any questions or need more information.

EXHIBIT Z

Staff Report
City of Sandy
39250 Pioneer Blvd.,
Sandy, OR 97055

To: City of Sandy, Planning Commission

Date: November 16, 2020

From: Don Robertson, Chair Sandy Parks and Trails Advisory Board

Subject: The Views Planned Development

Attachments: None

I am sending this communication on behalf of, and at the direction of the Sandy Parks and Trails Advisory Committee.

At our November meeting we reviewed the proposed “The Views” Planned Development. The board identified three issues that we would like to see resolved as a part of the Planning Commission process.

The first is an issue associated with a proposed city wide trail as identified in the current Parks and Trail Master Plan and will likely be included in the new updated Parks and Trail Master Plan that will be adopted in 2021. We want to ensure a logical connection for a public trail access easement that does not rely on traditional sidewalks. This trail access should be consistent with accommodating trails or pathways similar in construction with the rest of the proposed trail network and should be gradable to meet ADA requirements.

The board recommends the trail easement be a condition of approval.

The second issue is board concern that at some point the HOA would seek to dissolve which leaves the city with having to either enforce maintenance of the parks, trails and open spaces, or to absorb the park spaces into the city.

Lastly, that all fees, SDC’s and fees-in-lieu be charged at the appropriate levels based on built densities, not zoned densities.

The board recommends accepting the Fee-in-Lieu for The Views Planned Development.

We thank you for your assistance with these issues.

Staff Contact:
Sarah Richardson
503-489-2150
srichardson@cityofsandy.com

EXHIBIT AA

REPLINGER & ASSOCIATES LLC
TRANSPORTATION ENGINEERING

November 30, 2020

Ms. Shelley Denison
City of Sandy
39250 Pioneer Blvd.
Sandy, OR 97055

SUBJECT: REVIEW OF ODOT RESPONSE AND TECHNICAL MEMORANDUM – THE VIEWS SUBDIVISION

Dear Shelley:

In response to your request, I have reviewed the Oregon Department of Transportation (ODOT) Response dated September 17, 2020 and the Technical Memorandum dated October 27, 2020 both of which are related to The Views subdivision on SE Vista Loop in the east part of Sandy. The principal author of the ODOT Response was Marah Danielson. The original Transportation Impact Study (TIS) and Technical Memorandum were prepared under the direction of Michael Ard, PE of Ard Engineering.

The ODOT Response raises concerns about the safety of the highway traffic due to westbound vehicles slowing on US 26 to make a right turn onto Vista Loop Drive. The authors make note of the increase in turning vehicles, the posted speed, and the need of vehicles to slow to exit the highway. The ODOT Response makes the following conclusion and recommendation "In order to separate the right turning vehicles from the through movement, ODOT recommends that the city require the applicant to provide space for right turning vehicles to utilize while turning right onto Vista Loop Drive." The ODOT Response does not provide a detailed analysis nor cite specifics, other than the posted speed of the highway, to support the recommendation.

The Technical Memorandum prepared by Mike Ard provides a detailed explanation of his analysis in which he concludes that a right-turn lane is not warranted. Ard provides through and turning volumes and compares those with the ODOT warrants for a right-turn lane. Volumes are below the threshold that would warrant installation of a right-turn lane.

Next, Ard reviews crash history, but does not find a significant history of crashes that would suggest a right-turn lane is an appropriate countermeasure based on crash

history. Ard also summarizes his review of geometric and safety concerns and was unable to identify other relevant factors to support the addition of a right-turn lane.

Finally, Ard indicates that a recent improvement undertaken at the request of ODOT included the removal of the previous slip lane and the widening of the shoulder by 6.75 feet. According to Ard, "the completed mitigation was specifically intended to support residential development of the subject property."

Ard concludes "Since warrants are not met for intersection improvements at Highway 26 and Vista Loop Drive in conjunction with the proposed development **and** [emphasis in original] recent improvements at the intersection were specifically intended to support both development of the Johnson RV parking lot expansion and the residential development within what is now The Views property, it does not appear to be either appropriate or proportional to request a second round of intersection improvements in association with the current residential development proposal. Accordingly, we request there be no condition of approval requiring further widening or improvements on Highway 26 at Vista Loop Drive."

Conclusion and Recommendations

ODOT did not cite any specific warrants or policy, but simply raised a generic safety issue as a basis for requesting that the city attach a condition of approval "to provide space for right turning vehicles to utilize while turning right onto Vista Loop Drive."

In contrast, Ard, on behalf of the developer, provided a detailed summary of his analysis using ODOT criteria for the installation of a right-turn lane. He examined traffic volume warrants, crash history, and other factors. Furthermore, he provides history about improvements already undertaken to support development. I cannot verify what he claims about why previous improvements were undertaken or what development assumptions were associated with those improvements. Ard's assumptions about traffic volumes and his methods to assess warrants for installation of a right-turn lane appear complete and accurate. He concludes that warrants for a right-turn lane are not met.

I think that ODOT has not provided adequate justification or documentation in support of their request. I conclude that Ard's request that there be no condition of approval relating to additional space for right-turning vehicles is entirely reasonable.

I recommend that the city reject the ODOT recommended condition of approval calling for providing additional space for westbound turning vehicles.

I recommend that the city accept the ODOT recommendations relating to frontage improvements and permits and agreements as described in the ODOT Response.

If you have any questions or need any further information concerning this review, please contact me at replinger-associates@comcast.net.

Sincerely,

John Replinger, PE
Principal

TheViewsAddendum113020

EXHIBIT BB

PRE-APPLICATION CONFERENCE NOTES

Project Name: The Views PD
Pre-Application Conference Date: May 29, 2019
Address: 41717 HWY 26 (24E19 00200) **Owner:** Brad Picking
Address: No situs (24E19 00500) **Owner:** John Knapp
Applicant Name: Mac Even
Engineer Name: All County Surveyors and Planners
Staff: Kelly O'Neill Jr., Greg Brewster, Avi Tayar and Marah Danielson (ODOT)
Applicant Representatives: Tracy Brown, Mike Ard, Ray Moore, Dale Hult, G.W. Hartley

PLANNING DEPARTMENT REVIEW
Sandy Development Code (SDC): Sandy Development Code (SDC) Sections 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.26 Zoning Map Amendments; 17.30 Zoning Districts; 17.36 R-1 Low Density Residential Zoning District; 17.38 R-2 Medium Density Residential Zoning District; R-3 High Density Residential District; C-3 Village Commercial Zoning District; 17.66 Adjustments and Variances; 17.80 Additional Setbacks on Collectors; 17.82 Special Setbacks on Transit Streets; 17.84 Improvements Required with Development; 17.86 Parkland and Open Space; 17.90 Landscaping and Design Standards; 17.92 Landscaping and Screening; 17.98 Parking, Loading and Access Requirements; 17.100 Land Division; 17.102 Urban Forestry; and Chapter 15.30 Dark Sky.

Caveat: *This analysis includes a review of those code sections that may conflict with the proposed design as submitted. This review is not intended to be a comprehensive analysis of all applicable code sections nor shall this review nullify code requirements that are determined necessary during land use review.*

Amendments Needed for Proposal

- Comprehensive Map Amendment not needed (Single Family Residential (SFR) will remain)
- Zoning Map Amendment (SFR with PD Overlay), but Chapter 17.26 is not applicable
- Transportation Planning Rule (TPR) findings for the zoning map amendment are required.
- Variances/exceptions to code: setbacks, density, minimum average lot widths, dwelling types, block lengths, parking courts per block and block face, etc. Please list all of the variances/exceptions to the code in the narrative and explain why they are being requested. These will be evaluated by staff.
- Additional consideration to meet the 'outstanding PD Planning' is to provide a viewpoint of Mt. Hood along Park Street similar to the Jonsrud Viewpoint, but necessarily signed as a viewpoint from the highway so it doesn't trigger additional vehicle trips.
- Additional consideration to meet the 'outstanding PD Planning' is to provide a mix of affordable housing units and market rate housing units in the apartment buildings.
- Additional consideration to meet the 'outstanding PD Planning' is to provide a sound barrier wall along HWY 26 on the Knapp property for the lots abutting the ODOT right-of-way.
- Additional consideration to meet the 'outstanding PD Planning' is to make some or all of the townhouses compatible with recreational vehicles (RV). These buildings could be three-stories in height to separate the Johnson RV site better from the single-family home lots and to accommodate rear entry RV parking. Planning staff is not sure how to accommodate off-street single user vehicle parking and an RV, but this could be a unique idea and be of interest to a specific demographic.

PD Process

- Conceptual Plan is reviewed by Planning Commission and then the decision on the proposal is decided by City Council. If adopted by City Council the PD designation is added to the zoning map.
- Detailed Development Plan is reviewed by Planning Commission and shall be submitted within 12 months of the Conceptual Plan approval. The detailed plan is essentially the subdivision plan and the tentative approval is valid for 24 months.

- Density is allowed to exceed 25 percent beyond the normal density for the zoning district, but is not allowed to be less than the minimum density of the base zoning district.
- A detailed building lot area plan will be required with the Conceptual Plan detailing setbacks and area remaining for structures.

Parking Analysis

- No on-street parking will be permitted on Vista Loop Drive.
- Locations of the driveways should be identified for review (SDC 17.90.90.B.5).
- 2 off-street parking spaces per dwelling required (SDC 17.98.20) for single family homes and rowhouses.
- On-street parking plan shall be submitted for review. One space required for every dwelling unit within 200 feet of each lot (SDC 17.98.200).
- Parking Courts:
    - Some of the proposed parking courts on the Knapp property seem to have inadequate distance to Vista Loop Drive.
    - Some of the proposed blocks have multiple parking courts on a block face and more than two parking courts in a block.
    - Several of the parking courts exceed the maximum vehicle parking allowed in a parking court (8 parking spaces is the maximum number allowed).
    - Landscaping and fences in the parking courts to shield headlights and create an aesthetic buffer between parking courts and lots.
    - Must adhere to Section 17.98.200(A)(6) and shall be publicly owned and maintained.
- With regards to the proposed multi-family dwelling development on Lots 70 and 120: 17.98 outlines the parking standards which includes location, design, minimum parking requirements, etc.

Access and Utilities

- Frontage improvements along each proposed street frontage within the development is required per Public Works standards.
- Submit a traffic impact analysis (TIA). TIA should demonstrate that the maximum permitted density of the subject property can be accommodated including multi-family dwelling units. Will require $1,500 for third party traffic consultant.
- Existing public sanitary sewer location is at Ortiz Street. Pump station needed for sanitary sewer?
- Vision clearance areas must remain unobstructed (SDC 17.74.30).
- 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.
- What is the plan with the existing fire emergency access on the Johnson RV property?
- VNAR is required along Vista Loop Drive for the Tracts and Lot 120. VNAR will also be required at the east terminus of Park Street and along the south line of the public alley along Johnson RV.
- Proposed Public Access Lane on the Picking property needs to adhere to standards in 17.100.160, including but not limited to the following:
    - The proposed public access lane is 28 feet in width which meets the width requirements of a Type A lane. However, Lots 57 and 62 are located on the ends of the lane, not on single loaded in accordance with the standards of a Type A public access lane.
    - Sidewalk can be curb tight and is required along the lot frontages.
    - Street trees can be located on private property.
    - Parking spaces in the public access lane shall be delineated.
    - What is the plan for fire apparatus access into the public access lane?
- 17.100.110(E) recommends spacing of 8-10 local streets per mile (528-660 feet). With submitted plans detail the local street spacing.
- The proposed 28 foot and 30 foot wide alley's seem adequate in width, but if Johnson RV emergency access is maintained then turning templates for the alley are needed.
- Consolidate the driveway accesses on the cul-de-sacs.
- SandyNet. Conduit and vault infrastructure are required for all new developments. Please coordinate with SandyNet General manager for infrastructure requirements and design standards.

Other Planning Items

- Tracts H an G appear to have an error with path located on private property.
- Tracts L and T should be combined into one tract.
- Density Calculations based on base zoning district. SFR requires between 3 and 5.8 dwelling units per net acre of land.
    - Refer to Density Calculations provided by applicant.
    - Appears the total number of proposed dwelling units is 86 single family homes, 32 row houses, and 48 apartment units for a total of 166 dwelling units.
    - According to applicant density calculations the net site area is 26.17 acres and the restricted development area is 6.635 acres for a unrestricted development area of 19.535 acres.
    - 19.535 x 3 = 59 dwelling units
    - 26.17 x 5.8 = 152 dwelling units
    - 25 percent increase = dwelling 190 units
- Section 17.80.20 states any structure located on streets identified in the Transportation System Plan as an arterial or collector shall have a minimum setback of 20 feet measured from the property line. This applies to applicable front, rear and side yards.
- Orientation of the multifamily housing on Lot 120 will need to be reviewed.
- Blocks can't be greater than 400 feet unless justified by topographic, natural area, or other physical conditions. Blocks greater than 400 feet require a variance. Blocks greater than 600 feet require a pedestrian and bicycle access way (17.100.120.B).
- A geotechnical study will need to be done for any area at 25 percent slope or greater that is proposed to contain development.
- A wetland mitigation study will define restricted development areas on the site, which in turn will define tree retention requirements in those areas. Applicant responsible for researching and providing any communication from the appropriate agency regarding this element of the project.
- Tree retention at 3 trees per acre. Trees must be 11" DBH or greater and in good health. Identify on the plans which trees are to be removed as well as retained.
- Multi-Family Dwelling proposal would need to be more detailed with site planning, proposed pedestrian connections, parking, design of buildings, etc. Another pre-application meeting to follow just based on the multi-family developments.
- Multi-Family Dwelling shared outdoor recreation area cannot overlap with open space or parkland dedication percentages.

Parkland and Open Space

- A minimum of 25 percent of the development shall be open space.
- Any parkland dedications proposed need to be reviewed by the Parks and Trails Advisory Board and then the decision for dedication will be decided by City Council.
- Per SDC 17.86.10 Minimum Parkland Dedication Requirements the project would need to provide 1.93 acres (69,696 SF) for parks
    (118 x 3 x .0043 = 1.5222 rounded to 1.52 acres) SF, Zero Lot line & Duplex
    (48 x 2 x .0043 = 0.4128 rounded to 0.41 acres) Multifamily
- Section 17.86.40 details that Cash In-Lieu of Dedication is at the city's discretion. The cash in-lieu amount would be $241,000 per acre or $265,000 per acre if a portion of the in-lieu is paid at the individual building permit level.
- Land to be dedicated may need to be identified as Parks and Open Space (POS) and go through a Zone Map Amendment process (can possibly be done simultaneously with any proposed Zone Map Amendments needed for the project).
- Buildings and streets surrounding proposed parks would need to adhere to Section 17.86.20 design standards for layout.

Transit Amenity

- The proposed development will require a transit amenity on Vista Loop Drive. The amenity required is a 5' X 7.5' bus shelter, which includes a bench, mounted on a 7' X 9.5' pad. Discuss with Transit Director.

Application Process: Type IV PD Review, Type III SUB review, tree removal permit, FSH Overlay review. Need to determine process, cost, and scoping of TSP Modification.

Projected Processing Steps:

- Submittal Requirements: Once a desired proposal is chosen staff will provide an accurate submittal list. In the meantime, see requirements lists on City of Sandy website.
  https://www.ci.sandy.or.us/Planning-Requirements/

- Fees as of May 29, 2019 subject to change: $4,275 for Conceptual Planned Development plus $640.00 (+ subdivision fees) for Detailed Development Plan; $3,210 for Type III subdivision review plus $86 per lot ($10,320 for 120 lots); $750 for FSH Overlay review; $160 for Tree Removal review; $1,500 for Third Party traffic consultant. Other fees may be identified.
  Does not include Design Review fees associated with Multi-Family Dwelling development.

- Staff review for completeness (30 days max.), if determined incomplete then the applicant submits additional information as required, staff then reviews for completeness again, if the application is deemed complete then the application is processed.

39250 Pioneer Blvd
Sandy, OR 97055
503-668-5533

WHERE INNOVATION MEETS ELEVATION

PLANNING COMMISSION STAFF REPORT
TYPE IV RECOMMENDATION TO THE CITY COUNCIL

DATE: November 16, 2020

FILE NO.: 20-028 SUB/VAR/TREE/FSH/PD/ZC

PROJECT NAME: The Views PD

APPLICANT: Mac Even, Even Better Homes

OWNERS: Brad Picking, John Knapp

LEGAL DESCRIPTION: 25E 19, Tax Lots 200 and 500

The above-referenced proposal was reviewed concurrently as a Type IV planned development, subdivision, zoning map amendment, special variance, Flood and Slope Hazard (FSH) overlay review, and tree removal permit.

NOTE: The following exhibits, findings of fact and conditions (bold text) are to explain the proposal and assist the Planning Commission in forwarding a recommendation of approval, approval with conditions, or denial to the City Council.

EXHIBITS:

Applicant's Submittals:

A. Land Use Application
B. Project Narrative
C. Supplemental Narrative for Special Variance
D. Civil Plan Set
   - Sheet 1 – Cover Sheet and Preliminary Plat Map
   - Sheet 2 – Preliminary Plat Map: The Lower Views
   - Sheet 3 – Preliminary Plat Map: The Upper Views
   - Sheet 4 – Topographic Survey
   - Sheet 5 – Topographic Survey: The Upper Views
   - Sheet 6 – Tree Retention and Protection Plan
   - Sheet 7 – Tree Inventory List
   - Sheet 8 – Building Setbacks: The Lower Views
   - Sheet 9 – Building Setbacks: The Upper Views
   - Sheet 10 – Parking Analysis and Future Street Plan
   - Sheet 11 – Block and Street Dimensions
   - Sheet 12 – Street and Utility Plan: The Lower Views
   - Sheet 13 – Street and Utility Plan: The Upper Views

- Sheet 14 – Grading and Erosion Control Plan: The Lower Views
- Sheet 15 – Grading and Erosion Control Plan: The Upper Views
- Sheet 16 – Sanitary Sewer Plan and Profile of Site
- Sheet 17 – Sanitary Sewer Plan and Profile of Site: The Lower Views
- Sheet 18 – Sanitary Sewer Plan and Profile of Site: The Upper Views

E. Preliminary Storm Drainage Report
F. Traffic Impact Study
G. Arborist Report
H. Wetland Determination Report
I. Geotechnical Report
J. Architectural Plans Booklet
K. The Views Proposed Homes
L. The Views Concept Plan
M. Lower Views Concept Plan
N. Upper Views Concept Plan
O. Plant Key
P. Plant Palette
Q. DSL Wetland Concurrence
R. Sound Wall Plans

Agency Comments:
S. John Replinger, Traffic Engineer (September 14, 2020)
T. Hassan Ibrahim, City Engineer (September 14, 2020)
U. Sandy Fire Marshall (September 15, 2020)
V. SandyNet (September 16, 2020)
W. ODOT (September 17, 2020)
X. Sandy Area Metro (September 21, 2020)
Y. Public Works Director (November 6, 2020)

Additional Documents from Staff:
Z. Pre-application Notes from May 29, 2019

Additional Submission Items from the Applicant:
AA. Email from Michael Robinson (September 23, 2020)

Public Comments:
BB. Bonnie Eichel (October 2, 2020)
CC. Jerry Carlson (October 29, 2020)
DD. John and Linda Bartmettler (October 29, 2020)
EE. Dustin and Bonnie Bettencourt (November 3, 2020)
FF. Georgia Sutherland (November 3, 2020)
GG. Gerald and Judith Dittbenner (November 5, 2020)
HH. Tony and Kim Turin (November 6, 2020)
II. John and Christine Andrade (November 7, 2020)
JJ. Todd Springer (November 8, 2020)
KK. John Eskridge (November 9, 2020)

FINDINGS OF FACT

General

1. These findings are based on the applicant's submittals received on June 26, 2020, July 29, 2020, and October 28, 2020. Staff deemed the application incomplete on July 24, 2020. The applicant submitted additional materials on July 29, 2020. The application was deemed complete on August 5, 2020 and initially a 120-day deadline of December 3, 2020 was established. However, it was later determined this application included a comprehensive plan map amendment and therefore the 120-day deadline was determined to not apply. As explained in Exhibit AA the applicant extended the 120-day deadline by 56 days (the time between September 28 and November 23). With the new applicant submissions received on October 28, 2020 it was determined a comprehensive plan map amendment is no longer needed. The revised 120-day deadline for this application is January 28, 2021.

2. In accordance with Section 17.64.70, "When a Planned Development project has been approved, the official Zoning Map shall be amended by ordinance to denote the new 'PD' Planned Development overlay designation. Such an amendment is a ministerial act, and Chapter 17.26, Zoning District Amendments, shall not apply when the map is amended to denote a PD overlay."

3. The public hearing for The Views PD was originally scheduled for September 28, 2020. On September 23, 2020 the applicant's attorney, Michael Robinson with Schwabe Williamson and Wyatt, requested The Views PD agenda item to be removed from the September 28 Planning Commission meeting and instead included on the November 23 Planning Commission meeting agenda. The request was largely made so the applicant could revise some of their proposal as reflected in the exhibits.

4. This report is based upon the exhibits listed in this document, as well as agency comments and public testimony. This code analysis is based on the code that was in effect at the time of the application submission on June 26, 2020 and therefore the code modifications with File No. 20-023 DCA do not apply.

5. The subject site is approximately 32.87 acres. The site is located east and west of the eastern end of Vista Loop Drive, east of Highway 26.

6. The parcel has a Comprehensive Plan Map designation of Low Density Residential and a Zoning Map designation of SFR, Single Family Residential.

7. The applicant, Even Better Homes, requests a Type IV combined planned development review to include both conceptual and development plan reviews. A planned development is a specific kind of development which allows for integrating different kinds of land uses. In this case, the applicant is proposing using mixed housing types along with recreational amenities. Additionally, in a planned development application, the applicant can request that certain code requirements be waived in order to provide outstanding design elements while still meeting the intent of the code. The site is divided into two sections: the "Lower Views" on the east side of the site and the "Upper Views" on the west side of the site.

8. The applicant is proposing a 122 lot development with 120 single family home lots and 2 multi-family home lots to accommodate a total of 48 multi-family units. Additionally, the applicant is proposing open space and stormwater detention tracts. The detailed acreage with associated tract letters is as follows:

Tract Letter	Purpose	Acres
Lower Views		
A	Private active open space	1.10
B	Private active open space	0.25
C	Private active open space	0.23
D	Private open space	0.13
E	Private active open space	0.28
F	Private drive	0.06
G	Private drive	0.04
H	Private drive	0.04
I	Private open space	1.66
J	Public stormwater detention pond	0.32
K	Private open space	5.56
L	Private open space	1.03
P	Private open space	0.03
Upper Views		
M	Private active open space	0.92
N	Private active open space	0.75
O	Public stormwater detention pond	0.39

9. Notification of the proposed application was originally mailed to affected agencies on September 8, 2020 and to affected property owners within 500 feet of the subject property on September 8, 2020 for the originally scheduled public hearing on September 28, 2020. A legal notice was submitted to the Sandy Post on September 8, 2020 to be published on September 16, 2020 informing residents of the public hearings.

10. On September 24, 2020 staff mailed a notice to affected property owners within 500 of the subject property stating that the public hearing scheduled for September 28, 2020 was postponed to November 23, 2020.

11. On October 21, 2020 staff mailed a notice to affected property owners within 500 of the subject sites reminding people of the November 23, 2020 public hearing. On November 2, 2020 staff submitted a legal notice to the Sandy Post to be published on November 11, 2020 informing residents of the Planning Commission public hearing.

12. On November 2, 2020 staff provided DLCD with a revised Plan Amendment (PAPA) notice.

13. Agency comments were received from the City Transportation Engineer, City Engineer, Public Works, SandyNet, Public Works, and Sandy Area Metro.

14. At publication of this staff report ten written comments from the public were received.

17.26 – Zoning District Amendments

15. This chapter outlines the requirements for zoning district amendments. In accordance with Section 17.64.70, "When a Planned Development project has been approved, the official Zoning Map shall be amended by ordinance to denote the new 'PD' Planned Development overlay designation. Such an amendment is a ministerial act, and Chapter 17.26, Zoning District Amendments, shall not apply when the map is amended to denote a PD overlay."

17.30 – Zoning Districts

16. The subject site is zoned SFR, single family residential.

17. The total gross acreage for the entire property is 32.87 acres. After removal of the right-of-way and proposed stormwater tracts, the net site area (NSA) for the subject property is reduced to 27.475 net acres. Additionally, the site also contains a restricted development area of 279,768 square feet. When this is subtracted from the net site area, the resulting unrestricted site area (USA) is 21.03 acres.

18. The underlying zoning district allows a minimum of 3 and a maximum of 5.8 dwelling units per net acre of unrestricted site area. Minimum density = 21.03 x 3 = 63.03, rounded down to 63 units. Maximum density is the lesser of the two following formulas: NSA x 5.8 or USA x 5.8 x 1.5 (maximum allowable density transfer based on Chapter 17.60).

    I. 27.475 x 5.8 = 159.11, rounded to 159 units
    II. 21.03 x 5.8 x 1.5 = 182.787, rounded to 183 units

19. As a result of these calculations, the density range for the subject property is a minimum of 63 units and a maximum of 159 units.

20. The applicant is requesting a density bonus in conformance with Chapter 17.64, Planned Developments. The request is for 168 dwelling units. That request is discussed in Chapter 17.64 of this document.

17.34– Single Family Residential (SFR)

21. Section 17.34.30 contains the development standards for this zone. The applicant is requesting multiple modifications to these development standards as part of the PD process. These modifications are outlined in the review of Chapter 17.64 below.

22. Section 17.34.40(A) requires that water service be connected to all dwellings in the proposed subdivision. Section 17.34.40(B) requires that all proposed dwelling units be connected to sanitary sewer service. Section 17.34.40(C) requires that the location of any real improvements to the property must provide for a future street network to be developed. Section 17.34.40(D) requires that all dwelling units must have frontage or approved access to public streets. The applicant proposes to meet all of these requirements. Each new residence constructed in the subdivision will gain access from a public street. However, six lots are proposed to gain access from three separate private drives connected to a public street.

23. Section 17.34.50(B) requires that lots with 40 feet or less of street frontage shall be accessed by a rear alley or shared private driveway. All of the attached single family homes have less than 40 feet of street frontage but are accessed by a rear alley. Many of the detached single family home lots do not have 40 feet of street frontage, but this is a modification being requested by the applicant as part of the PD process as reviewed in Chapter 17.64 below.

17.56 – Hillside Development

24. The applicant submitted a Geotechnical Report (Exhibit I) showing that the subject site contains a small area of slope in the Lower Views exceeding 25 percent. **All recommendations in the conclusions and recommendations section of the Geotechnical Report (Exhibit I) shall be conditions for development.**

17.60 – Flood and Slope Hazard (FSH) Overlay District

25. Section 17.60.00 specifies the intent of the Flood and Slope Hazard (FSH) Overlay District, which is to promote the public health, safety and general welfare by minimizing public and private adverse impacts from flooding, erosion, landslides or degradation of water quality consistent with Statewide Planning Goal 6 (Air, Land and Water Resources Quality) and Goal 7 (Areas Subject to Natural Disasters and Hazards) and the Sandy Comprehensive Plan (SCP). **A violation of the provisions set forth in Chapter 17.60, FSH, (e.g. tree removal without permit authorization or native vegetation removal) may result in a fine as specified in Section 17.06.80.**

26. Section 17.60.20 contains permitted uses in the FSH overlay district and Section 17.60.40 contains the FSH review procedures. The applicant is not proposing any development within the FSH overlay district. **Any future development within the FSH overlay district shall require separate permit review. The applicant shall install tree protection fencing at the outer edge of the FSH overlay district prior to grading to ensure no development occurs within the FSH overlay area.** The submitted Tree Plan (Exhibit D, Sheet C6) states: "All dead or dying trees or vegetation that is hazardous to the public may be removed in accordance with Section 17.60.20." However, the applicant did not provide any additional information regarding the potential location of dead or dying trees or vegetation that is hazardous to the public. Staff does not find how any vegetation would be hazardous to the public considering the area is not open to the public. **The applicant shall not remove any living or dead trees or vegetation that is hazardous to the public from the FSH area without applying for an FSH review for their removal.** The grading plan does not indicate any grading will take place in the FSH overlay area, so staff assumes the applicant is not proposing to grade within the FSH. **The applicant shall not perform any grading activities or cut or fill in the FSH overlay area without applying for an FSH review for the grading/cut and fill.** The code does not allow removal of native vegetation from the FSH overlay nor does it allow planting non-native vegetation in the FSH overlay. **The applicant shall not remove any native vegetation from the FSH overlay area. The applicant shall not plant any non-native vegetation in the FSH overlay area.**

27. Section 17.60.30 outlines required setbacks for development around FSH areas. According to the topographic survey submitted with the application dated June 24, 2020 (Exhibit D, Sheets C4 and C5), no development is proposed within any of the required setback areas.

28. Section 17.60.50 contains requirements for special reports, including a hydrology and soils report, a grading plan, and a native vegetation report. The applicant submitted a Grading Plan (Exhibit D, Sheets C14 and C15) and a Wetland Delineation Report by Schott and Associates, LLC dated February 17, 2020 (Exhibit H) as well as DSL concurrence for the wetland report (Exhibit Q). The applicant did not submit a native vegetation report. The Director may exempt Type II permit applications from one of more of these reports where impacts are minimal, and the exemption is consistent with the purpose of the FSH overlay zone as stated in Section 17.60.00.

29. Section 17.60.60 contains approval standards and conditions for development in the restricted development areas of the FSH overlay district. The applicant's narrative (Exhibit B) did not address any of the criteria in Section 17.60.60.

30. Section 17.60.60(A.1) pertains to cumulative impacts and states "Limited development within the FSH overlay district, including planned vegetation removal, grading, construction, utilities, roads and the proposed use(s) of the site will not measurably decrease water quantity or quality in affected streams or wetlands below conditions existing at the time the development application was submitted." The applicant submitted a wetland delineation report along with concurrence from DSL (Exhibits H and Q) for tax lot 200. The wetland report identifies two wetlands and two streams on tax lot 200; one wetland and one stream are located in proposed Tract K and one wetland and one stream are located in proposed Tract L.

31. Section 17.60.60(A.2) pertains to impervious surface area and states, "Impervious surface area within restricted development areas shall be the minimum necessary to achieve development objectives consistent with the purposes of this chapter." **No impervious surfaces shall be located within the restricted development area.**

32. Section 17.60.60(A.3) pertains to construction materials and methods and states, "Construction materials and methods shall be consistent with the recommendations of special reports, or third-party review of special reports." **Future construction or development within the FSH overlay district shall require separate FSH review.**

33. Section 17.60.60(A.4) pertains to cuts and fills and states "Cuts and fills shall be the minimum necessary to ensure slope stability, consistent with the recommendations of special reports, or third-party review of special reports." The grading plan does not show any proposed grading within the FSH overlay area. **Future grading or other development activity within the FSH overlay district shall require separate FSH review.**

34. Section 17.60.60(A.5) pertains to minimizing wetland and stream impacts and states "Development on the site shall maintain the quantity and quality of surface and groundwater flows to locally significant wetlands or streams regulated by the FSH Overlay District." The applicant is proposing to add additional stormwater to the outflow in Tract L. **The applicant shall update the Geotech Report or submit an addendum to the Geotech Report that provides analysis of the new stormwater discharge.**

35. Section 17.60.60(A.6) pertains to minimizing loss of native vegetation and states "Development on the site shall minimize the loss of native vegetation. Where such vegetation is lost as a result of development within restricted development areas, it shall be replaced on-site on a 2:1 basis according to type and area. Two native trees of at least 1.5-inch caliper shall replace each tree removed. Disturbed understory and groundcover shall be replaced by native understory and groundcover species that effectively covers the disturbed area." The applicant is not proposing to remove any trees from the FSH overlay area nor is the applicant proposing to remove any native vegetation from the FSH overlay area. To better protect the vegetation within the FSH overlay area, **the applicant shall install tree protection fencing at the outer edge of the FSH overlay district**. **The applicant shall not damage or remove any native vegetation within the FSH overlay district. The applicant shall replace any disturbed understory or groundcover with native understory or groundcover species that effectively cover the disturbed area. The applicant shall retain a qualified arborist on-site for any work done within the critical root zone (1 foot per 1 inch DBH) of retention trees including those within the FSH area to ensure minimum impact to trees and native vegetation.**

36. Section 17.60.90 discusses water quality treatment facilities. The proposed detention ponds (Tracts J and O) are not located within the mapped FSH overlay area.

37. Section 17.60.100 contains density transfer provisions. Due to the density calculation from Chapter 17.30, this site does not qualify for density transfer under Chapter 17.60.

17.64 – Planned Developments

38. Chapter 17.64 contains regulations related to Planned Developments.

39. Section 17.64.10 allows for combined review of a Conceptual Development Plan and a Detailed Development Plan. This section requires city approval of both conceptual and detailed development plans and allows for "combined review" of both types of plans. This application is for both conceptual and detailed development plan approval as provided in Section 17.64.10(A). The applicant has met all application requirements for concept and detailed development plan review, as evidenced by the finding that the application was deemed complete on August 5, 2020.

40. The Sandy Development Code does not contain specific language identifying the process for completing a combined review, but rather details the specifics of individual conceptual and detailed reviews.

41. Section 17.64.30(A) states that dimensional and/or quantitative standards of the Sandy Development Code may be varied through the PD review process. The Development Services Director advised the applicant to prepare a detailed list of "modifications" to SDC standards. The applicant believes that the unique nature of the site and amenities offered as part of the PD application warrant this flexibility. The applicant is requesting the following modifications to the development code:

a. Section 17.34.10 lists permitted uses in the Single Family Residential zoning district. The applicant is proposing rowhouses and multifamily dwellings which are not listed as permitted outright uses.

b. Section 17.34.30 requires lot sizes in the Single Family Residential zoning district to be at least 7,500 square feet. The applicant is proposing a variety of lot sizes: Of the single family detached lots, the applicant is proposing 50 lots between 3,400 and 4,999 square feet; 13 lots between 5,000 and 5,999 square feet; 12 lots between 6,000 and 7,499 square feet, and 13 lots greater than 7,500 square feet. Of the lots greater than 7,500 square feet, one is greater than 15,000 square feet, which is the maximum lot size allowed under Section 17.100.220(B) without needing to arrange lots to allow further subdivision. The single family attached lots range in size from 2,160 to 2,695 square feet.

c. Section 17.34.30 requires a minimum average lot width to be 60 ft. The applicant is requesting a waiver to this requirement. Given that many lots do not meet the 7,500 square foot requirement, the applicant argues that this requirement is not possible to meet.

d. Section 17.34.30 requires interior yard setbacks of 7.5 feet. The applicant is requesting that this be reduced to five (5) feet on all lots.

e. Section 17.34.30 requires that rear yard setbacks be 20 feet. The applicant is requesting that this be reduced to 10 feet for lots 47-56 in the Lower Views and 15 feet for lots 84-86 and 88-102 in the Upper Views.

f. Section 17.100.120 requires a 400 foot maximum block length. The applicant is requesting three variances to this: a 691 foot block length on The Views Drive from Vista Loop Drive to Bonnie Street; a 665 foot block length on the north side of Bonnie Street; and an 805 foot block length on Knapp Street from Vista Loop Drive to Ortiz Street. According to the applicant, these block lengths are necessary to accommodate for the site layout.

42. Section 17.64.30(B) allows for a planned development to be established on any parcel of land, or on more than one parcel of land if those parcels are abutting. The subject property contains two abutting parcels.

43. Section 17.64.40 states that: “The maximum number of allowable dwelling units shall be the sum of densities allowed by the underlying zone(s) unless an increase is authorized as otherwise allowed in this chapter.” The applicant has requested an increase in density. Subsection A, related to “residential zones,” calculates allowable density in planned developments based on “useable site area, exclusive of streets.” According to density calculations earlier in this document the allowable density for this planned development (without a density increase) ranges from 63 to 159 units. Subsection C states: “An increase in density of up to 25% of the number of dwelling units may be permitted upon a finding that the Planned Development is outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments

constructed under regular zoning." The applicant proposes to increase the total number of units to 168, which is a six (6) percent density increase. The applicant states that this density increase is justified given the nature of the development. The narrative (Exhibit B) states: "As detailed on submitted plans, 19.5 percent (6.42 acres) of the 32.87 acre property is contained within restricted development areas and the Planned Development proposal includes the designation of 36.3 percent (11.92 acres) of the site as open space. In addition, no part of any lot will be platted within the FSH or a restricted development area. Other features of the proposal include a mix of housing types and densities; a request to vary development standards to promote flexibility in site planning; an innovative townhouse design exceeding the residential design standards including a two car rear-loaded detached garage and open courtyard; and constructing an array of recreational amenities for the use and enjoyment of the residents of the Planned Development. As a package the applicant believes there is sufficient justification to find that the Planned Development is outstanding in planned land use and design and provides exceptional advantages in living conditions and amenities not found in similar developments constructed in the SFR zone in order to justify this request." Staff finds the following elements provide advantages in living conditions not found in similar developments constructed under regular zoning:

- No lots are platted within the FSH overlay.
- There is a mix of housing types and densities which encourages inclusionary zoning.
- The proposed private recreation areas (Tracts A, B, M, and N) integrated within the planned development (though staff notes that a recreation area adjacent to the highway as proposed with Tract M is not the best location for a recreation area with play equipment that might attract small children).
- The proposed allée of trees along a majority of street frontages, with trees planted both in the planter strips and on the private property side of the sidewalks (or on either sides of the walkways where the walkways are proposed to be in private open space tracts).
- The proposed sound wall along Highway 26 which provides additional privacy and noise protection for future residents.
- The use of native pollinator-friendly plant species to promote native biodiversity in tracts A, B, M, and N (see conditions in Chapter 17.92 of this document).
- Open space and active recreation areas totaling 11.92 acres which is 3.67 acres more than is required in a PD.

Staff recommends that the Planning Commission recommend approval of the applicant's request to exceed the maximum density for the base zone by 6 percent as proposed.

44. Section 17.64.50, Open Space, requires that a minimum of 25 percent of the site be dedicated as open space. The site is 32.87 acres; thus, the minimum open space dedication is 25 percent of 32.87 acres, or 8.25 acres. The applicant proposes 11.92 acres of total open space, including 8.25 acres of natural area open space and 3.68 acres of active recreation area. Rather than dedicating the open space to the City, the applicant proposes establishing a homeowner's association to own and maintain the open space areas as permitted by Section 17.86.50. **All private open space tracts shall have a note on the plat that states these**

tracts cannot be developed. The natural area open space tracts (Tracts I, K, and L) shall also be protected by a conservation easement or similar method.

45. Section 17.64.60 describes allowed uses through the PD process. These uses include single-family detached and single-family attached dwellings as well as multi-family dwellings, as proposed by the applicant.

46. Sections 17.64.70-90 are procedural in nature. Approval of The Views PD will result in an amendment to the Sandy Zoning Map, indicating that a PD has been approved on this SFR site. The applicant and City have complied with all procedural requirements for conceptual PD approval, as discussed under Section 17.64.10, above.

47. The proposed public utility layout is provided solely to comply with the planned development submission requirements in Section 17.64.90(B)2. of the Sandy Municipal Code (SMC). **Approval of the land use application does not connote approval of the public improvement plans (which may be submitted and reviewed later) and shall not be considered as such.**

48. Section 17.64.100 sets forth Planned Development approval criteria. There are two relevant criteria: (a) consistency with the intent of the PD Chapter, as found in Section 17.64.00; and (b) compliance with the general provisions, development standards and application provisions of Chapter 17.64, Planned Developments.

    The "Intent" of the PD chapter is described in nine purpose statements. Staff does not interpret each of these statements as individual standards that must be met; rather, staff views these statements as goals that should be achieved through the PD review process. The purpose statements are as follows:

    I. Refine and implement village development patterns designated "V" on the Comprehensive Plan Map.
    II. Allow the relocation of zones within designated villages, provided that the overall intent of the village designation is maintained.
    III. Allow a mixture of densities between base zones within the planned development.
    IV. Promote flexibility in site planning and architectural design, placement, and clustering of structures.
    V. Provide for efficient use of public facilities and energy.
    VI. Encourage the conservation of natural features.
    VII. Provide usable and suitable recreation facilities and public or common facilities.
    VIII. Allow coordination of architectural styles, building forms and relationships.
    IX. Promote attractive and functional business environments in non-residential zones, which are compatible with surrounding development.

    The proposal includes a mix of densities in the form of single family detached residences, townhomes, and multifamily housing. In addition, the proposal includes three open space natural areas in the lower views, as well as multiple recreational areas in the form of private park-like spaces and wider pedestrian areas. As indicated by the proposed homes (Exhibit K),

the project includes two different townhome designs and 10 different single family home designs.

49. Sections 17.64.110-120(A) specifies graphic and narrative requirements and procedures for review of detailed development plans. All graphic requirements are met in the maps, figures, tables, and appendices provided with this application. Staff found the application complete on August 5, 2020. The applicant has elected to submit a combined conceptual and detailed planned development application, thus providing the public, Planning Commission, and the City Council with a complete understanding of exactly what is proposed in this application.

50. Section 17.64.120(B) specifies additional items that must be addressed in the detailed development plan. In addition to the narrative requirements specified for a Conceptual Development Plan, the Detailed Development Plan narrative shall also include:

    Proposals for setbacks or building envelopes, lot areas where land division is anticipated, and number of parking spaces to be provided (in ratio to gross floor area or number of units).

    g. All of the items required by this section are included with the application package as shown on the Preliminary Plats and Building Setbacks and Parking Analysis sheets (Exhibit D).

    Detailed statement outlining timing, responsibilities, and assurances for all public and non-public improvements such as irrigation, private roads and drives, landscape, and maintenance.

    h. All open space and landscape areas will be commonly owned and maintained by a Homeowner's Association. Individual homeowners will be responsible for the lot area abutting adjacent public streets.

    Statement addressing compatibility of proposed development to adjacent land uses relating to such items as architectural character, building type, and height of proposed structures.

    i. The Lower Views shares a common boundary with a commercial business (Johnson RV), a large lot residential property in the city limits, and vacant properties outside the UGB. The Upper Views shares a common boundary with large lot residential and vacant properties and a multi-family development all within the city limits.

    Statement describing project phasing, if proposed. Phases shall be:
    - *Substantially and functionally self-contained and self-sustaining with regard to access, parking, utilities, open spaces, and similar physical features; capable of substantial occupancy, operation, and maintenance upon completion of construction and development.*
    - *Properly related to other services of the community as a whole and to those facilities and services yet to be provided.*

- *Provided with such temporary or permanent transitional features, buffers, or protective areas as may be required to prevent damage or detriment to any completed phases and to adjoining properties not in the Planned Development.*

j. The applicant is proposing two phases. The Lower Views would be phase one and the Upper Views would be phase two. Each development site is generally independent of the other. The proposed phasing of The Views PD is discussed in further detail in Chapter 17.100 of this document.

17.66 – Adjustments & Variances

51. The applicant is requesting the following two Type III Special Variances:
    - Special Variance to Section 17.84.30(A) to not provide a sidewalk on multiple street frontages.
    - Special Variance to Section 17.82.20(A and B) to not have the front doors of the proposed lots adjacent to Highway 26 face Highway 26 with direct pedestrian connection from the front doors to the Highway 26 sidewalk.

64. To be granted a Type III Special Variance, the applicant must meet one of the flowing criteria in Section 17.66.80:

    A. The unique nature of the proposed development is such that:
        1. The intent and purpose of the regulations and of the provisions to be waived will not be violated; and
        2. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
    B. The variance approved is the minimum variance needed to permit practical compliance with a requirement of another law or regulation.
    C. When restoration or replacement of a nonconforming development is necessary due to damage by fire, flood, or other casual or natural disaster, the restoration or replacement will decrease the degree of the previous noncompliance to the greatest extent possible.

65. SIDEWALK ELIMINATION

    Chapter 17.84 requires sidewalk and planter strips to be included with development. The applicant is requesting that this requirement be eliminated on the south side of The Views Drive from Vista Loop Drive to the alley and on the majority of the Highway 26 frontage. In addition, the applicant is proposing pedestrian walkways within private open space tracts rather than a traditional sidewalk in the public right-of-way along the south side of Vista Loop Drive, the north side of The Views Drive, and the south side of Bonnie Street.

    South side of The Views Drive

    Section 17.84.30(A) requires sidewalks to be provided on both sides of the street. On a local street, such as The Views Drive, the sidewalk is required to be a minimum of 5 feet in width separated from the curb by a minimum 5 foot wide planter strip. The requested variance to not provide a sidewalk on the south side of The View Drive does not meet the intent and purpose of this regulation. However, the applicant is proposing a wider pedestrian zone along

the north side of The Views Drive, which includes a meandering walkway within an approximately 19-foot wide private open space tract (Tract E). This allows for trees to be planted on both sides of the path, creating an allée-like feel and enhancing the pedestrian environment and contributing to a more outstanding design than would be included in a typical subdivision. Thus, **staff recommends the Planning Commission recommend approval of the Special Variance request to not provide a sidewalk on the south side of The Views Drive with the condition that Tract E be designed as proposed (i.e. approximately 19 feet wide with sufficient planting space of at least 5 feet on either side of the meandering walkway to accommodate street trees on both sides of the walkway) and add a note to the plat indicating that Tract E cannot be developed.**

Walkways in private tracts along The Views Drive, Vista Loop Drive, and Bonnie Street

The applicant is proposing to include pedestrian amenities in the form of a meandering walkway located within a private open space tract rather than the traditional sidewalk in a public right-of-way on the following street frontages: the south side of Vista Loop Drive, the north side of The Views Drive, and the south side of Bonnie Street. The meandering walkways meet the intent of having a sidewalk and planter strip, provided sufficient space is provided for planting and the walkways are covered by a pedestrian easement. **Staff recommends the Planning Commission recommend the City Council approve the requested special variance to provide meandering walkways within private open space tracts rather than a traditional sidewalk/planter strip in the public right-of-way with the condition that the tracts maintain a minimum width of 15 feet to accommodate a 5 foot wide walkway with an average of 5 foot wide planter strips on either side as well as a minimum width of 16 feet on Vista Loop Drive for a 6 foot sidewalk and 5 foot planter strips as Vista Loop Drive is a collector. The applicant shall include a pedestrian easement and a note on the final plat indicating that the meandering walkway tracts are not developable. Staff also recommends a condition that the meandering walkways in the open space tracts remain the responsibility of the homeowner's association. Consistent with sidewalks along street frontages, staff recommends a plat note or restrictive covenant be recorded that if the homeowner's association dissolves the responsibility to maintain and repair the meandering walkways and associated landscaping including street trees and groundcover shall shift to the adjacent property owners.**

66. FRONT DOORS NOT FACING AND CONNECTED TO A TRANSIT STREET

The requirement of building entrances oriented to transit streets, such as Highway 26, is to provide a pleasant and enjoyable pedestrian experience by connecting activities within a structure to the adjacent sidewalk where transit amenities are located. The applicant requests a special variance to Chapter 17.82.20 to allow the front door of the future homes constructed on Lots 99 and 103-121 to face the internal local street network instead of Highway 26, a designated transit street. The applicant is also proposing a sound wall along Highway 26. This variance request is essentially asking that the front lot line be along the internal street network rather than Highway 26 and that the proposed sound wall can be 6 feet in height, which would be allowed if the Highway 26 lot line is the rear lot line. Though the section of Highway 26 along the subject property is currently in a 65 mph speed zone, it will eventually become urbanized and the speed limit will be reduced. Staff recognizes that proposed Lots 99 and 103-121 will not be allowed to take access from the highway and thus, that all garages

and street parking will be located in the internal local street network. While the applicant could design the houses to have two front doors, staff recognizes that the front doors facing Highway 26 would essentially be false front doors, which is not the intent of the code. Thus, **staff recommends that the Planning Commission recommend that the City Council approve the applicant's requested variance to not provide front doors facing Highway 26 with direct pedestrian connection from the front door to Highway 26 as required by Chapter 17.82. If approved, this variance request would establish Knapp Street as the front lot line for Lots 103-121 and Ortiz Street as the front lot line for Lot 99. If the Planning Commission (and ultimately Council) agree with this recommendation, staff recommends the Planning Commission condition additional architectural, landscaping, and/or design features to enhance the appearance of the proposed sound wall from the Highway 26 right-of-way.**

67. Approval of a variance shall be effective for a 2-year period from the date of approval, unless substantial construction has taken place. The Planning Commission (Type III) may grant a 1-year extension if the applicant requests such an extension prior to expiration of the initial time limit. The variance approvals shall be consistent with the approved timelines for the subdivision phases.

17.74 – Accessory Development

68. Section 17.74.40 specifies, among other things, fence and wall height in front, side and rear yards. Walls in residential zones shall not exceed 4 feet in height in the front yard, 8 feet in height in rear and side yards abutting other lots, and 6 feet in height in side and rear yards abutting a street. The proposal includes a sound wall along Highway 26, a retaining wall along the south side of The Views Drive, and a retaining wall along the north side of Lot 72. The sound wall along Highway 26 is proposed to be a 6 foot tall wall. The applicant is requesting a Special Variance to allow the front lot line for Lots 103-121 to be on Knapp Street and the front lot line for Lot 99 to be on Ortiz Street rather than Highway 26, which is reviewed in Chapter 17.66 of this document. If approved, the property line along Highway 26 would be the rear property line for Lots 103-121 and the side property line for Lot 99, both of which would permit a 6 foot tall wall.

69. The applicant proposes using a Verti-Crete wall system for the sound wall along Highway 26 in the Upper Views (Exhibit R). The wall panels have a ledge stone finish on both sides and the posts are Ashlar finished. The applicant proposes installing a six-foot tall wall. The posts are 20 inches by 20 inches. The posts and panels come to the site in a concrete gray color and are stained in the field after the wall is installed. The applicant proposes staining the wall "Nutmeg," which is a warm-toned brown. **Staff recommends that additional vegetation is planted between the sound wall and the sidewalk to make it more pedestrian friendly and to soften the large concrete wall.**

17.80 – Additional Setbacks on Collector and Arterial Streets

70. Chapter 17.80 requires all residential structures to be setback at least 20 feet on collector and arterial streets. This applies to front, rear, and side yards. Vista Loop Drive is identified in the City's Transportation System Plan as a collector street. Highway 26 is a major arterial. As shown on the Block and Street Dimensions plan (Exhibit D, Sheets C8 and C9), it appears that all setbacks on lots adjacent to Vista Loop Drive and Highway 26 meet this requirement.

17.82 – Special Setbacks on Transit Streets

71. Section 17.82.20(A) requires that all residential dwellings shall have their primary entrances oriented toward a transit street rather than a parking area, or if not adjacent to a transit street, toward a public right-of-way or private walkway which leads to a transit street. A transit street is defined as a street designated as a collector or arterial. The Upper Views is located adjacent to Highway 26, a major arterial, and Vista Loop Drive, a collector. The lot for the multi-family structure in the Upper Views is proposed to be located adjacent to Vista Loop Drive. **Adherence to this code section for the future multi-family units will be determined in a future design review process.**

72. Twenty (20) single family homes (lots 99 and 103-121) are proposed adjacent to Highway 26. Because a substantial grade separation exists between the subject property and Highway 26 over a majority of the property, the applicant does not propose orienting these structures toward the highway but rather orienting these homes toward the internal street. The applicant is requesting a special variance to not have the front doors of the proposed houses along Highway 26 face Highway 26 with a direct pedestrian connection to the highway. The variance request is reviewed in Chapter 17.66 of this document.

73. Section 17.82.20(B) requires that dwellings shall have a primary entrance connecting directly between the transit street and building interior and outlines requirements for the pedestrian route. The applicant is requesting a special variance to not have the front doors of the proposed houses along Highway 26 face Highway 26 with a direct pedestrian connection to the highway. The variance request is reviewed in Chapter 17.66 of this document. **Adherence to this code section for the future multi-family units will be determined in a future design review process.**

74. Section 17.82.20(C) requires that primary dwelling entrances shall be architecturally emphasized and visible from the transit street and shall include a covered porch at least 5 feet in depth. **The adherence to this code section for the future multi-family units will be determined in a future design review process.**

17.84 – Improvements Required with Development

75. Section17.84.20(A)(1) requires that all improvements shall be installed concurrently with development or be financially guaranteed. **All lots in the proposed subdivision will be required to install public and franchise utility improvements or financially guarantee these improvements prior to final plat approval. All ADA ramps shall be designed and inspected by the design engineer and constructed by the applicant to meet the most current PROWAG requirements.**

76. Section 17.84.30(A)(1) requires that all proposed sidewalks on the local streets will be five feet wide as required by the development code and separated from curbs by a tree planting area that is a minimum of five feet in width. All sidewalks on the internal streets in the Upper Views are proposed to be five feet wide separated from curbs by a landscape strip as required. All sidewalks in the Lower Views are also proposed to be five feet wide with the exception of a six-foot sidewalk proposed on the north side of The Views Drive entrance road from Vista Loop Drive to the proposed alley. The sidewalk is designed to connect to a

six-foot meandering sidewalk constructed in front of the proposed row homes. A planned development modification as discussed in Section 17.64.30 has been proposed to modify the typical street section by shifting the road alignment to the southern edge of the right-of-way in order to allow for the construction of a meandering six-foot walkway in this location. The applicant is requesting a special variance to not provide sidewalks on some local street frontages. The special variance request is discussed in Chapter 17.66 of this document. **Staff recommends a condition that the meandering walkways in the open space tracts remain the responsibility of the homeowner's association. Consistent with sidewalks along street frontages, staff recommends a plat note or restrictive covenant be recorded that if the homeowner's association dissolves the responsibility to maintain and repair the meandering walkways and associated landscaping including street trees and groundcover shall shift to the adjacent property owners.**

77. As required by Section 17.84.30(A)(2), six-foot sidewalks are proposed to be constructed along arterial and collector streets. As shown on the submitted plans (Exhibit D) all sidewalks adjacent to Vista Loop Drive, a collector street, are proposed to be six-feet wide. Unlike a typical street section, the sidewalk/walkway along Vista Loop Drive is proposed to meander along the road rather than be parallel to this road. Rather than provide sidewalks in the public right-of-way, the applicant is proposing six-foot-wide walkways in Tracts M and N adjacent to Vista Loop Drive. The applicant's request to not provide sidewalks on the Vista Loop Drive frontage is a special variance. The special variance request is discussed in Chapter 17.66 of this document.

78. The applicant proposes a six foot wide sidewalk along the Highway 26 frontage of the site. The proposed sidewalk will be located adjacent to the proposed sound wall at the top of the slope.

79. In relation to Sections 17.84.30(B), 17.84.30(C), 17.84.30(D), and 17.84.30(E), the applicant is proposing sidewalk alternatives in multiple locations in the form of meandering pathways in private tracts.

80. Per the Public Works Director, **the applicant shall improve all public street frontages (including the Highway 26 right-of-way, and the street frontage of all tracts) in conformance with the requirements of 17.84.30 and 17.84.50**. Street frontage improvements include, but are not limited to: street widening, curbs, sidewalks, storm drainage, street lighting and street trees. One of the reasons for providing an urban street section (curbs, sidewalks, lighting, etc.) inside the city limits is to provide motorists with a visual cue that they are entering an urbanized area and to adjust their speed and alertness to match the visual cues. The area on both sides of Highway 26 is within the UBG and Urban Reserve so it will eventually become urbanized. An urbanized right-of-way makes drivers aware that they are entering a city and hopefully lead to adjusted speeds to match the conditions. As the city grows and these areas become urbanized the posted speed limit will likely be lowered to match the conditions. This is the case at the west end of Sandy where Highway 26 is an arterial street instead of a rural highway. This is also the case east of the couplet where the speed limit drops from basic rule to 40 mph and then to 25 mph as one travels west.

81. Section 17.84.40(A) requires that the developer construct adequate public transit facilities. Per Exhibit X, **the proposed development will require a concrete bus shelter pad and a green bench (Fairweather model PL-3, powder-coated RAL6028). The required pad size is 7' x 9.5' and should be located at the northernmost corner of The View Drive and Vista Loop Drive. Engineering specifications are available from the Transit Department.**

82. Section 17.84.50 outlines the requirements for providing a traffic study. The applicant included a Traffic Impact Study (TIS) with the application (Exhibit F). The study did not identify any required mitigation. According to the traffic study, the proposed development would produce 109 peak AM trips, 136 peak PM trips, and 1,564 total daily trips. The findings from the City Transportation Engineer (Exhibit T) are expressly incorporated by reference into this document.

83. According to the TIS, the study intersections currently operate acceptably and are projected to continue to operate acceptably under year 2022 traffic conditions either with or without the addition of site trips from the proposed development. No queuing-related mitigations are necessary or recommended in conjunction with the proposed development. Based on the crash data, the study intersections are currently operating acceptably with respect to safety. Based on the warrant analysis, no new traffic signals or turn lanes are recommended. ODOT states (Exhibit W) that the applicant shall provide additional space on Highway 26 to accommodate westbound right turning movements from Highway 26 onto Vista Loop Drive. Ard Engineering explains in the letter from October 27, 2020 the following:

> "In addition to the lack of a clear standard used to justify a request for improvements on Highway 26, it should be noted that a recent improvement has already been undertaken at the request of the Oregon Department of Transportation in anticipation of supporting residential development within the subject property. The prior configuration of the intersection of Highway 26 at Vista Loop Drive included a westbound slip lane which allowed vehicles to turn onto Vista Loop Drive at high speeds. At the request of ODOT, this slip lane was removed and the then-existing shoulder was widened by 6.75 feet immediately east of Vista Loop Drive.
>
> This improvement project was required as part of a lot partition and residential development. The condition of approval carried onto both the approval for the Timber Valley Subdivision, and the Johnson RV expansion that occurred on another piece of the partitioned property. Since the condition was applied to both the residential development and the Johnson RV property, the first one to develop ultimately had to make the improvements. When Johnson RV constructed their parking lot expansion, they were required to bond for the street improvements and were required to complete the improvements by October 31, 2018. As a result, the conditioned improvements for Highway 26 at Vista Loop Drive were completed approximately 2 years ago. Notably, the Timber Valley Subdivision was approved on property that is now The Views. Accordingly, the completed mitigation was specifically intended to support residential development on the subject property.

> Since warrants are not met for intersection improvements at Highway 26 and Vista Loop Drive in conjunction with the proposed development and recent improvements at the intersection were specifically intended to support both development of the Johnson RV parking lot expansion and the residential development within what is now The Views property, it does not appear to be either appropriate or proportional to request a second round of intersection improvements in association with the current residential development proposal. Accordingly, we request that there be no condition of approval requiring further widening or improvements on Highway 26 at Vista Loop Drive."

Staff agrees with this analysis completed by Ard Engineering and are not recommending a condition associated with the right turning movement as requested by ODOT.

84. Intersection sight distance was evaluated for the proposed points of access along SE Vista Loop Drive. Based on the analysis it is projected that adequate site distance can be achieved for all access locations with clearing of vegetation from the roadside. No other sight distance mitigations are necessary or recommended.

85. The proposed development does not include any long straight street segments and is thus not required to follow the standards in Sections 17.84.50(C)(1) or (2).

86. Section 17.84.50(C)(3) requires that cul-de-sacs should generally not exceed 400 feet in length nor serve more than 20 dwelling units. Two cul-de-sacs are proposed in the Lower Views and a single cul-de-sac is proposed in the Upper Views. All three proposed cul-de-sacs are less than 400 feet in length. Additionally, none of the cul-de-sacs will serve more than 12 lots.

87. Section 17.84.50(D) requires that development sites shall be provided with access from a public street improved to City standards. All homes will gain access from a public street or a public alley improved to city standards or a private drive accessed from a public street. No off-site improvements have been identified or are warranted with the construction of this subdivision.

88. Section 17.84.50(E) requires that public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property. Temporary dead-ends created by this requirement to extend street improvements to the edge of the adjacent properties may be installed without turn-arounds, subject to the approval of the Fire Marshal. The proposed street layout results in one temporary dead-end street at the East end of the Lower Views. This street end includes sufficient room to accommodate fire equipment to turn around. The only existing street to be extended is Ortiz Street in the Upper Views, which is proposed to be located directly across Vista Loop Drive from the existing street. The applicant submitted a future street plan (Exhibit D, Sheet C10); however, it details the area north of Ortiz Street as future apartments and does not consider this area to lend itself to a traditional subdivision. **The Planning Commission needs to determine if an additional street stub or pedestrian access shall be extended north (i.e. in the location of Lots 91 and 92).**

89. Section 17.84.50(F) requires that no street names shall be used that will duplicate or be confused with names of existing streets. The application includes proposed street names as shown on submitted plans (Exhibit D). **The applicant shall clarify if the street is intended to be named "The View Drive" or "The Views Drive" as both of these names are used on the application materials. All street names are subject to change prior to recording of the plat.**

90. Proposed streets meet the requirements of 17.84.50(H). The future street plan (Exhibit D, Sheet 1) shows that the proposed development will facilitate and not preclude development on adjacent properties, except with the possibility of the property north of Ortiz Street (i.e. Tax Map 25E18DC, Tax Lots 1000 and 1100). This is discussed in more detail in the subdivision approval criteria in Chapter 17.100 of this document. All proposed streets comply with the grade standards, centerline radii standards, and TSP-based right-of-way improvement widths with the exception of the portion of The Views Drive from the intersection with Vista Loop Drive to approximately the public alley which is proposed to be 31 feet wide. The applicant is requesting a reduction of the right-of-way in this location in order to shift the road to the south to construct a wider sidewalk on the north side of this street within a private landscaped tract. All proposed streets are designed to intersect at right angles with the intersecting street and comply with the requirements of Section 17.94.50.(H)(5). No private streets, with the exception of private drives, are proposed in the development.

91. The applicant has submitted a turning diagram demonstrating that there should be sufficient room for a 22 foot long vehicle to back out of a driveway (with an adjacent parked car in the driveway) and into the public alley with cars parked on the opposite side of the alley in a single motion without any conflict. **The garage face setback from the alley shall meet or exceed that shown in the turning diagram.**

92. **The various streets and public alleys shall include a minimum four-foot wide utility and sign easement on both sides to provide enough room for street name, traffic control and regulatory signage and utility pedestals, fire hydrants, water meters, etc.**

93. The plans detail all street intersections provide at least 50 foot tangents as required per 17.84.50(H)(5)(C). **The vertical design grade for landing at all the Tee intersections where controlled with "Stop" signs shall be no greater than 8 percent for a minimum of 50 feet or two car lengths.**

94. Section 17.84.60 outlines the requirements of public facility extensions. The applicant submitted a utility plan (Exhibit D, Sheets 12 and 13) which shows the location of proposed public water, sanitary sewer, and stormwater drainage facilities. Broadband fiber service will be detailed with construction plans. No private utilities are proposed. **All public sanitary sewer and waterline mains are to be a minimum of 8 inches in diameter and storm drains are to be a minimum of 12 inches in diameter. These shall 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.**

95. Franchise utilities will be provided to all lots within the proposed subdivision as required in Section 17.84.80. The location of these utilities will be identified on construction plans and installed or guaranteed prior to final plat approval. The applicant does not anticipate extending franchise utilities beyond the site. All franchise utilities other than streetlights will be installed underground. The developer will make all necessary arrangements with franchise utility providers. The developer will install underground conduit for street lighting.

96. Section 17.84.90 outlines requirements for land for public purposes. The only public easements anticipated with this development are public pedestrian access easements located over sidewalks not located within a public right-of-way, trails within the private open space tracts, and the recreation area tracts. Eight-foot wide public utility easements will be provided along all lots adjacent to street rights-of-way for future franchise utility installations. **All easements and dedications shall be identified on the final plat as required**.

97. Section 17.84.100 outlines the requirements for mail delivery facilities. **The location and type of mail delivery facilities shall be coordinated with the City Public Works Director and the Post Office as part of the construction plan process.**

98. **SandyNet shall receive a set of PGE utility plans to design and return a SandyNet broadband deployment plan.**

99. There are two private storm drain lines crossing the proposed right-of-way of The Views Drive. These storm lines serve private developments to the south of the site. Private utility facilities serving single sites are not permitted in public rights-of-way. When the land use application for the private development south of the site was processed the City identified that the location of these lines would present a conflict if a public right-of-way was ever dedicated across these private lines. Staff believes there are three options available: 1) relocate these lines outside the public right-of-way; 2) Replace the existing lines with materials conforming to City standards or demonstrate that the pipeline materials comply with and were installed in conformance with City standards and dedicate these improvements as public; or, 3) Have the owner of the adjacent site served by these lines apply for a revocable permit to place private drainage facilities in a public right-of-way. **Since the exact location relative to proposed improvements in the right-of-way is unknown at this time the City will determine the most suitable option during construction plan review.**

100. **The proposed public sidewalks outside of the street right-of-way will require pedestrian scale bollard lighting conforming to the City's standards.** Use of full-cutoff, Type II roadway distribution streetlights will not provide sufficient illumination for pedestrians where the sidewalk is set back so far from the street and obscured by trees.

101. **An ODOT Permit to Occupy or Perform Operations Upon a State Highway shall be obtained for all work in the State highway right-of-way.** When the total value of improvements within the ODOT right-of-way is estimated to be $100,000 or more, an agreement with ODOT is required to address the ownership, maintenance, and operations of any improvements or alterations made in highway right-of-way. An Intergovernmental Agreement (IGA) is required for agreements involving local governments and a Cooperative

Improvement Agreement (CIA) is required for private sector agreements. The agreement shall address the project standards that must be followed, compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements, and any other ODOT requirements for project construction, including costs for ODOT staff time for project approvals, inspection, and completion.

17.86 – Parkland and Open Space

102. The applicant intends to pay a fee in lieu of parkland dedication as outlined in the requirements of Chapter 17.86. Section 17.86.10(2) contains the calculation requirements for parkland dedication. The formula is acres = proposed units x (persons/unit) x 0.0043. For the four single family homes, acres = 120 x 3 x 0.0043 = 1.548 acres. For the maximum development of 48 multifamily units, acres = 48 x 2 x 0.0043 = 0.4128 acres. Combined, this totals 1.96 acres.

103. The applicant proposes paying a fee in lieu of parkland dedication. Based on 1.96 acres the parks fee in-lieu shall be $472,360 based on the City's current fee schedule if this payment is not deferred and paid prior to final plat approval, and $519,400 if half of the payment is deferred. If deferred, one-half of this amount ($259,700) is required to be paid prior to final plat approval with the other half ($259,700) evenly split and paid with each building permit. Because two of the lots are proposed to contain multi-family dwellings at a later date, the applicant requests the parks fee for these units be paid with the building permit for these units rather than at the time of final plat approval. If this proposal is accepted the amount of cash-in-lieu to be paid with the final plat would be based on the area of parkland required for the single family units which is 1.55 acres. This results in the following amounts 1.55 x $241,000 = $373,550 if paid prior to Final plat approval and 1.55 x $265,000 = $410,750 if one-half of the payment is deferred. The fee associated with the multi-family units 0.41 x $265,000 = $108,650 would be paid with the building permit for these units if that is the ultimate decision of the City Council.

104. As explained in the findings for Chapter 17.64, maintenance for the dedicated open space areas will be the responsibility of a Homeowners Association. **The applicant shall submit a draft agreement between the City and the HOA detailing the minimum maintenance requirements and responsibilities including a means for the City to remedy any failure to meet the agreed-upon standards. The agreement shall be finalized and recorded prior to plat approval and referenced on the face of the plat. Staff recommends a condition that the meandering walkways in the open space tracts remain the responsibility of the homeowner's association. Consistent with sidewalks along street frontages, staff recommends a plat note or restrictive covenant be recorded that if the homeowner's association dissolves the responsibility to maintain and repair the meandering walkways and associated landscaping including street trees and groundcover shall shift to the adjacent property owners.**

105. Per Section 17.86.50(5), in the event that any private owner of open space fails to maintain it according to the standards of the Sandy Municipal Code, the City of Sandy, following reasonable notice, may demand that the deficiency of maintenance be corrected, and may enter the open space for maintenance purposes. **All costs thereby incurred by the City**

shall be charged to those persons having the primary responsibility for maintenance of the open space.

17.90 – Design Standards

106. Chapter 17.90 contains design standards for development based on type and zone. **All future buildings shall adhere to the design standards in Chapter 17.90.** Single family residences and townhomes will be reviewed at building permit and multi-family buildings will be reviewed with a future design review application.

17.92 – Landscaping and Screening

107. Section 17.92.10 contains general provisions for landscaping. As previously determined by the Planning Commission, the City's tree protection standards in this section do not apply to residential subdivisions. Per Section 17.92.10(L), **all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing.**

108. 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 applicant did not submit a separate street tree plan but the conceptual plan (Exhibit L) details street trees along all of the proposed streets, except Highway 26. **The applicant shall update the street tree plan to detail street trees along Highway 26.** A majority of the streets include both street trees and trees in the front yards of the private property, which creates an allée of trees and adds an element of exceptional design above and beyond a typical subdivision as required for the PD density bonus. The Landscape/Conceptual Plan (Exhibits L, M, and N) identifies tree species, size, and quantities of trees. The landscape/conceptual plan does not show much variety in tree species; for example, both sides of the entire length of Bonnie Street are proposed to have Japanese styrax. 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.** In addition, the applicant is proposing red maples along The Views Drive, public alleys, and cul-de-sacs. Due to concerns with Asian Longhorn Beetle and Emerald Ash Borer, staff are not recommending maples or ashes at this time. **The applicant shall update the plant palette to detail an alternate species for the red maple that is not a maple or an ash.**

109. 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 and other areas proposed to contain trees 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.**

110. **If the plan set changes 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 and shall be removed after one growing season (or a maximum of 1 year).

111. Section 17.92.40 specifies that landscaping shall be irrigated, either with a manual or automatic system, to sustain viable plant life. The proposal includes numerous private tracts with landscaping. The applicant did not submit an irrigation plan nor did the applicant address Section 17.92.40 in the narrative. **The applicant shall submit an irrigation plan.**

112. Section 17.92.50 contains standards related to types and sizes of plant materials. The applicant submitted a plant key (Exhibit O) and landscape plans (Exhibits L, M, and N) that detail plant sizes in compliance with this section. Section 17.92.50(B) encourages the use of native plants or plants acclimatized to the PNW. The applicant is proposing two species of *Prunus* that are nuisance species: *Prunus laurocerasus* 'Otto Luyken' and *Prunus lusitanica*. **The applicant shall update the plant palette to include two alternate species to replace the nuisance *Prunus* species.** Chapter 17.60 requires that any plants planted in the FSH overlay area are native. **The Landscape Plan shall detail native plants for all vegetation planted in the FSH overlay area and native or PNW acclimatized pollinator friendly species for all vegetation planted in the recreation tracts and private walkway tracts.** Staff recommends the following native or PNW acclimatized pollinator species:

- Trees: *Rhamnus purshiana, Prunus virginiana, Amelanchier alnifolia, Malus floribunda*
- Shrubs: *Ceanothus spp., Berberis aquifolium, Perovskia atriplicifolia, Solidago canadensis, Helenium autumnale, Agastache foeniculum*
- Groundcover: *Eschscholzia californica, Madia elegans, Symphyotrichum subspicatum*

113. The applicant submitted a conceptual plan that details extensive landscaping in the proposed private open space tracts and stormwater tracts. The inclusion of the recreation area tracts and the wider, more pedestrian friendly walkways with an allée of trees are two elements that set this planned development apart from a typical subdivision. On the streets where the meandering walkways with allées of trees are not proposed, the applicant is detailing additional trees planted in the front yards of houses to continue the allée feel. In addition, the proposal details trees in the rear yards of Lots 103-121, which will help buffer the noise from the highway, and trees in the public alley and private drives. **The applicant shall install landscaping in the private open space tracts, front yards, rear yards, public alleys, and private drives as detailed on the submitted conceptual plan and in accordance with the requirements for the updated landscape plan.** The applicant is proposing three natural area open space tracts, one of which will have a trail, which is a permitted use in otherwise undeveloped open space. The applicant is also proposing four recreation area tracts, which are proposed to contain sports courts and/or playground equipment. **The applicant shall install the proposed sports courts and playground equipment per the conceptual plan and prior to recording the plat of the associated**

phase. The applicant shall submit details on the sports courts and playground equipment to staff for review and approval.

114. 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.**

115. **Landscaping requirements for the multi-family units will be addressed with a subsequent design review application.**

17.98 – Parking, Loading, and Access Requirements

116. Section 17.98.10(M) requires that the developer provide a Residential Parking Analysis Plan. This plan identifying the location of parking is included in Exhibit D, Sheet 10.

117. Section 17.98.20(A) requires that each single family dwelling unit is required to provide at least two off-street parking spaces. **Compliance with this requirement will be evaluated during building plan review. Parking for the proposed multi-family units will be evaluated as part of a future design review application.** Section 17.98.60 has specifications for parking lot design and size of parking spaces. No lots are proposed to gain access from an arterial or collector street (Section 17.98.80).

118. Section 17.98.100 has specifications for driveways. **The minimum driveway width for a single-family dwelling shall be 10 feet and the maximum driveway approach within the public right-of-way shall be 24 feet wide measured at the bottom of the curb transition.** Shared driveway approaches may be required for adjacent lots in cul-de-sacs in order to maximize room for street trees and minimize conflicts with utility facilities (power and telecom pedestals, fire hydrants, streetlights, meter boxes, etc.). **The applicant shall update the driveway plan to detail shared driveways for the following pairs of Lots: 43 and 44, 45 and 46, 59 and 60, and 63 and 64.** Additionally, all driveways will meet vertical clearance, slope, and vision clearance requirements. All driveways appear to meet these criteria, but this will be verified at time of building permit submission and prior to excavation for the footings. Per Section 17.98.100(G), **the sum of the width of all driveway approaches within the bulb of a cul-de-sac as measured in Section 17.98.100(B) shall not exceed fifty percent of the circumference of the cul-de-sac bulb.** Per Section 17.98.100(I), **driveways shall taper to match the driveway approach width to prevent stormwater sheet flow from traversing sidewalks.**

119. Section 17.98.110 outlines the requirements for vision clearance. **The requirements of this section will be considered in placing landscaping in these areas with construction of homes and will be evaluated with a future design review application for the multi-family units.**

120. 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.**

121. Section 17.98.200 contains requirements for providing on-street parking spaces for new residential development. Per Section 17.98.200, one on-street parking space at least 22 feet in length has been identified within 300 feet of each lot as required. Exhibit D, Sheet 10 shows that a minimum of 120 on-street parking spaces have been identified in compliance with this standard. No parking courts are proposed by the applicant.

17.100 – Land Division

122. 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.**

123. A pre-application conference was held with the City on May 29, 2019 per Section 17.100.60(A). The pre-app notes are attached as Exhibit Z.

124. As required by Section 17.100.60(E), the proposed subdivision is designed to be consistent with the density, setback, design standards, and dimensional standards in the SFR zoning district with the exception of the requests as part of the Planned Development (PD). Dimensional and/or quantitative variations to development standards are permitted as part of the PD process per Section 17.64.30(A). See findings for Chapter 17.64 in this document.

125. Section 17.100.60(E)(2) requires subdivisions to be consistent with the design standards set forth in the 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.

126. 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. Given the requirements in Section 17.100.100(E), the site specific conditions of the subject property, particularly the location of the FSH overlay area, limits construction of an interconnected street system. The only existing street to be extended is Ortiz Street in the Upper Views, which is proposed to be located directly across Vista Loop Drive from the existing street. The applicant submitted a future street plan (Exhibit D, Sheet C10); however, it details the area north of Ortiz Street as future apartments and does not consider this area to lend itself to a traditional subdivision. **The Planning Commission needs to determine if an additional street stub or pedestrian access shall be extended north (i.e. in the location of Lots 91 and 92).**

127. 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, sanitary sewer and stormwater are available or will be constructed by the applicant to serve the subdivision. As detailed on the submitted plans and because of the depth of the existing sewer line in Vista Loop, eleven lots in the Lower Views (Lots 39-46 and 61-63) and five lots (Lots 96-100) in the Upper Views will require installation of individual grinder sump systems to pump sanitary waste from these dwellings to a gravity sewer line.

128. Section 17.100.60(E)(5) requires all proposed improvements to meet City standards through the completion of conditions as listed within this document and as detailed within these findings. The detailed review of proposed improvements is contained in this document.

129. 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 proposes building The Lower Views as Phase 1 and The Upper Views as Phase 2. Staff supports a phased approach as proposed by the applicant but finds that **the Planning Commission shall set forth recommendations to the City Council on items such as Parks fee in-lieu and expiration dates related to plat recording.** This is explained in further detail in the recommendations section of this document.

130. Section 17.100.80 provides standards for denial of a development application due to physical land constraints. A significant portion of the Lower Views is affected by the FSH overlay identified by the City of Sandy. The applicant does not propose any development within this area. A Geotechnical Evaluation (Exhibit I) for the property is included with the application package. Except for the areas designated as open space, all areas of the Lower Views and all of the Upper Views property are suitable for development and do not pose any issues due to flooding.

131. The subject property abuts Highway 26 and notification of the proposal was sent to ODOT as required by Section 17.100.90. ODOT's comments are included as Exhibit W. One of ODOT's comments reads as follows: "The proposed land use notice is to construct 128 single family residential units and 48 multi-family units within the vicinity of the US 26/Vista Loop Drive intersection. The "Upper Views" site is located adjacent to the highway. ODOT has review the Traffic Impact Study prepared by Ard Engineering for the development. The development will increase the number of vehicles turning right onto Vista Loop Drive from the highway. The posted speed on the highway is 55 mph and vehicles making this turning movement must to slow down significantly to safely make the turn. Due to the high speed of through traffic, increasing the number of vehicles turning from the through lane onto Vista Loop Drive is a safety concern. In order to separate the right turning vehicles from the through movement, ODOT recommends that the city require the applicant to provide space for right turning vehicles to utilize while turning right onto Vista Loop Drive." After additional discussion with the City Transportation Engineer, prior to conditioning additional asphalt area for turning movements, he recommends the applicant's transportation engineer provides further analysis to be reviewed by ODOT and the City of

Sandy. This analysis by Ard Engineering is contained in Exhibit F and explained in further detail in Chapter 17.84 of this document.

132. As required by Section 17.100.100(A), a traffic impact study prepared in compliance with the City standards was submitted with the application (Exhibit F). This study does not identify any issues requiring mitigation by the applicant. The findings from the City Transportation Engineer (Exhibit S) are expressly incorporated by reference into this document. None of the special traffic generators listed in Section 17.100.100(B) are located near the subject site.

133. While Section 17.100.100(C) calls for a rectangular grid pattern, due to topographic constraints in the Lower Views and existing infrastructure in the Upper Views (Highway 26 and Vista Loop Drive) the site does not lend itself to creating a rectangular gridded street pattern.

134. Section 17.100.100(E) requires applicants to provide a future street plan within a 400 foot radius of the subject property(ies). Given the requirements in Section 17.100.100(E), the site specific conditions of the subject property, particularly the location of the FSH overlay area, limits construction of an interconnected street system. The only existing street to be extended is Ortiz Street in the Upper Views, which is proposed to be located directly across Vista Loop Drive from the existing street. The applicant submitted a future street plan (Exhibit D, Sheet C10); however, it details the area north of Ortiz Street as future apartments and does not consider this area to lend itself to a traditional subdivision. **The Planning Commission needs to determine if an additional street stub or pedestrian access shall be extended north (i.e. in the location of Lots 91 and 92).**

135. Section 17.100.120(A) requires blocks to 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. All blocks within the proposed subdivision have sufficient width to provide for two tiers of lots as required in Section 17.100.120(A), with the exception of blocks along Highway 26 and blocks adjacent to the FSH overlay district. The unique character of the site does not lend itself to creating blocks with two tiers due to the existing location of Highway 26 and the FSH overlay area.

136. Section 17.100.120(B) requires that blocks fronting local streets shall not exceed 400 feet in length, although blocks may exceed 400 feet if approved as part of a Planned Development. Due to site specific and topographic conditions, all streets do not comply with the 400 foot block length standard. The applicant is requesting an exception to this standard as part of the Planned Development request as identified in Chapter 17.64 of this document.

137. Section 17.100.120(D) requires that in any block 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. The applicant proposes establishing a ten foot wide sidewalk within a 15-foot wide pedestrian access easement in the middle of Knapp Street to provide a sidewalk connection from this street to Vista Loop Drive. In order to provide sufficient room for landscaping, **the walkway shall be shifted to**

one side of the 15 foot wide pedestrian access easement to accommodate a landscaping strip that is at least 5 feet in width with trees.

138. As required by Section 17.100.130, eight-foot wide public utility easements will be included along all property lines abutting a public right-of-way. Eight foot wide public utility easements shall be included along all property lines abutting a public right-of-way. Only public pedestrian access easements will be needed to allow public access along some of the sidewalks located within private tracts. Staff does not believe that any other easements for public utility purposes are required but will verify this during construction plan review. **Preliminary plat approval does not connote utility or public improvement plan approval including easement locations which will be reviewed and approved separately upon submittal of public improvement construction plans.**

139. Section 17.100.140 requires that public alleys shall have a minimum width of 20 feet. A 28-foot wide paved alley within a 29-foot public right-of-way is proposed in the Lower Views. This alley is designed to provide access to the 32 single family detached dwellings abutting this right-of-way. The proposed alley width is designed to accommodate public parking on the south side of the alley. The proposed alley widths include Type C vertical curb with 7 inch exposure per the street sections diagram.

140. Section 17.100.150 outlines requirements for residential shared private drives. A shared private drive is intended to provide access to a maximum of two dwelling units. One of the following two criteria must be met: Direct access to a local street is not possible due to physical aspects of the site including size, shape, or natural features; or the construction of a local street is determined to be unnecessary. As shown on submitted plans the Lower Views includes three private drives serving two lots each. These private drives are proposed due to the topographic constraints with the subject property. The design of the lots should be such that a shared access easement and maintenance agreement shall be established between the two units served by a shared private drive, public utility easements shall be provided where necessary in accordance with Section 17.100.130, and shared private drives shall be fully improved with an all weather surface (e.g. concrete, asphalt, permeable pavers) in conformance with city standards. The pavement width shall be 20 feet, and parking shall not be permitted along shared private drives at any time and shall be signed and identified accordingly. The proposed three private drives in the Lower Views are designed to serve only two lots each as permitted. **A shared access easement and maintenance agreement shall be established for each private drive as part of the Final Plat.** Public utility easements will be accommodated along these private drives as necessary to serve these lots. As shown on submitted plans each private drive is proposed to include a 20-foot wide all weather surface within a 21-foot wide tract and shall be posted “no parking.”

141. Section 17.100.170 outlines requirements for flag lots. Lots 103 and 104 are proposed as flag lots. Both lots contain a minimum 15 feet of street frontage as required.

142. Section 17.100.180(A) requires that intersections are designed with right angles. All streets in the proposed subdivision have been designed to intersect at right angles to the opposing street as required.

143. All streets in the proposed subdivision have a minimum curve radius as required by Section 17.100.180(B).

144. **A lighting plan shall be coordinated with PGE and the City as part of the construction plan process and prior to installation of any fixtures as required by Section 17.100.210.**

145. All lots in the proposed subdivision have been designed so that no foreseeable difficulties due to topography or other conditions will exist in securing building permits on these lots as required by Section 17.100.220(A).

146. Section 17.100.220(B) requires that 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 applicant may be required to arrange such lots to allow further subdivision and the opening of future streets to serve such potential lots. As allowed by Chapter 17.64 for Planned Developments, the applicant has proposed modifications to the minimum lot size and dimension standards specified in the Single Family Residential zone. Only Lot 62 (16,694 square feet) is proposed to contain more than double the minimum lot size (7,500 square feet) in the SFR zone. Due to its location and topographic constraints no further division of this lot is possible and therefore staff supports the proposed square footage of Lot 62.

147. Section 17.100.220 states that all new lots shall have at least 20 feet of street frontage. All lots in the proposed subdivision contain at least 20 feet of frontage along a public street with the exception of one flag lot and the six lots that are proposed to be accessed by three private drives.

148. Only Lots 99 and 103-121 are designed to have frontage on both an internal local street (Knapp Street) and Highway 26. This configuration is unavoidable because of the location of Highway 26 and limitations for access to this roadway and is thus allowed as required by Section 17.100.220(D).

149. The applicant shall install all water lines and fire hydrants in compliance with the applicable standards in Section 17.100.230, which lists requirements for water facilities.

150. The applicant intends to install sanitary sewer lines in compliance with applicable standards in Section 17.100.240. As noted above, because of the depth of the existing sanitary sewer in Vista Loop, 11 lots in the Lower Views (Lots 39-46 and 61-63) and five lots (Lots 96-100) in the Upper Views will require installation of a grinder sump system installed at each of these dwellings to pump sanitary sewer waste from these dwellings to a gravity sanitary sewer line in the development.

151. Section 17.100.250(A) details requirements for stormwater detention and treatment. A stormwater water quality and detention facility is proposed to be located in the eastern portion of the Lower Views and the western area of the Upper Views as shown on submitted plans. These facilities have been sized and located to accommodate public stormwater generated by the subdivision. A stormwater report (Exhibit E) is included with this application as required. Stormwater calculations are found to meet the water quality/quantity

criteria as stated in the City of Sandy Development Code 13.18 Standards and the 2016 City of Portland Stormwater Management Manual 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**.

152. **The detention ponds shall be constructed to meet the requirements of the 2016 City of Portland Stormwater Management Manual for landscaping Section 2.4.1 and escape route Section 2.30. The access to the detention ponds shall be paved of an all-weather surface to a minimum of 12-foot in width per the 2016 City of Portland Stormwater Management Manual.**

153. 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.**

154. Section 17.100.270 requires that sidewalks shall be installed on both sides of a public street and in any special pedestrian way within the subdivision. Sidewalks will be installed on both sides of all streets with the exception that a sidewalk is proposed to be constructed on only the north side of The View Drive from its intersection with Vista Loop Drive to the proposed public alley. The applicant is proposing this design to allow the road surface to be shifted to the south side of the public right-of-way to construct a six-foot sidewalk within a widened landscaped buffer. The applicant believes this design will provide a more aesthetically pleasing and desirable environment for pedestrians walking between the upper and lower parts of the development. The roadway width in this location will be 28 feet wide in compliance with city standards.

155. Planter strips will be provided along all frontages as required in Section 17.100.290. Street trees in accordance with City standards will be provided in these areas. **The applicant shall provide a revised street tree plan with alternative species as explained in Chapter 17.92 of this document.**

156. Grass seeding shall be completed as required by Section 17.100.300. Grass seeding will be completed as required by this section. The submitted erosion control plan (Exhibit D) provides additional details to address erosion control concerns. **A separate Grading and Erosion Control Permit will be required prior to any site grading.**

17.102 – Urban Forestry

157. Section 17.102.20 contains information on the applicability of Urban Forestry regulations. An Arborist Report by Todd Prager of Teragan & Associates (ASCA Registered Consulting Arborist #597, ISA Board Certified Master Arborist, WE-6723B, ISA Qualified Tree Risk Assessor) is included as Exhibit G. The arborist inventoried approximately 530 trees. The inventory is included in Exhibit D, Sheet 6 and the proposed retention trees are shown in Exhibit D, Sheet 7.

158. The property contains 32.87 acres requiring retention of 99 trees 11 inches and greater DBH (32.87 x 3 = 98.61). The submitted Tree Retention Plan (Exhibit D Sheets C6 and C7) identifies 219 trees that will be retained. Of the 219 trees proposed for retention, 105 are 11

inches DBH or greater and in good condition as required. Five (5) of the proposed retention trees are nuisance species: Tree #149 is an English holly and Trees #223, 224, 225, and 227 are sweet cherries. In addition, 76 of the 105 trees (72 percent) are conifer species as preferred by Section 17.102.50(4). The applicant submitted a supplemental Tree Protection Plan and Table prepared by the project arborist that details an additional seven (7) retention trees within the FSH overlay district that weren't previously inventoried that meet retention tree standards and aren't nuisance species. With these additional seven retention trees, the applicant is proposing to retain 101 trees that meet the retention standards and aren't nuisance species.

159. No trees are proposed to be removed within the FSH overlay area. **The applicant shall not remove any trees from the FSH overlay area.**

160. The Arborist Report (Exhibit G) provides recommendations for protection of retained trees including identification of the recommended tree protection zone for these trees. The requirements of Section 17.102.50(B) will be complied with prior to any grading or tree removal on the site. 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 arborist report details a root protection zone radius of 1 foot per 1 inch DBH and a minimum construction setback radius of 0.5 feet per 1 inch DBH. **The applicant shall install tree protection fencing at the critical root zone of 1 foot per 1 inch DBH to protect the 101 retention trees on the subject property as well as all trees on adjacent properties. 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. Up to 25 percent of the area between the minimum root protection zone of 0.5 feet per 1-inch DBH and the critical root zone of 1 foot per 1 inch DBH may be able to be impacted without compromising the tree, provided the work is monitored by a qualified arborist. The applicant shall retain an arborist on site to monitor any construction activity within the critical root protection zones of the retention trees or trees on adjacent properties that have critical root protection zones that would be impacted by development activity on the subject property. The applicant shall submit a post-construction report prepared by the project arborist or other TRAQ qualified arborist to ensure none of the retention trees were damaged during construction.**

To ensure protection of the required retention trees, **the applicant shall record a tree protection covenant specifying protection of all retention trees, including trees in the**

FSH Overlay per the recommendations of the applicant's arborist report of 1 foot per 1 inch DBH. The tree protection covenant shall specify limiting removal of the retention trees 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 consistent with the applicant's arborist report. 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.

161. The arborist report contains additional recommendations related to tree protection, directional felling, stump removal, tree crown protection, monitoring of new grove edges, and sediment fencing. **The applicant shall follow the recommendations outlined in the arborist report related to tree protection, directional felling, stump removal, tree crown protection, monitoring of new grove edges, and sediment fencing.**

15.30 – Dark Sky

162. 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

163. The applicant submitted a Geotechnical Report (Exhibit I) prepared by Redmond Geotechnical Services dated May 15, 2020. **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.**

164. **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.**

165. 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.**

166. Development at both the 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.**

RECOMMENDATION TO FORWARD TO COUNCIL:

If the ultimate decision is to approve this land use application with conditions, all of the conditions (with the exception of standard conditions) are listed in this document in the findings with the use of bold. Instead of creating a conditions list as is typically done in a Planning Commission staff report, staff believes the main objective for the Planning Commission in this application is to answer the requests related to the application and forward a recommendation of approval, approval with conditions, or denial to the City Council.

Staff is generally supportive of the applicant's request and thinks the applicant has done a commendable job of creating a development proposal that meets the spirit of the Development Code while also incorporating some creative solutions to increase density and deviate from some of the code requirements. Staff has been working closely with the developer and his consultants, but with the public comments received to date and the indeterminate language in Chapter 17.64 staff finds it important to define if the Planning Commission finds that this proposed PD meets the intent of the development code. Some of the indeterminate language in Chapter 17.64 includes things such as, 'outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning' and 'development standards of the base zone, overlay zone or planned development overlay apply unless they are superseded by the standards of this chapter, or are modified during a Planned Development review'. While staff understands concerns as expressed by the surrounding neighborhood the proposal incorporates a variety of housing price points and supports inclusionary zoning practices.

Staff recommends the Planning Commission provide the City Council a clear recommendation by answering the following questions:

A. Does the Planning Commission recommend exceeding the maximum density for the base zone by six (6) percent? To allow this density increase the Planning Commission, and ultimately the City Council, needs to find that the Planned Development is outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning.

B. Does the Planning Commission recommend permitting rowhouses in the SFR zoning district?

C. Does the Planning Commission recommend permitting multifamily housing in the SFR zoning district?

D. Does the Planning Commission recommend allowing lot sizes less than 7,500 square feet?

E. Does the Planning Commission recommend allowing a minimum average lot width less than 60 feet?

F. Does the Planning Commission recommend allowing interior side yard setbacks at 5 feet, when the typical standard is 7.5 feet?

G. Does the Planning Commission recommend reducing the rear yard setbacks from 20 feet to 10 feet for lots 47-56 in the Lower Views and 20 feet to 15 feet for lots 84-86 and 88-102 in the Upper Views?

H. Does the Planning Commission recommend allowing block lengths at 691 feet on The Views Drive from Vista Loop Drive to Bonnie Street; at 665 feet on the north side of Bonnie Street; and at 805 feet on Knapp Street from Vista Loop Drive to Ortiz Street?

I. Does the Planning Commission recommend approval of the request to provide meandering walkways within private open space tracts rather than a traditional sidewalk/planter strip in the public right-of-way with the condition that the tracts maintain a minimum width of 15 feet to accommodate a 5 foot wide walkway with an average of 5 foot wide planter strips on either side?

J. Does the Planning Commission recommend approval of the request to not provide a sidewalk on the south side of The Views Drive with the condition that Tract E on the north side of The Views Drive be designed as proposed (i.e. approximately 19 feet wide with 5 feet wide of planting space on either side of the meandering walkway to accommodate street trees on both sides of the walkway)?

K. Does the Planning Commission recommend approval of the request to not provide front doors facing Highway 26 and instead allow the lot line abutting Highway 26 to be considered the rear yard so the sound wall can be 6 feet in height?

L. Does the Planning Commission recommend phasing this development in two distinct phases as proposed by the applicant? If so, what policies should be recommended for the two following requirements?
    a. Parks fee in-lieu?
    Staff recommends the parks fee in-lieu are paid prior to each phase being recorded. The parks fee in-lieu for Phase one, the Lower Views would be the calculation for Lots 1-72. The parks fee in-lieu for Phase two, the Upper Views would be the calculation for Lot 73 – 122.
    b. Expiration dates?
    Staff recommends each phase is allowed two years to complete plating requirements, with the two-year clock starting for the second phase at the recording date of phase one, the Lower Views.

M. Does the Planning Commission recommend to not require a right turn lane at the intersection of Vista Loop Drive and Highway 26, consistent with staff's recommendation -or- does the Planning Commission recommend a condition to require a right turn lane at this intersection, consistent with ODOT's recommendation?

N. Does the Planning Commission recommend the proposed future street layout north of Ortiz Street as proposed by the applicant -or- does the Planning Commission recommend a street stub and/or pedestrian connection to the north in the vicinity of where Knapp Street intersects with Ortiz Street?

O. Does the Planning Commission recommend that additional vegetation is planted between the sound wall and the sidewalk along Highway 26 to make it more pedestrian friendly and to soften the large concrete wall?

P. Does the Planning Commission have any additional recommendations related to maintenance of the open space owned by a proposed Homeowner's Association (HOA)?

Q. Does the Planning Commission have any other recommendations related to modifying other findings or conditions?

R. Does the Planning Commission recommend approval of The Views PD?

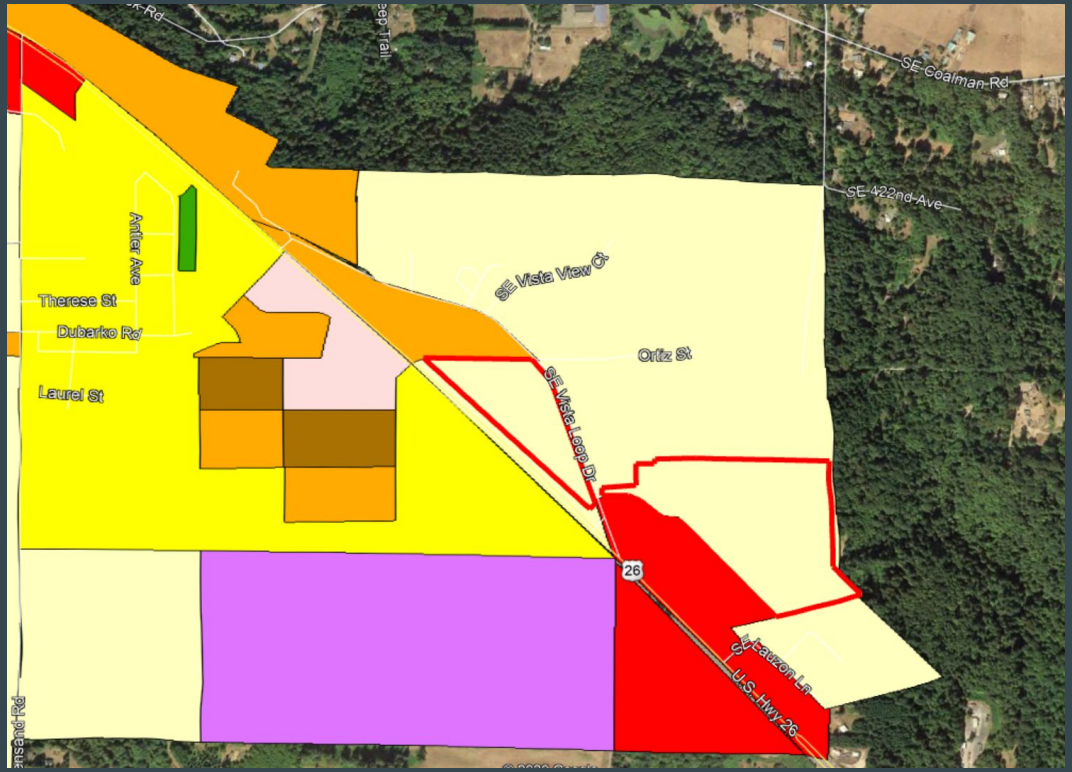
EXHIBIT DD

The Views PD

Planning Commission 11/23/2020

Vicinity Map

Zoning Map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Antler Ave
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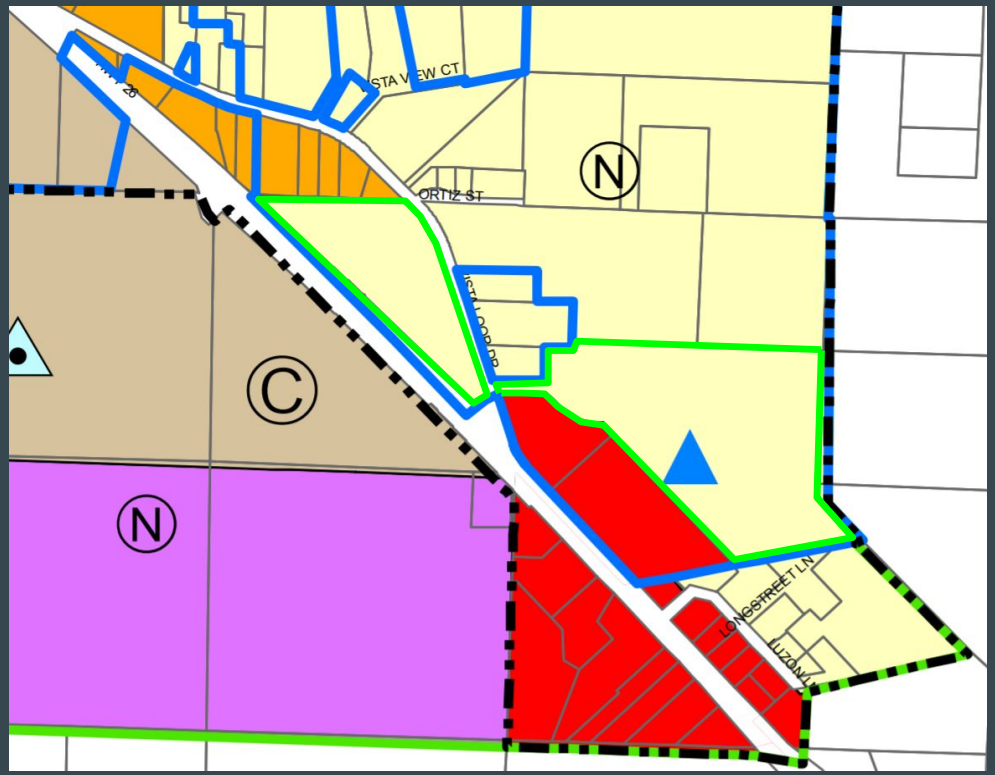
Dubarko Rd
Laurel St
SE Vista View Dr
Ortiz St
SE Vista Loop Dr
26
U.S. Hwy 26
N

Comprehensive Plan Map



Request

The applicant is requesting the following:

- Planned Development
- Zone map amendment
- Subdivision
- Special Variances
- FSH Overlay
- Tree removal

Background on a Planned Development

- Both a development type and a legal process

Background on a Planned Development

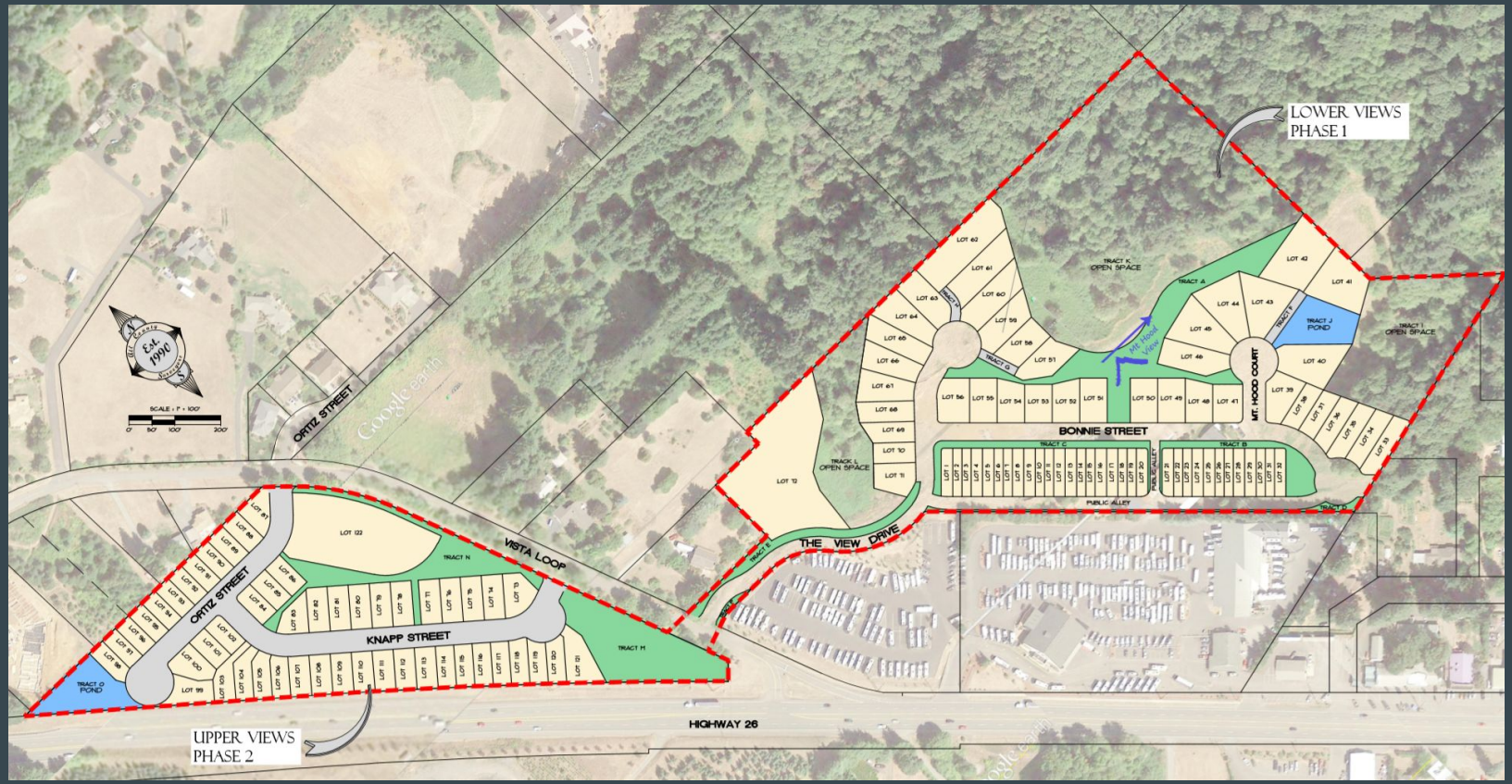
- Both a development type and a legal process
- Intent:
  - Mixture of housing types and densities
  - Flexibility in site planning and land use
  - Encourage environmental conservation
  - Coordination of building form
  - Provide common recreation areas

Background on a Planned Development

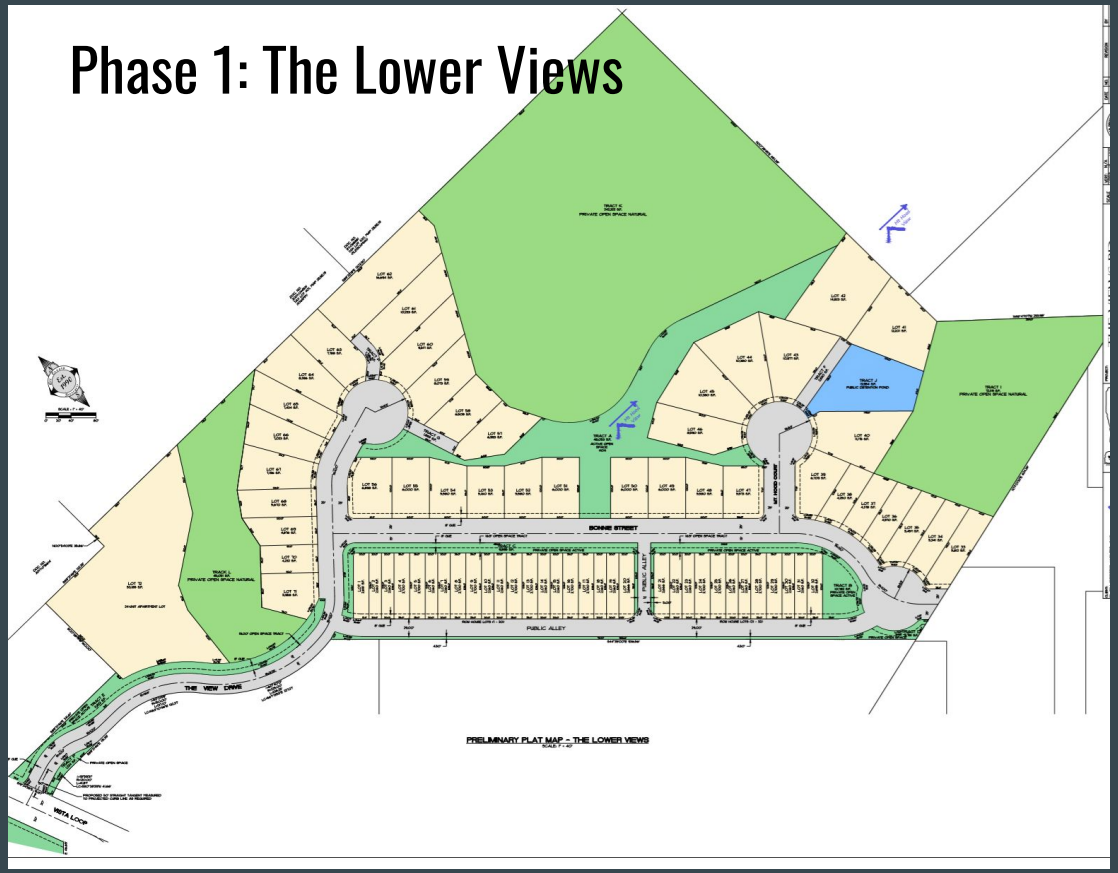
- Both a development type and a legal process
- Intent:
  - Mixture of housing types and densities
  - Flexibility in site planning and land use
  - Encourage environmental conservation
  - Coordination of building form
  - Provide common recreation areas
- Trade off: implementing “outstanding design elements” which may not be explicitly supported by the development code.

Background on a Planned Development

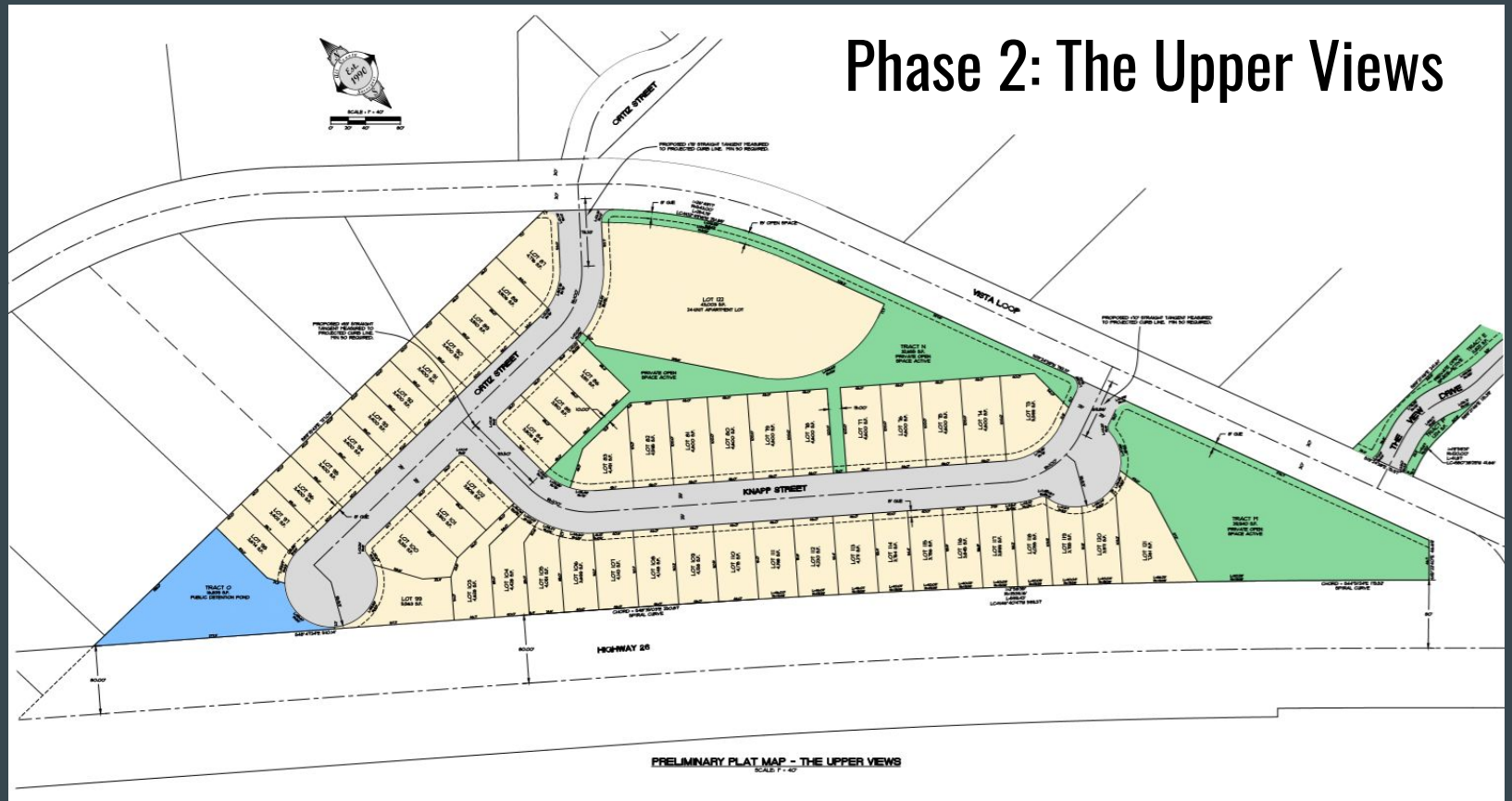
- Both a development type and a legal process
- Intent:
  - Mixture of housing types and densities
  - Flexibility in site planning and land use
  - Encourage environmental conservation
  - Coordination of building form
  - Provide common recreation areas
- Trade off: implementing “outstanding design elements” which may not be explicitly supported by the development code.
- Applicant is allowed to modify quantitative code requirements


LOWER VIEWS
PHASE 1
UPPER VIEWS
PHASE 2
ORTIZ STREET
VISTA LOOP
KNAPP STREET
THE VIEW DRIVE
BONNIE STREET
MT. HOOD COURT
HIGHWAY 26
TRACT K
OPEN SPACE
TRACT I
OPEN SPACE
TRACT J
POND
TRACT L
OPEN SPACE
TRACT O
POND
TRACT N
TRACT M
TRACT A
TRACT B
TRACT C
TRACT D
TRACT E
TRACT F
TRACT G
TRACT H
PUBLIC ALLEY
Mt. Hood View
Est. 1990
SCALE : 1" = 100'
0' 50' 100' 200'

Phase 1: The Lower Views



Phase 2: The Upper Views



Zone Map Amendment

- 17.64.70: “When a Planned Development project has been approved, the official Zoning Map shall be amended by ordinance to denote the new ‘PD’ Planned Development overlay designation.”

Density

- Under current SFR zoning, a minimum of 63 and a maximum of 159 single family homes are allowed.
- The applicant is requesting a density increase as part of the PD process:
  - 17.64.40: “An increase in density of up to 25% of the number of dwelling units may be permitted upon a finding that the Planned Development is outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning.”
  - The applicant is requesting a 6% density increase

“Outstanding” Design Elements

- No lots are platted within FSH
- Mix of housing types and densities
- Private recreation tracts integrated into development
- Proposed allee of trees along majority of street frontages
- Sound wall along Highway 26
- Open space and active recreation areas totalling more than is required

Additional PD Code Deviation Requests

- Rowhouses and multi-family housing
- Smaller lot sizes
- Smaller minimum average lot width
- Smaller interior side yard setbacks
- Smaller rear yard setbacks
- Longer block lengths

Special Variances

- Required for qualitative code deviations:
  - Front doors on SW side of The Upper Views facing internal streets rather than Highway 26.
  - Removing sidewalk from various street frontages.

Special Variances

- SDC Section 17.82.20 says that homes abutting a transit street must face the transit street.
- Lots 99 and 103-121 in The Upper Views abut Highway 26
- Applicant is requesting that these homes face the internal streets.

Special Variances

- SDC Section 17.84 requires sidewalks and planter strips along streets.
- The applicant is requesting to waive this requirement along the south side of The View Drive.
- The applicant is requesting to install a meandering walkway along Bonnie Street, The View Drive, and Vista Loop in lieu of sidewalks.

Phasing

- Phase 1: The Lower Views
- Phase 2: The Upper Views

Phasing

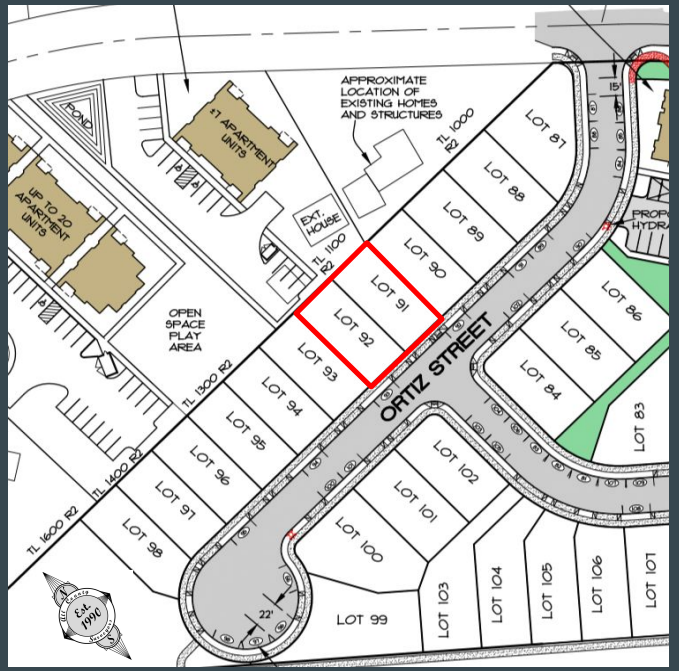
- Phase 1: The Lower Views
- Phase 2: The Upper Views
- Parks fee-in-lieu:
  - Staff recommends the parks fee in-lieu are paid prior to each phase being recorded. The parks fee in-lieu for phase one would be the calculation for Lots 1-72 (The Lower Views). The parks fee in-lieu for phase two would be the calculation for Lot 73 – 122 (The Upper Views).
- Expiration dates:
  - Staff recommends each phase is allowed two years to complete plating requirements, with the two-year clock starting for the second phase at the recording date of phase one.

Right Turn Lane

- ODOT recommends a right turn lane from Highway 26 onto Vista Loop Drive.
- The applicant claims that because recent improvements have already been made to support residential development, additional improvements aren't necessary.

Future Street Layout

- Staff recommends street stub for Knapp Street or pedestrian connection through Lots 91 and 92 to create connectivity for future development.



Homeowners' Association

- Applicant is proposing that an HOA be responsible for upkeep and maintenance of open space tracts and meandering sidewalk.
- In the event that the HOA dissolves, responsibility will be transferred to adjacent property owners.
- If maintenance of these areas is not sufficiently performed, the City can maintain them and charge the appropriate party.

Sound Wall

- 6 feet tall, made from Verti-Crete
- Staff recommends planting additional vegetation between sound wall and Highway 26 sidewalk

Parks and Trails Advisory Board Recommendations

- Trail easement to accommodate 2021 Parks Master Plan trails as a condition for approval
- Accept parks fees in lieu based on actual density, not zone density
- Concern about HOA eventually dissolving

Fair Housing Council of Oregon Recommendation

- Add additional Goal 10 analysis

Public Comments

- **15 public comments as of Nov. 23**
- Common concerns:
  - Encroaching development in FSH
  - Capacity of fire, police, and public utilities
  - Increased traffic on already busy streets
  - Removal of wild animal habitat
  - Significant increase in housing density
  - Changing the character of the area
  - Lowering value of land
  - Lack of amenities for future residents
  - Safety walking along streets

Questions to Consider

- Is the proposed Planned Development outstanding in planned land use and design, and does it provide exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning?
  - PD requests include density bonus, rowhousing and multi-family housing, smaller lot sizes, and longer block lengths.
- Does Planning Commission recommend approval for special variance requests?
  - Eliminating sidewalk along south side of The View Drive and utilizing meandering walkways throughout development.
  - Permitting homes to face internal streets rather than Highway 26.

Questions to Consider

- Does Planning Commission recommend approval of phasing?
  - Affects both parks fees-in-lieu as well as expiration dates
- What is Planning Commission's recommendation for a right turn lane from Highway 26 onto Vista Loop Drive?
- What is Planning Commission's recommendation for extending Knapp Street?
- Does Planning Commission recommend additional planting requirements along sound wall?
- Does the Planning Commission have any additional recommendations related to maintenance of the open space owned by a proposed HOA?
- Does the Planning Commission have any other recommendations related to modifying other findings or conditions?

EXHIBIT EE

Sandy Planning Commission
Regular Meeting
Monday, November 23, 2020

Chairman Crosby called the meeting to order at 7:02 p.m.

1. MEETING FORMAT NOTICE: Instructions for electronic meeting

2. ROLL CALL

Commissioner Carlton – Present
Commissioner Lesowski – Present
Commissioner Maclean-Wenzel – Present
Commissioner Logan – Excused
Commissioner Mobley – Present
Commissioner Mayton – Present
Chairman Crosby – Present

Others present: Development Services Director Kelly O'Neill Jr., Senior Planner Emily Meharg, Associate Planner Shelley Denison, City Attorney Chris Crean

3. APPROVAL OF MINUTES

3.1 APPROVAL OF MINUTES – October 26, 2020
Motion: Approve the Planning Commission minutes for October 26, 2020 with corrections noted. The correction was to change the signature line from Crosby to Carlton.
Moved By: Commissioner Lesowski
Seconded By: Commissioner Mayton
Yes votes: All Ayes
No votes: None
Abstentions: Chairman Crosby
The motion passed.

4. REQUESTS FROM THE FLOOR – CITIZEN COMMUNICATION ON NON-AGENDA ITEMS:

None.

5. DIRECTOR'S REPORT
Kelly O'Neill Jr. summarized the director's report. The December Planning Commission meeting will be dependent on the outcome of tonight's meeting. The January meeting will have chair/vice chair appointments, House Bill 2001 code changes, Rogue Fabrication zone change, and Sandy High School batting facility. O'Neill, Crosby, and three council members will meet with the Planning Commission candidates the first week of December.

Carlton asked about vet clinic project. O'Neill stated the vet clinic owner purchased the property and had a pre-app with the intention of eventually constructing a new veterinary clinic for Barlow Trail Veterinary Clinic.

Carlton asked about a project near the library where an accountant used to be. O'Neill thinks it will be a new medical clinic but likely won't trigger land use review.

DRAFT

Maclean-Wenzel thanked staff for the land use application matrix on the website. O'Neill mentioned there will be an interactive map in the future too.

6. COMMISSIONER'S DISCUSSION
Commissioner Carlton asked a question about the new Planning Commission members and having three public hearings for their first meeting and whether there would be any training. O'Neill will send new members a book and info from Beery Elsner and Hammond (BEH). John Morgan might do a training with Council and the Planning Commission in late winter/early spring through his training program, the Chinook Institute. Carlton suggested starting the January meeting early to get acquainted.

7. NEW BUSINESS:

7.1 The Views PD (20-028 SUB/TREE/FSH/PD/VAR):
Chairman Crosby opened the public hearing on File No. 20-028 SUB/TREE/FSH/PD/VAR at 7:17 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 Commission. Lesowski mentioned Brad Picking, who owns one of the parcels, is a good friend of his, but they haven't discussed the proposal, he has nothing to gain financially, and Picking is not the developer. Attorney Crean stated he is not concerned about bias.

Crosby stated the Planning Commission's role is to make a recommendation to Council.

Staff Report:
Associate Planner Shelley Denison summarized the staff report and provided an in-depth presentation related to the Planned Development (PD) request. Denison presented an overview of the proposal and focused on the zone map amendment, PD, and special variances. Denison outlined the requested density bonus and "outstanding" design elements as well as the quantifiable deviations the applicant is requesting as part of the PD process. Denison listed comments that were received between the PC hearing and when the staff report was published. Denison finished with a review of questions for the PC to consider. O'Neill mentioned the documents on the website, which include the staff report published on November 16, additional documents/comments received after the staff report was published, additional documents from the applicant that weren't included with the original staff report, requested modifications from the applicant received on November 22, and the letter from the Fair Housing Council of Oregon received on November 23.

Applicant Testimony:
Tracy Brown
17075 Fir Drive
Sandy, OR 97055
Mr. Brown introduced the applicant's team.

Mac Even
PO Box 2021
Gresham, OR 97030
Mr. Even introduced himself and stated he wants to do a PD to provide a mix of housing types and protect the FSH overlay area. The intent of the proposal is that amenities will be for the surrounding community, not just an exclusive community. A management company will manage

the proposed Homeowner's Association (HOA). Mr. Even intends to retain multi-family units so he has a vested interest in the HOA succeeding.

Mr. Brown presented a slide show summarizing the applicant's proposal and showing images of the proposed site amenities and townhomes.

Ray Moore
All County Surveyors and Planners, Inc.
PO 955
Sandy, OR 97055
Mr. Moore noted that the on-street parking requirement will be exceeded by 67 parking spaces, including a widened public alley that will provide public parking the entire length. He pointed out that the meandering sidewalk doesn't have any driveways along it. The Highway 26 right-turn lane improvements are not triggered by this development.

O'Neill noted that it's not typical for staff to not follow an ODOT recommendation but in this case, staff feels the current property owner, Brad Picking, already met the requirements of ODOT for future development with a previous application two years ago. Carlton asked what ODOT could do if the Planning Commission and ultimately the City Council doesn't include a condition imposed by ODOT. O'Neill stated ODOT could appeal the decision, but beyond that not much else. Crean agreed with O'Neill and stated that ODOT would have the same appeal rights as anyone else with standing. Lesowski states you need to drop your speed significantly to make a right turn onto Vista Loop Drive from Highway 26. Mobley stated he reviewed all the info and that the slip lane was removed for a safety improvement specified by ODOT and that the objective standards for when a right turn is needed is not warranted based on the applicant's analysis. Maclean-Wenzel asked how soon after that intersection does the speed limit drop. Lesowski said it's after the other end of Vista Loop Drive.

Proponent Testimony:
None.

Opponent Testimony:
Mary Dyami
41625 SE Vista Loop Drive
Sandy, OR 97055
Ms. Dyami stated she has not seen anything about the apartments, which is their biggest issue. Apartments could block their view and jeopardize their American dream. Three houses on Vista Loop Drive are outside the city limits and will lose everything they moved there for. She stated she worked for Johnson RV and you need to come almost to a complete stop to make a right turn onto Vista Loop Drive. Requests multi-family is not approved. Requests a continuance so they can talk to neighbors.

John Barmettler
41613 SE Vista Loop
Sandy, OR 97055
Mr. Barmettler said he is concerned about multi-family lot in the Lower Views. Not clear about how many multi-family homes are being proposed. Moved to Sandy because it was a small town in a somewhat rural area but has since seen a trend to build as many houses as possible, which seems contrary to the Sandy look. New homes will increase foot traffic on Vista Loop Drive. Daily traffic back-ups on and off of Highway 26 from Vista Loop Drive is a concern. Not convinced parking won't back up onto Vista Loop Drive. Can utilities handle the load? Rental

properties will destroy nature and value of existing homes. Completely not in favor of the proposal. Too many houses, too close together.

Todd Springer
18519 Ortiz Street
Sandy, OR 97055
Mr. Springer said he agrees with prior residents. Asked the Planning Commissioners to drive down Vista Loop Drive and feel lumps in the road and drive down it at night because it's extremely dark. Designed for SFR and that's what it should remain.

Randy Olson
18515 Ortiz Way
Sandy, OR 97055
Mr. Olson understands why they're trying to build and expand and that change will happen. Intersection of Ortiz Street and Vista Loop Drive will be a nightmare. Vista Loop Drive is a terrible road. Will affect existing residents adversely. Bought hose to retire in and didn't expect 100 plus houses to be added. If ODOT says Highway 26 and Vista Loop Drive needs to be changed, it does. Intersection is dangerous now, especially if there's a second car. Parks are great, but parks will bring more people to an area that's already congested. This area was meant to be a calm neighborhood, not a busy city. Knows development can't be stopped but wants it to be a little more livable and less congested.

John Andrade
18509 Ortiz Street
Sandy, OR 97055
Mr. Andrade said he has concerns and would like to see the applicant meet the City code requirements. He is not in favor of the zoning change. Is intent to turn Sandy into Gresham? Mac and Tracy are romanticizing living in the proposed development. Why change zoning to little lots and a dissolved HOA that will be a burden on the city and taxpayers? Is Fire Department ok with this? Area has already been zoned. Is the only way to get things done in the city is to be a large developer and offset infrastructure costs by putting in small houses and impacting current residents?

Neutral Testimony:
None

Staff Recap:
Denison stated that the apartment design would be reviewed in a separate application. Granting a continuance as requested is up to the discretion of the Planning Commission. Denison clarified there are 122 lots proposed, 120 are proposed to have one single-family home each, while two of the lots are proposed to have apartment complexes, each with 24 units for a total of 168 dwelling units.

O'Neill stated that the Planning Commission has to grant a continuance if it's requested since it's the first evidentiary hearing. O'Neill explained that staff started working with applicant over 2 years ago on this proposal. The Sandy Development Code allows PDs in all zones and row-homes and multi-family are both allowed uses in PDs. Applicant could have come in with a typical SFR subdivision, but we probably would have lost some of the benefits being proposed. O'Neill explained that the applicant has the right to propose a PD so that's what staff needs to evaluate even if staff sympathizes with existing residents. Residents could lobby Council to improve Vista Loop Drive, but otherwise the mechanism for transportation improvements is

concurrent with development. O'Neill explained that if the City didn't grow, current utility rate payers would pay more money to construct the expansion on the sewage treatment plant. He also reminded everyone that the entire area near the proposal is in the UGB and will be developed at some point.

Applicant Rebuttal:
Tracy Brown asked Mike Ard to speak about traffic.

Mike Ard
17790 SW Dodson Drive
Sherwood, OR 97140
Ard stated that traffic volumes with a PD are lower than what would be expected with SFR development. He reminded everyone that the existing site would allow 159 single family homes. Ard explained that the proposal includes multi-family homes, which generate less traffic than single family homes. ODOT has specific warrants for when right-turn lane would be warranted. Any time there are fewer than 20 right-turn vehicles in an hour then a right-turn lane is not warranted. He explained that the volume of traffic in the outer lane doesn't even warrant a shoulder treatment.

Mr. Brown agreed a continuance needs to be granted and requested it be continued to the December 16 meeting.

Discussion:
Chairman Crosby brought up the continuance. Chris Crean stated they could continue the hearing, which would allow more public testimony at the next hearing, or they could close the public hearing and leave the written record open and meet again later to make a recommendation to Council. O'Neill stated the amount of additional staff work associated with closing the hearing and leaving the written record open was not worth the effort and staff would prefer continuing the hearing to allow additional verbal testimony. The Planning Commission proposed to continue the hearing to the December 16 meeting.

Mayton asked about the 120 single family home lots and the difference between row-homes and detached units. Denison explained detached homes are what we typically think of for a house and that while row-houses are attached they are considered single family homes. There will be 88 detached single family homes.

O'Neill stated that once HB 2001 is adopted (by June 2021), single family home zoning in medium-sized cities in Oregon will be over. The Views PD is proposing a lot of lots smaller than 7,500 sq ft. If lots were all kept at 7,500 sq ft, there would probably be the same number of units as there would likely be duplexes. Moving forward, larger lot sizes won't always mean it's just one single family home after HB 2001 is implemented. Chris Crean states law would allow a doubling in density, but that probably won't happen. Lesowski asked clarification about the 21 acres of buildable land and how many lots they could plat if lots were 7,500 square feet or greater. O'Neill mentioned there could be more development in the FSH Overlay. Carlton stated he wants to better understand the Planning Commission's decision space. For example, can the Planning Commission recommend 7.5 foot side yard setbacks instead of 5 feet? Crosby wondered how the Planning Commission should handle questions staff asked at the end of the staff report. O'Neill stated staff wants the Planning Commission's recommendations. Maclean-Wenzel wants clarification on whether the Planning Commission is going to have a discussion tonight or not. Maclean-Wenzel stated she heard the public's concerns and the Planning Commission is trying to follow existing code and do what's in the best interest of the community.

Maclean-Wenzel encouraged commissioners to visit the site. Crosby stated the Planning Commission will focus their attention on the questions at the send of the staff report at the next Planning Commission meeting. Lesowski suggested voting on each one. Crosby stated the Planning Commission could pass along recommendations to Council without making an overarching recommendation. Chris Crean stated that the Planning Commission's role is more advisory in this case. Lesowski wants to know how much latitude or flexibility the Planning Commission gets in their decision making on a Planned Development. O'Neill asked Chris Crean to put together a memorandum with the next staff report that states where the Planning Commission has authority to say no because they don't like it or where they need to find criterion to say no to a request. O'Neill asked if there's anything else the Planning Commission wants to see in a revised staff report. Denison asked the Planning Commission to think about the PD request fundamentally as the PD is inherently subjective. Mayton asked if the staff slide show is public record and if it's available for public viewing. Denison stated the Planning Commission can ask for the slideshow and O'Neill stated it will be part of the next staff report.

Motion: Motion to continue the public hearing to December 16, 2020.
Moved By: Commissioner Mobley
Seconded By: Commissioner Maclean-Wenzel
Yes votes: All Ayes
No votes: None
Abstentions: None
The motion passed at 9:50 p.m.

8. ADJOURNMENT
Motion: To adjourn
Moved By: Commissioner Maclean-Wenzel
Seconded By: Commissioner Mobley
Yes votes: All Ayes
No votes: None
Abstentions: None
The motion passed.

Chairman Crosby adjourned the meeting at 9:51 p.m.

_____
Chairman Jerry Crosby

Attest:

_____ Date signed:_____
Kelly O'Neill Jr., Development Services Director

DRAFT

39250 Pioneer Blvd
Sandy, OR 97055
503-668-5533

WHERE INNOVATION MEETS ELE

EXHIBIT FF

PLANNING COMMISSION STAFF REPORT
TYPE IV RECOMMENDATION TO THE CITY COUNCIL

NOTE: Text in red are new additions since the previous staff report dated November 16, 2020.

DATE: December 11, 2020

FILE NO.: 20-028 SUB/VAR/TREE/FSH/PD/ZC

PROJECT NAME: The Views PD

APPLICANT: Mac Even, Even Better Homes

OWNERS: Brad Picking, John Knapp

LEGAL DESCRIPTION: 25E 19, Tax Lots 200 and 500

The above-referenced proposal was reviewed concurrently as a Type IV planned development, subdivision, zoning map amendment, special variance, Flood and Slope Hazard (FSH) overlay review, and tree removal permit.

NOTE: The following exhibits, findings of fact and conditions (bold text) are to explain the proposal and assist the Planning Commission in forwarding a recommendation of approval, approval with conditions, or denial to the City Council.

EXHIBITS:

Applicant's Submittals:

A. Land Use Application
B. Project Narrative
C. Supplemental Narrative for Special Variance
D. Civil Plan Set
   - Sheet 1 – Cover Sheet and Preliminary Plat Map
   - Sheet 2 – Preliminary Plat Map: The Lower Views
   - Sheet 3 – Preliminary Plat Map: The Upper Views
   - Sheet 4 – Topographic Survey
   - Sheet 5 – Topographic Survey: The Upper Views
   - Sheet 6 – Tree Retention and Protection Plan
   - Sheet 7 – Tree Inventory List
   - Sheet 8 – Building Setbacks: The Lower Views
   - Sheet 9 – Building Setbacks: The Upper Views
   - Sheet 10 – Parking Analysis and Future Street Plan
   - Sheet 11 – Block and Street Dimensions
   - Sheet 12 – Street and Utility Plan: The Lower Views

- Sheet 13 – Street and Utility Plan: The Upper Views
- Sheet 14 – Grading and Erosion Control Plan: The Lower Views
- Sheet 15 – Grading and Erosion Control Plan: The Upper Views
- Sheet 16 – Sanitary Sewer Plan and Profile of Site
- Sheet 17 – Sanitary Sewer Plan and Profile of Site: The Lower Views
- Sheet 18 – Sanitary Sewer Plan and Profile of Site: The Upper Views

E. Preliminary Storm Drainage Report
F. Traffic Impact Study
G. Arborist Report
H. Wetland Determination Report
I. Geotechnical Report
J. Architectural Plans Booklet
K. The Views Proposed Homes
L. The Views Concept Plan
M. Lower Views Concept Plan
N. Upper Views Concept Plan
O. Plant Key
P. Plant Palette
Q. DSL Wetland Concurrence
R. Sound Wall Plans

Agency Comments:

S. John Replinger, Traffic Engineer (September 14, 2020)
T. Hassan Ibrahim, City Engineer (September 14, 2020)
U. Sandy Fire Marshall (September 15, 2020)
V. SandyNet (September 16, 2020)
W. ODOT (September 17, 2020)
X. Sandy Area Metro (September 21, 2020)
Y. Public Works Director (November 6, 2020)
Z. Parks & Trail Advisory Board (November 19, 2020)
AA. John Replinger, Traffic Engineer (November 30, 2020)

Additional Documents from Staff:

BB. Pre-application Notes from May 29, 2019
CC. Staff Report from November 23, 2020 PC Meeting
DD. PowerPoint Presentation (November 23, 2020)

Additional Submission Items from the Applicant:

EE. Email from Michael Robinson (September 23, 2020)
FF. Memo from Tracy Brown (November 22, 2020)
GG. Email from Michael Robinson (November 28, 2020)
HH. Supplemental Memo (December 9, 2020)
II. Responses to Staff Report Questions (December 9, 2020)
JJ. Sewer Capacity Letter from Ray Moore, PE (December 9, 2020)
KK. Sewer Capacity Letter from Michael Pinney, PE (December 9, 2020)
LL. Right Turn Lane Memo from Michael Ard, PE (December 9, 2020)
MM. ODOT Slip Lane Removal Plans (December 9, 2020)

Public Comments:

NN. Bonnie Eichel (October 2, 2020)
OO. Jerry Carlson (October 29, 2020)
PP. John and Linda Bartmettler (October 29, 2020)
QQ. Dustin and Bonnie Bettencourt (November 3, 2020)
RR. Georgina Sutherland (November 3, 2020)
SS. Gerald and Judith Dittbenner (November 5, 2020)
TT. Tony and Kim Turin (November 6, 2020)
UU. John and Christine Andrade (November 7, 2020)
VV. Todd Springer (November 8, 2020)
WW. John Eskridge (November 9, 2020)
XX. Dan and Janine Walton (November 19, 2020)
YY. Ed Dewart (November 20, 2020)
ZZ. G. Manley (November 20, 2020)
AAA. Bonnie and Robert Eichel (November 20, 2020)
BBB. Georgina Sutherland (November 20, 2020)
CCC. Jason and Mary Dyami (November 24, 2020)
DDD. Chris Anderson and Jason Shuler (December 7, 2020)
EEE. Kristina Molina (December 9, 2020)
FFF. John Andrade (December 10, 2020)

FINDINGS OF FACT

General

1. These findings are based on the applicant's submittals received on June 26, 2020, July 29, 2020, October 28, 2020, November 22, 2020, and December 9, 2020. Staff deemed the application incomplete on July 24, 2020. The applicant submitted additional materials on July 29, 2020. The application was deemed complete on August 5, 2020 and initially a 120-day deadline of December 3, 2020 was established. However, it was later determined this application included a comprehensive plan map amendment and therefore the 120-day deadline was determined to not apply. The applicant extended the 120-day deadline by 56 days (the time between September 28 and November 23). With the new applicant submissions received on October 28, 2020 it was determined a comprehensive plan map amendment is no longer needed. The revised 120-day deadline for this application was January 28, 2021, but as explained in this document the applicant has extended the 120-day clock to March 1, 2021 (Exhibit GG).

2. In accordance with Section 17.64.70, "When a Planned Development project has been approved, the official Zoning Map shall be amended by ordinance to denote the new 'PD' Planned Development overlay designation. Such an amendment is a ministerial act, and Chapter 17.26, Zoning District Amendments, shall not apply when the map is amended to denote a PD overlay."

3. The public hearing for The Views PD was originally scheduled for September 28, 2020. On September 23, 2020 the applicant's attorney, Michael Robinson with Schwabe Williamson

and Wyatt, requested The Views PD agenda item to be removed from the September 28 Planning Commission meeting and instead included on the November 23 Planning Commission meeting agenda. The request was largely made so the applicant could revise some of their proposal as reflected in the exhibits.

4. This report is based upon the exhibits listed in this document, as well as agency comments and public testimony. This code analysis is based on the code that was in effect at the time of the application submission on June 26, 2020 and therefore the code modifications with File No. 20-023 DCA do not apply.

5. The subject site is approximately 32.87 acres. The site is located east and west of the eastern end of Vista Loop Drive, east of Highway 26.

6. The parcel has a Comprehensive Plan Map designation of Low Density Residential and a Zoning Map designation of SFR, Single Family Residential.

7. The applicant, Even Better Homes, requests a Type IV combined planned development review to include both conceptual and development plan reviews. A planned development is a specific kind of development which allows for integrating different kinds of land uses. In this case, the applicant is proposing using mixed housing types along with recreational amenities. Additionally, in a planned development application, the applicant can request that certain code requirements be waived in order to provide outstanding design elements while still meeting the intent of the code. The site is divided into two sections: the "Lower Views" on the east side of the site and the "Upper Views" on the west side of the site.

8. The applicant is proposing a 122 lot development with 120 single family home lots and 2 multi-family home lots to accommodate a total of 48 multi-family units. Additionally, the applicant is proposing open space and stormwater detention tracts. The detailed acreage with associated tract letters is as follows:

Tract Letter	Purpose	Acres
Lower Views		
A	Private active open space	1.10
B	Private active open space	0.25
C	Private active open space	0.23
D	Private open space	0.13
E	Private active open space	0.28
F	Private drive	0.06
G	Private drive	0.04
H	Private drive	0.04
I	Private open space	1.66
J	Public stormwater detention pond	0.32
K	Private open space	5.56
L	Private open space	1.03
P	Private open space	0.03
Upper Views		

M	Private active open space	0.92
N	Private active open space	0.75
O	Public stormwater detention pond	0.39

9. Notification of the proposed application was originally mailed to affected agencies on September 8, 2020 and to affected property owners within 500 feet of the subject property on September 8, 2020 for the originally scheduled public hearing on September 28, 2020. A legal notice was submitted to the Sandy Post on September 8, 2020 to be published on September 16, 2020 informing residents of the public hearings.

10. On September 24, 2020 staff mailed a notice to affected property owners within 500 of the subject property stating that the public hearing scheduled for September 28, 2020 was postponed to November 23, 2020.

11. On October 21, 2020 staff mailed a notice to affected property owners within 500 of the subject sites reminding people of the November 23, 2020 public hearing. On November 2, 2020 staff submitted a legal notice to the Sandy Post to be published on November 11, 2020 informing residents of the Planning Commission public hearing.

12. On November 2, 2020 staff provided DLCD with a revised Plan Amendment (PAPA) notice.

13. Agency comments were received from the City Transportation Engineer, City Engineer, Public Works, SandyNet, Public Works, and Sandy Area Metro.

14. At publication of this staff report ~~ten~~ 19 written comments from the public were received. These can be found in Exhibits NN through FFF.

15. Public comments against the proposed development include the following:

    I. Encroaching development in FSH
    II. Capacity of fire, police, and public utilities
    III. Increased traffic on already busy streets
    IV. Removal of wild animal habitat
    V. Significant increase in housing density
    VI. Changing the character of the area
    VII. Lowering the value of the land
    VIII. Lack of amenities for future residents
    IX. Safety walking along streets

16. Public comments for the proposed development include the following:

    I. Increased public revenue
    II. The proposed development is by a local developer rather than an “outside” developer

17. This application was reviewed by the Planning Commission on November 23, 2020. At that meeting, the Commission granted a continuance as requested by a resident. This application will again be reviewed by the Planning Commission on December 16, 2020.

18. Since the previous staff report dates November 16, 2020, the applicant requested edits to specific conditions in this report. Staff reviewed the proposed edits and determined that they were appropriate as they further clarified the applicant's proposal (Exhibit FF).

19. On November 28, 2020, the applicant granted an extension of the 120-day application review period (clock) by 32 days. This changes the 120-day deadline from January 28, 2021 to March 1, 2021. This is to accommodate the City Council hearing for this application on February 16, 2021 (Exhibit GG).

20. On December 9, 2020, the applicant submitted additional information related specifically to the following: Applicant responses to the questions at the end of this staff report (Exhibit II); Engineering memos related to sanitary sewer capacity (Exhibits JJ and KK); and an Engineering memo related to the ODOT-requested right turn lane from Highway 26 onto Vista Loop Drive (Exhibit LL). The applicant also provided an explanatory cover memo (Exhibit HH) and an ODOT document related to the closure of the slip lane from Highway 26 to Vista Loop Drive (Exhibit MM).

17.26 – Zoning District Amendments

21. This chapter outlines the requirements for zoning district amendments. In accordance with Section 17.64.70, "When a Planned Development project has been approved, the official Zoning Map shall be amended by ordinance to denote the new 'PD' Planned Development overlay designation. Such an amendment is a ministerial act, and Chapter 17.26, Zoning District Amendments, shall not apply when the map is amended to denote a PD overlay."

17.30 – Zoning Districts

22. The subject site is zoned SFR, single family residential.

23. The total gross acreage for the entire property is 32.87 acres. After removal of the right-of-way and proposed stormwater tracts, the net site area (NSA) for the subject property is reduced to 27.475 net acres. Additionally, the site also contains a restricted development area of 279,768 square feet. When this is subtracted from the net site area, the resulting unrestricted site area (USA) is 21.03 acres.

24. The underlying zoning district allows a minimum of 3 and a maximum of 5.8 dwelling units per net acre of unrestricted site area. Minimum density = 21.03 x 3 = 63.03, rounded down to 63 units. Maximum density is the lesser of the two following formulas: NSA x 5.8 or USA x 5.8 x 1.5 (maximum allowable density transfer based on Chapter 17.60).

    I. 27.475 x 5.8 = 159.11, rounded to 159 units
    II. 21.03 x 5.8 x 1.5 = 182.787, rounded to 183 units

25. As a result of these calculations, the density range for the subject property is a minimum of 63 units and a maximum of 159 units.

26. The applicant is requesting a density bonus in conformance with Chapter 17.64, Planned Developments. The request is for 168 dwelling units. That request is discussed in Chapter 17.64 of this document.

17.34– Single Family Residential (SFR)

27. Section 17.34.30 contains the development standards for this zone. The applicant is requesting multiple modifications to these development standards as part of the PD process. These modifications are outlined in the review of Chapter 17.64 below.

28. Section 17.34.40(A) requires that water service be connected to all dwellings in the proposed subdivision. Section 17.34.40(B) requires that all proposed dwelling units be connected to sanitary sewer service. Section 17.34.40(C) requires that the location of any real improvements to the property must provide for a future street network to be developed. Section 17.34.40(D) requires that all dwelling units must have frontage or approved access to public streets. The applicant proposes to meet all of these requirements. Each new residence constructed in the subdivision will gain access from a public street. However, six lots are proposed to gain access from three separate private drives connected to a public street.

29. Section 17.34.50(B) requires that lots with 40 feet or less of street frontage shall be accessed by a rear alley or shared private driveway. All of the attached single family homes have less than 40 feet of street frontage but are accessed by a rear alley. Many of the detached single family home lots do not have 40 feet of street frontage, but this is a modification being requested by the applicant as part of the PD process as reviewed in Chapter 17.64 below.

17.56 – Hillside Development

30. The applicant submitted a Geotechnical Report (Exhibit I) showing that the subject site contains a small area of slope in the Lower Views exceeding 25 percent. **All recommendations in the conclusions and recommendations section of the Geotechnical Report (Exhibit I) shall be conditions for development.**

17.60 – Flood and Slope Hazard (FSH) Overlay District

31. Section 17.60.00 specifies the intent of the Flood and Slope Hazard (FSH) Overlay District, which is to promote the public health, safety and general welfare by minimizing public and private adverse impacts from flooding, erosion, landslides or degradation of water quality consistent with Statewide Planning Goal 6 (Air, Land and Water Resources Quality) and Goal 7 (Areas Subject to Natural Disasters and Hazards) and the Sandy Comprehensive Plan (SCP). **A violation of the provisions set forth in Chapter 17.60, FSH, (e.g. tree removal without permit authorization or native vegetation removal) may result in a fine as specified in Section 17.06.80.**

32. Section 17.60.20 contains permitted uses in the FSH overlay district and Section 17.60.40 contains the FSH review procedures. The applicant is not proposing any development within the FSH overlay district. **Any future development within the FSH overlay district shall require separate permit review. The applicant shall install tree protection fencing at the outer edge of the FSH overlay district prior to grading to ensure no development occurs within the FSH overlay area.** The submitted Tree Plan (Exhibit D, Sheet C6) states: "All

dead or dying trees or vegetation that is hazardous to the public may be removed in accordance with Section 17.60.20." However, the applicant did not provide any additional information regarding the potential location of dead or dying trees or vegetation that is hazardous to the public. Staff does not find how any vegetation would be hazardous to the public considering the area is not open to the public. **The applicant shall not remove any living or dead trees or vegetation that is hazardous to the public from the FSH area without applying for an FSH review for their removal.** The grading plan does not indicate any grading will take place in the FSH overlay area, so staff assumes the applicant is not proposing to grade within the FSH. **The applicant shall not perform any grading activities or cut or fill in the FSH overlay area without applying for an FSH review for the grading/cut and fill.** The code does not allow removal of native vegetation from the FSH overlay nor does it allow planting non-native vegetation in the FSH overlay. **The applicant shall not remove any native vegetation from the FSH overlay area. The applicant shall not plant any non-native vegetation in the FSH overlay area.**

33. Section 17.60.30 outlines required setbacks for development around FSH areas. According to the topographic survey submitted with the application dated June 24, 2020 (Exhibit D, Sheets C4 and C5), no development is proposed within any of the required setback areas.

34. Section 17.60.50 contains requirements for special reports, including a hydrology and soils report, a grading plan, and a native vegetation report. The applicant submitted a Grading Plan (Exhibit D, Sheets C14 and C15) and a Wetland Delineation Report by Schott and Associates, LLC dated February 17, 2020 (Exhibit H) as well as DSL concurrence for the wetland report (Exhibit Q). The applicant did not submit a native vegetation report. The Director may exempt Type II permit applications from one of more of these reports where impacts are minimal, and the exemption is consistent with the purpose of the FSH overlay zone as stated in Section 17.60.00.

35. Section 17.60.60 contains approval standards and conditions for development in the restricted development areas of the FSH overlay district. The applicant's narrative (Exhibit B) did not address any of the criteria in Section 17.60.60.

36. Section 17.60.60(A.1) pertains to cumulative impacts and states "Limited development within the FSH overlay district, including planned vegetation removal, grading, construction, utilities, roads and the proposed use(s) of the site will not measurably decrease water quantity or quality in affected streams or wetlands below conditions existing at the time the development application was submitted." The applicant submitted a wetland delineation report along with concurrence from DSL (Exhibits H and Q) for tax lot 200. The wetland report identifies two wetlands and two streams on tax lot 200; one wetland and one stream are located in proposed Tract K and one wetland and one stream are located in proposed Tract L.

37. Section 17.60.60(A.2) pertains to impervious surface area and states, "Impervious surface area within restricted development areas shall be the minimum necessary to achieve development objectives consistent with the purposes of this chapter." **No impervious surfaces shall be located within the restricted development area.**

38. Section 17.60.60(A.3) pertains to construction materials and methods and states, "Construction materials and methods shall be consistent with the recommendations of special reports, or third-party review of special reports." **Future construction or development within the FSH overlay district shall require separate FSH review.**

39. Section 17.60.60(A.4) pertains to cuts and fills and states "Cuts and fills shall be the minimum necessary to ensure slope stability, consistent with the recommendations of special reports, or third-party review of special reports." The grading plan does not show any proposed grading within the FSH overlay area. **Future grading or other development activity within the FSH overlay district shall require separate FSH review.**

40. Section 17.60.60(A.5) pertains to minimizing wetland and stream impacts and states "Development on the site shall maintain the quantity and quality of surface and groundwater flows to locally significant wetlands or streams regulated by the FSH Overlay District." The applicant is proposing to add additional stormwater to the outflow in Tract L. **The applicant shall update the Geotech Report or submit an addendum to the Geotech Report that provides analysis of the new stormwater discharge.**

41. Section 17.60.60(A.6) pertains to minimizing loss of native vegetation and states "Development on the site shall minimize the loss of native vegetation. Where such vegetation is lost as a result of development within restricted development areas, it shall be replaced on-site on a 2:1 basis according to type and area. Two native trees of at least 1.5-inch caliper shall replace each tree removed. Disturbed understory and groundcover shall be replaced by native understory and groundcover species that effectively covers the disturbed area." The applicant is not proposing to remove any trees from the FSH overlay area nor is the applicant proposing to remove any native vegetation from the FSH overlay area. To better protect the vegetation within the FSH overlay area, **the applicant shall install tree protection fencing at the outer edge of the FSH overlay district**. **The applicant shall not damage or remove any native vegetation within the FSH overlay district. The applicant shall replace any disturbed understory or groundcover with native understory or groundcover species that effectively cover the disturbed area. The applicant shall retain a qualified arborist on-site for any work done within the critical root zone (1 foot per 1 inch DBH) of retention trees including those within the FSH area to ensure minimum impact to trees and native vegetation.**

42. Section 17.60.90 discusses water quality treatment facilities. The proposed detention ponds (Tracts J and O) are not located within the mapped FSH overlay area.

43. Section 17.60.100 contains density transfer provisions. Due to the density calculation from Chapter 17.30, this site does not qualify for density transfer under Chapter 17.60.

17.64 – Planned Developments

44. Chapter 17.64 contains regulations related to Planned Developments.

45. Section 17.64.10 allows for combined review of a Conceptual Development Plan and a Detailed Development Plan. This section requires city approval of both conceptual and detailed development plans and allows for "combined review" of both types of plans. This

application is for both conceptual and detailed development plan approval as provided in Section 17.64.10(A). The applicant has met all application requirements for concept and detailed development plan review, as evidenced by the finding that the application was deemed complete on August 5, 2020.

46. The Sandy Development Code does not contain specific language identifying the process for completing a combined review, but rather details the specifics of individual conceptual and detailed reviews.

47. Section 17.64.30(A) states that dimensional and/or quantitative standards of the Sandy Development Code may be varied through the PD review process. The Development Services Director advised the applicant to prepare a detailed list of "modifications" to SDC standards. The applicant believes that the unique nature of the site and amenities offered as part of the PD application warrant this flexibility. The applicant is requesting the following modifications to the development code:

    a. Section 17.34.10 lists permitted uses in the Single Family Residential zoning district. The applicant is proposing rowhouses and multifamily dwellings which are not listed as permitted outright uses.

    b. Section 17.34.30 requires lot sizes in the Single Family Residential zoning district to be at least 7,500 square feet. The applicant is proposing a variety of lot sizes: Of the single family detached lots, the applicant is proposing 50 lots between 3,400 and 4,999 square feet; 13 lots between 5,000 and 5,999 square feet; 12 lots between 6,000 and 7,499 square feet, and 13 lots greater than 7,500 square feet. Of the lots greater than 7,500 square feet, one is greater than 15,000 square feet, which is the maximum lot size allowed under Section 17.100.220(B) without needing to arrange lots to allow further subdivision. The single family attached lots range in size from 2,160 to 2,695 square feet.

    c. Section 17.34.30 requires a minimum average lot width to be 60 ft. The applicant is requesting a waiver to this requirement. Given that many lots do not meet the 7,500 square foot requirement, the applicant argues that this requirement is not possible to meet.

    d. Section 17.34.30 requires interior yard setbacks of 7.5 feet. The applicant is requesting that this be reduced to five (5) feet on all lots.

    e. Section 17.34.30 requires that rear yard setbacks be 20 feet. The applicant is requesting that this be reduced to 10 feet for lots 47-56 in the Lower Views and 15 feet for lots 84-86 and 88-102 in the Upper Views.

    f. Section 17.100.120 requires a 400 foot maximum block length. The applicant is requesting three variances to this: a 691 foot block length on The Views Drive from Vista Loop Drive to Bonnie Street; a 665 foot block length on the north side of Bonnie Street; and an 805 foot block length on Knapp Street from Vista Loop Drive to Ortiz Street. According to the applicant, these block lengths are necessary to

accommodate for the site layout.

48. Section 17.64.30(B) allows for a planned development to be established on any parcel of land, or on more than one parcel of land if those parcels are abutting. The subject property contains two abutting parcels.

49. Section 17.64.40 states that: "The maximum number of allowable dwelling units shall be the sum of densities allowed by the underlying zone(s) unless an increase is authorized as otherwise allowed in this chapter." The applicant has requested an increase in density. Subsection A, related to "residential zones," calculates allowable density in planned developments based on "useable site area, exclusive of streets." According to density calculations earlier in this document the allowable density for this planned development (without a density increase) ranges from 63 to 159 units. Subsection C states: "An increase in density of up to 25% of the number of dwelling units may be permitted upon a finding that the Planned Development is outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning." The applicant proposes to increase the total number of units to 168, which is a six (6) percent density increase. The applicant states that this density increase is justified given the nature of the development. The narrative (Exhibit B) states: "As detailed on submitted plans, 19.5 percent (6.42 acres) of the 32.87 acre property is contained within restricted development areas and the Planned Development proposal includes the designation of 36.3 percent (11.92 acres) of the site as open space. In addition, no part of any lot will be platted within the FSH or a restricted development area. Other features of the proposal include a mix of housing types and densities; a request to vary development standards to promote flexibility in site planning; an innovative townhouse design exceeding the residential design standards including a two car rear-loaded detached garage and open courtyard; and constructing an array of recreational amenities for the use and enjoyment of the residents of the Planned Development. As a package the applicant believes there is sufficient justification to find that the Planned Development is outstanding in planned land use and design and provides exceptional advantages in living conditions and amenities not found in similar developments constructed in the SFR zone in order to justify this request." Staff finds the following elements provide advantages in living conditions not found in similar developments constructed under regular zoning:
    - No lots are platted within the FSH overlay.
    - There is a mix of housing types and densities which encourages inclusionary zoning.
    - The proposed private recreation areas (Tracts A, B, M, and N) integrated within the planned development (though staff notes that a recreation area adjacent to the highway as proposed with Tract M is not the best location for a recreation area with play equipment that might attract small children).
    - The proposed allée of trees along a majority of street frontages, with trees planted both in the planter strips and on the private property side of the sidewalks (or on either sides of the walkways where the walkways are proposed to be in private open space tracts).
    - The proposed sound wall along Highway 26 which provides additional privacy and noise protection for future residents.

- The use of native pollinator-friendly plant species to promote native biodiversity in tracts A, B, M, and N (see conditions in Chapter 17.92 of this document).
- Open space and active recreation areas totaling 11.92 acres which is 3.67 acres more than is required in a PD.

Staff recommends that the Planning Commission recommend approval of the applicant's request to exceed the maximum density for the base zone by 6 percent as proposed.

50. Section 17.64.50, Open Space, requires that a minimum of 25 percent of the site be dedicated as open space. The site is 32.87 acres; thus, the minimum open space dedication is 25 percent of 32.87 acres, or 8.25 acres. The applicant proposes 11.92 acres of total open space, including 8.25 acres of natural area open space and 3.68 acres of active recreation area. Rather than dedicating the open space to the City, the applicant proposes establishing a homeowner's association to own and maintain the open space areas as permitted by Section 17.86.50. **All private open space tracts shall have a note on the plat that states these tracts cannot be developed. The natural area open space tracts (Tracts I, K, and L) shall also be protected by a conservation easement or similar method.**

51. Section 17.64.60 describes allowed uses through the PD process. These uses include single-family detached and single-family attached dwellings as well as multi-family dwellings, as proposed by the applicant.

52. Sections 17.64.70-90 are procedural in nature. Approval of The Views PD will result in an amendment to the Sandy Zoning Map, indicating that a PD has been approved on this SFR site. The applicant and City have complied with all procedural requirements for conceptual PD approval, as discussed under Section 17.64.10, above.

53. The proposed public utility layout is provided solely to comply with the planned development submission requirements in Section 17.64.90(B)2. of the Sandy Municipal Code (SMC). **Approval of the land use application does not connote approval of the public improvement plans (which may be submitted and reviewed later) and shall not be considered as such.**

54. Section 17.64.100 sets forth Planned Development approval criteria. There are two relevant criteria: (a) consistency with the intent of the PD Chapter, as found in Section 17.64.00; and (b) compliance with the general provisions, development standards and application provisions of Chapter 17.64, Planned Developments.

    The "Intent" of the PD chapter is described in nine purpose statements. Staff does not interpret each of these statements as individual standards that must be met; rather, staff views these statements as goals that should be achieved through the PD review process. The purpose statements are as follows:

    I. Refine and implement village development patterns designated "V" on the Comprehensive Plan Map.

II. Allow the relocation of zones within designated villages, provided that the overall intent of the village designation is maintained.
III. Allow a mixture of densities between base zones within the planned development.
IV. Promote flexibility in site planning and architectural design, placement, and clustering of structures.
V. Provide for efficient use of public facilities and energy.
VI. Encourage the conservation of natural features.
VII. Provide usable and suitable recreation facilities and public or common facilities.
VIII. Allow coordination of architectural styles, building forms and relationships.
IX. Promote attractive and functional business environments in non-residential zones, which are compatible with surrounding development.

The proposal includes a mix of densities in the form of single family detached residences, townhomes, and multifamily housing. In addition, the proposal includes three open space natural areas in the lower views, as well as multiple recreational areas in the form of private park-like spaces and wider pedestrian areas. As indicated by the proposed homes (Exhibit K), the project includes two different townhome designs and 10 different single family home designs.

55. Sections 17.64.110-120(A) specifies graphic and narrative requirements and procedures for review of detailed development plans. All graphic requirements are met in the maps, figures, tables, and appendices provided with this application. Staff found the application complete on August 5, 2020. The applicant has elected to submit a combined conceptual and detailed planned development application, thus providing the public, Planning Commission, and the City Council with a complete understanding of exactly what is proposed in this application.

56. Section 17.64.120(B) specifies additional items that must be addressed in the detailed development plan. In addition to the narrative requirements specified for a Conceptual Development Plan, the Detailed Development Plan narrative shall also include:

Proposals for setbacks or building envelopes, lot areas where land division is anticipated, and number of parking spaces to be provided (in ratio to gross floor area or number of units).

g. All of the items required by this section are included with the application package as shown on the Preliminary Plats and Building Setbacks and Parking Analysis sheets (Exhibit D).

Detailed statement outlining timing, responsibilities, and assurances for all public and non-public improvements such as irrigation, private roads and drives, landscape, and maintenance.

h. All open space and landscape areas will be commonly owned and maintained by a Homeowner's Association. Individual homeowners will be responsible for the lot area abutting adjacent public streets.

Statement addressing compatibility of proposed development to adjacent land uses relating to such items as architectural character, building type, and height of proposed structures.

i. The Lower Views shares a common boundary with a commercial business (Johnson RV), a large lot residential property in the city limits, and vacant properties outside the UGB. The Upper Views shares a common boundary with large lot residential and vacant properties and a multi-family development all within the city limits.

Statement describing project phasing, if proposed. Phases shall be:

- *Substantially and functionally self-contained and self-sustaining with regard to access, parking, utilities, open spaces, and similar physical features; capable of substantial occupancy, operation, and maintenance upon completion of construction and development.*
- *Properly related to other services of the community as a whole and to those facilities and services yet to be provided.*
- *Provided with such temporary or permanent transitional features, buffers, or protective areas as may be required to prevent damage or detriment to any completed phases and to adjoining properties not in the Planned Development.*

j. The applicant is proposing two phases. The Lower Views would be phase one and the Upper Views would be phase two. Each development site is generally independent of the other. The proposed phasing of The Views PD is discussed in further detail in Chapter 17.100 of this document.

17.66 – Adjustments & Variances

57. The applicant is requesting the following two Type III Special Variances:
    - Special Variance to Section 17.84.30(A) to not provide a sidewalk on multiple street frontages.
    - Special Variance to Section 17.82.20(A and B) to not have the front doors of the proposed lots adjacent to Highway 26 face Highway 26 with direct pedestrian connection from the front doors to the Highway 26 sidewalk.

64. To be granted a Type III Special Variance, the applicant must meet one of the flowing criteria in Section 17.66.80:

    A. The unique nature of the proposed development is such that:
        1. The intent and purpose of the regulations and of the provisions to be waived will not be violated; and
        2. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
    B. The variance approved is the minimum variance needed to permit practical compliance with a requirement of another law or regulation.
    C. When restoration or replacement of a nonconforming development is necessary due to damage by fire, flood, or other casual or natural disaster, the restoration or replacement will decrease the degree of the previous noncompliance to the greatest extent possible.

65. SIDEWALK ELIMINATION

Chapter 17.84 requires sidewalk and planter strips to be included with development. The applicant is requesting that this requirement be eliminated on the south side of The Views Drive from Vista Loop Drive to the alley and on the majority of the Highway 26 frontage. In addition, the applicant is proposing pedestrian walkways within private open space tracts rather than a traditional sidewalk in the public right-of-way along the south side of Vista Loop Drive, the north side of The Views Drive, and the south side of Bonnie Street.

South side of The Views Drive

Section 17.84.30(A) requires sidewalks to be provided on both sides of the street. On a local street, such as The Views Drive, the sidewalk is required to be a minimum of 5 feet in width separated from the curb by a minimum 5 foot wide planter strip. The requested variance to not provide a sidewalk on the south side of The View Drive does not meet the intent and purpose of this regulation. However, the applicant is proposing a wider pedestrian zone along the north side of The Views Drive, which includes a meandering walkway within an approximately 19-foot wide private open space tract (Tract E). This allows for trees to be planted on both sides of the path, creating an allée-like feel and enhancing the pedestrian environment and contributing to a more outstanding design than would be included in a typical subdivision. Thus, **staff recommends the Planning Commission recommend approval of the Special Variance request to not provide a sidewalk on the south side of The Views Drive with the condition that Tract E be designed as proposed (i.e. approximately 19 feet wide with sufficient planting space of at least 5 feet on either side of the meandering walkway to accommodate street trees on both sides of the walkway) and add a note to the plat indicating that Tract E cannot be developed.**

Walkways in private tracts along The Views Drive, Vista Loop Drive, and Bonnie Street

The applicant is proposing to include pedestrian amenities in the form of a meandering walkway located within a private open space tract rather than the traditional sidewalk in a public right-of-way on the following street frontages: the south side of Vista Loop Drive, the north side of The Views Drive, and the south side of Bonnie Street. The meandering walkways meet the intent of having a sidewalk and planter strip, provided sufficient space is provided for planting and the walkways are covered by a pedestrian easement. **Staff recommends the Planning Commission recommend the City Council approve the requested special variance to provide meandering walkways within private open space tracts rather than a traditional sidewalk/planter strip in the public right-of-way with the condition that the tracts maintain a minimum width of 15 feet to accommodate a 5 foot wide walkway with an average of 5 foot wide planter strips on either side as well as a minimum width of 16 feet on Vista Loop Drive for a 6 foot sidewalk and 5 foot planter strips as Vista Loop Drive is a collector. The applicant shall include a pedestrian easement and a note on the final plat indicating that the meandering walkway tracts are not developable. Staff also recommends a condition that the meandering walkways in the open space tracts remain the responsibility of the homeowner's association. Consistent with sidewalks along street frontages, staff recommends a plat note or restrictive covenant be recorded that if the homeowner's association dissolves the responsibility to maintain and repair the meandering**

walkways and associated landscaping including street trees and groundcover shall shift to the adjacent property owners.

66. FRONT DOORS NOT FACING AND CONNECTED TO A TRANSIT STREET
The requirement of building entrances oriented to transit streets, such as Highway 26, is to provide a pleasant and enjoyable pedestrian experience by connecting activities within a structure to the adjacent sidewalk where transit amenities are located. The applicant requests a special variance to Chapter 17.82.20 to allow the front door of the future homes constructed on Lots 99 and 103-121 to face the internal local street network instead of Highway 26, a designated transit street. The applicant is also proposing a sound wall along Highway 26. This variance request is essentially asking that the front lot line be along the internal street network rather than Highway 26 and that the proposed sound wall can be 6 feet in height, which would be allowed if the Highway 26 lot line is the rear lot line. Though the section of Highway 26 along the subject property is currently in a 65 mph speed zone, it will eventually become urbanized and the speed limit will be reduced. Staff recognizes that proposed Lots 99 and 103-121 will not be allowed to take access from the highway and thus, that all garages and street parking will be located in the internal local street network. While the applicant could design the houses to have two front doors, staff recognizes that the front doors facing Highway 26 would essentially be false front doors, which is not the intent of the code. Thus, **staff recommends that the Planning Commission recommend that the City Council approve the applicant's requested variance to not provide front doors facing Highway 26 with direct pedestrian connection from the front door to Highway 26 as required by Chapter 17.82. If approved, this variance request would establish Knapp Street as the front lot line for Lots 103-121 and Ortiz Street as the front lot line for Lot 99. If the Planning Commission (and ultimately Council) agree with this recommendation, staff recommends the Planning Commission condition additional architectural, landscaping, and/or design features to enhance the appearance of the proposed sound wall from the Highway 26 right-of-way.**

67. Approval of a variance shall be effective for a 2-year period from the date of approval, unless substantial construction has taken place. The Planning Commission (Type III) may grant a 1-year extension if the applicant requests such an extension prior to expiration of the initial time limit. The variance approvals shall be consistent with the approved timelines for the subdivision phases.

17.74 – Accessory Development

68. Section 17.74.40 specifies, among other things, fence and wall height in front, side and rear yards. Walls in residential zones shall not exceed 4 feet in height in the front yard, 8 feet in height in rear and side yards abutting other lots, and 6 feet in height in side and rear yards abutting a street. The proposal includes a sound wall along Highway 26, a retaining wall along the south side of The Views Drive, and a retaining wall along the north side of Lot 72. The sound wall along Highway 26 is proposed to be a 6 foot tall wall. The applicant is requesting a Special Variance to allow the front lot line for Lots 103-121 to be on Knapp Street and the front lot line for Lot 99 to be on Ortiz Street rather than Highway 26, which is reviewed in Chapter 17.66 of this document. If approved, the property line along Highway 26 would be the rear property line for Lots 103-121 and the side property line for Lot 99, both of which would permit a 6 foot tall wall.

69. The applicant proposes using a Verti-Crete wall system for the sound wall along Highway 26 in the Upper Views (Exhibit R). The wall panels have a ledge stone finish on both sides and the posts are Ashlar finished. The applicant proposes installing a six-foot tall wall. The posts are 20 inches by 20 inches. The posts and panels come to the site in a concrete gray color and are stained in the field after the wall is installed. The applicant proposes staining the wall "Nutmeg," which is a warm-toned brown. **Staff recommends that additional vegetation is planted between the sound wall and the sidewalk to make it more pedestrian friendly and to soften the large concrete wall.**

17.80 – Additional Setbacks on Collector and Arterial Streets

70. Chapter 17.80 requires all residential structures to be setback at least 20 feet on collector and arterial streets. This applies to front, rear, and side yards. Vista Loop Drive is identified in the City's Transportation System Plan as a collector street. Highway 26 is a major arterial. As shown on the Block and Street Dimensions plan (Exhibit D, Sheets C8 and C9), it appears that all setbacks on lots adjacent to Vista Loop Drive and Highway 26 meet this requirement.

17.82 – Special Setbacks on Transit Streets

71. Section 17.82.20(A) requires that all residential dwellings shall have their primary entrances oriented toward a transit street rather than a parking area, or if not adjacent to a transit street, toward a public right-of-way or private walkway which leads to a transit street. A transit street is defined as a street designated as a collector or arterial. The Upper Views is located adjacent to Highway 26, a major arterial, and Vista Loop Drive, a collector. The lot for the multi-family structure in the Upper Views is proposed to be located adjacent to Vista Loop Drive. **Adherence to this code section for the future multi-family units will be determined in a future design review process.**

72. Twenty (20) single family homes (lots 99 and 103-121) are proposed adjacent to Highway 26. Because a substantial grade separation exists between the subject property and Highway 26 over a majority of the property, the applicant does not propose orienting these structures toward the highway but rather orienting these homes toward the internal street. The applicant is requesting a special variance to not have the front doors of the proposed houses along Highway 26 face Highway 26 with a direct pedestrian connection to the highway. The variance request is reviewed in Chapter 17.66 of this document.

73. Section 17.82.20(B) requires that dwellings shall have a primary entrance connecting directly between the transit street and building interior and outlines requirements for the pedestrian route. The applicant is requesting a special variance to not have the front doors of the proposed houses along Highway 26 face Highway 26 with a direct pedestrian connection to the highway. The variance request is reviewed in Chapter 17.66 of this document. **Adherence to this code section for the future multi-family units will be determined in a future design review process.**

74. Section 17.82.20(C) requires that primary dwelling entrances shall be architecturally emphasized and visible from the transit street and shall include a covered porch at least 5 feet in depth. **The adherence to this code section for the future multi-family units will be determined in a future design review process.**

17.84 – Improvements Required with Development

75. Section17.84.20(A)(1) requires that all improvements shall be installed concurrently with development or be financially guaranteed. **All lots in the proposed subdivision will be required to install public and franchise utility improvements or financially guarantee these improvements prior to final plat approval. All ADA ramps shall be designed and inspected by the design engineer and constructed by the applicant to meet the most current PROWAG requirements.**

76. Section 17.84.30(A)(1) requires that all proposed sidewalks on the local streets will be five feet wide as required by the development code and separated from curbs by a tree planting area that is a minimum of five feet in width. All sidewalks on the internal streets in the Upper Views are proposed to be five feet wide separated from curbs by a landscape strip as required. All sidewalks in the Lower Views are also proposed to be five feet wide with the exception of a six-foot sidewalk proposed on the north side of The Views Drive entrance road from Vista Loop Drive to the proposed alley. The sidewalk is designed to connect to a six-foot meandering sidewalk constructed in front of the proposed row homes. A planned development modification as discussed in Section 17.64.30 has been proposed to modify the typical street section by shifting the road alignment to the southern edge of the right-of-way in order to allow for the construction of a meandering six-foot walkway in this location. The applicant is requesting a special variance to not provide sidewalks on some local street frontages. The special variance request is discussed in Chapter 17.66 of this document. **Staff recommends a condition that the meandering walkways in the open space tracts remain the responsibility of the homeowner's association. Consistent with sidewalks along street frontages, staff recommends a plat note or restrictive covenant be recorded that if the homeowner's association dissolves the responsibility to maintain and repair the meandering walkways and associated landscaping including street trees and groundcover shall shift to the adjacent property owners.**

77. As required by Section 17.84.30(A)(2), six-foot sidewalks are proposed to be constructed along arterial and collector streets. As shown on the submitted plans (Exhibit D) all sidewalks adjacent to Vista Loop Drive, a collector street, are proposed to be six-feet wide. Unlike a typical street section, the sidewalk/walkway along Vista Loop Drive is proposed to meander along the road rather than be parallel to this road. Rather than provide sidewalks in the public right-of-way, the applicant is proposing six-foot-wide walkways in Tracts M and N adjacent to Vista Loop Drive. The applicant's request to not provide sidewalks on the Vista Loop Drive frontage is a special variance. The special variance request is discussed in Chapter 17.66 of this document.

78. The applicant proposes a six foot wide sidewalk along the Highway 26 frontage of the site. The proposed sidewalk will be located adjacent to the proposed sound wall at the top of the slope.

79. In relation to Sections 17.84.30(B), 17.84.30(C), 17.84.30(D), and 17.84.30(E), the applicant is proposing sidewalk alternatives in multiple locations in the form of meandering pathways in private tracts.

80. Per the Public Works Director, **the applicant shall improve all public street frontages (including the Highway 26 right-of-way, and the street frontage of all tracts) in conformance with the requirements of 17.84.30 and 17.84.50**. ~~Street frontage improvements include, but are not limited to: street widening, curbs, sidewalks, storm drainage, street lighting and street trees. One of the reasons for providing an urban street section (curbs, sidewalks, lighting, etc.) inside the city limits is to provide motorists with a visual cue that they are entering an urbanized area and to adjust their speed and alertness to match the visual cues. The area on both sides of Highway 26 is within the UBG and Urban Reserve so it will eventually become urbanized. An urbanized right-of-way makes drivers aware that they are entering a city and hopefully lead to adjusted speeds to match the conditions. As the city grows and these areas become urbanized the posted speed limit will likely be lowered to match the conditions. This is the case at the west end of Sandy where Highway 26 is an arterial street instead of a rural highway. This is also the case east of the couplet where the speed limit drops from basic rule to 40 mph and then to 25 mph as one travels west.~~ The subject property contains frontage along Highway 26. The applicant's plan set shows a six-foot sidewalk is proposed to be constructed at the top of the bank along the site's entire highway frontage. The applicant's Engineer corresponded by email with the City's Public Works Director and an ODOT representative regarding if a curb will be required along the highway frontage. The Public Works Director indicated the decision on a curb is up to ODOT as they have authority over Highway 26. The ODOT representative stated that construction of a curb is not required along Highway 26 and construction of a sidewalk at the top of the bank is acceptable. With this, staff recommends the following condition: **Improvements adjacent to the site's Highway 26 frontage shall consist of a six-foot wide sidewalk constructed at the top of the bank, lighting, and street trees only as approved and permitted by ODOT.** The applicant requested Special Variance approval to only construct a curb on the south side of The Views Drive from the intersection of The Views Drive with Vista Loop Drive to the alley in the Lower Views.

81. Section 17.84.40(A) requires that the developer construct adequate public transit facilities. Per Exhibit X, **the proposed development will require a concrete bus shelter pad and a green bench (Fairweather model PL-3, powder-coated RAL6028). The required pad size is 7' x 9.5' and should be located at the northernmost corner of The View Drive and Vista Loop Drive. Engineering specifications are available from the Transit Department.**

82. Section 17.84.50 outlines the requirements for providing a traffic study. The applicant included a Traffic Impact Study (TIS) with the application (Exhibit F). The study did not identify any required mitigation. According to the traffic study, the proposed development would produce 109 peak AM trips, 136 peak PM trips, and 1,564 total daily trips. The findings from the City Transportation Engineer (Exhibit T) are expressly incorporated by reference into this document.

83. According to the TIS, the study intersections currently operate acceptably and are projected to continue to operate acceptably under year 2022 traffic conditions either with or without the addition of site trips from the proposed development. No queuing-related mitigations are necessary or recommended in conjunction with the proposed development. Based on the crash data, the study intersections are currently operating acceptably with respect to safety.

Based on the warrant analysis, no new traffic signals or turn lanes are recommended. ODOT states (Exhibit W) that the applicant shall provide additional space on Highway 26 to accommodate westbound right turning movements from Highway 26 onto Vista Loop Drive. Ard Engineering explains in the letter from October 27, 2020 the following:

> "In addition to the lack of a clear standard used to justify a request for improvements on Highway 26, it should be noted that a recent improvement has already been undertaken at the request of the Oregon Department of Transportation in anticipation of supporting residential development within the subject property. The prior configuration of the intersection of Highway 26 at Vista Loop Drive included a westbound slip lane which allowed vehicles to turn onto Vista Loop Drive at high speeds. At the request of ODOT, this slip lane was removed and the then-existing shoulder was widened by 6.75 feet immediately east of Vista Loop Drive (Exhibit MM).
>
> This improvement project was required as part of a lot partition and residential development. The condition of approval carried onto both the approval for the Timber Valley Subdivision, and the Johnson RV expansion that occurred on another piece of the partitioned property. Since the condition was applied to both the residential development and the Johnson RV property, the first one to develop ultimately had to make the improvements. When Johnson RV constructed their parking lot expansion, they were required to bond for the street improvements and were required to complete the improvements by October 31, 2018. As a result, the conditioned improvements for Highway 26 at Vista Loop Drive were completed approximately 2 years ago. Notably, the Timber Valley Subdivision was approved on property that is now The Views. Accordingly, the completed mitigation was specifically intended to support residential development on the subject property.
>
> Since warrants are not met for intersection improvements at Highway 26 and Vista Loop Drive in conjunction with the proposed development and recent improvements at the intersection were specifically intended to support both development of the Johnson RV parking lot expansion and the residential development within what is now The Views property, it does not appear to be either appropriate or proportional to request a second round of intersection improvements in association with the current residential development proposal. Accordingly, we request that there be no condition of approval requiring further widening or improvements on Highway 26 at Vista Loop Drive."

Additionally, the City's traffic engineer provided further comment on November 30, 2020 (Exhibit Z) reiterating the lack of data required to warrant a dedicated right turn lane. Ard Engineering provided an additional memo on December 9, 2020 reiterating that traffic data does not show a need for a right turn lane (Exhibit LL). Staff and the City's traffic engineer agree with this analysis completed by Ard Engineering and do not recommend a condition associated with the right turning movement as requested by ODOT.

84. Intersection sight distance was evaluated for the proposed points of access along SE Vista Loop Drive. Based on the analysis it is projected that adequate site distance can be achieved for all access locations with clearing of vegetation from the roadside. No other sight distance mitigations are necessary or recommended.

85. The proposed development does not include any long straight street segments and is thus not required to follow the standards in Sections 17.84.50(C)(1) or (2).

86. Section 17.84.50(C)(3) requires that cul-de-sacs should generally not exceed 400 feet in length nor serve more than 20 dwelling units. Two cul-de-sacs are proposed in the Lower Views and a single cul-de-sac is proposed in the Upper Views. All three proposed cul-de-sacs are less than 400 feet in length. Additionally, none of the cul-de-sacs will serve more than 12 lots.

87. Section 17.84.50(D) requires that development sites shall be provided with access from a public street improved to City standards. All homes will gain access from a public street or a public alley improved to city standards or a private drive accessed from a public street. No off-site improvements have been identified or are warranted with the construction of this subdivision.

88. Section 17.84.50(E) requires that public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property. Temporary dead-ends created by this requirement to extend street improvements to the edge of the adjacent properties may be installed without turn-arounds, subject to the approval of the Fire Marshal. The proposed street layout results in one temporary dead-end street at the East end of the Lower Views. This street end includes sufficient room to accommodate fire equipment to turn around. The only existing street to be extended is Ortiz Street in the Upper Views, which is proposed to be located directly across Vista Loop Drive from the existing street. The applicant submitted a future street plan (Exhibit D, Sheet C10); however, it details the area north of Ortiz Street as future apartments and does not consider this area to lend itself to a traditional subdivision. **The Planning Commission needs to determine if an additional street stub or pedestrian access shall be extended north (i.e. in the location of Lots 91 and 92).**

89. Section 17.84.50(F) requires that no street names shall be used that will duplicate or be confused with names of existing streets. The application includes proposed street names as shown on submitted plans (Exhibit D). **The applicant shall clarify if the street is intended to be named "The View Drive" or "The Views Drive" as both of these names are used on the application materials. All street names are subject to change prior to recording of the plat.**

90. Proposed streets meet the requirements of 17.84.50(H). The future street plan (Exhibit D, Sheet 1) shows that the proposed development will facilitate and not preclude development on adjacent properties, except with the possibility of the property north of Ortiz Street (i.e. Tax Map 25E18DC, Tax Lots 1000 and 1100). This is discussed in more detail in the subdivision approval criteria in Chapter 17.100 of this document. All proposed streets comply with the grade standards, centerline radii standards, and TSP-based right-of-way improvement widths with the exception of the portion of The Views Drive from the intersection with Vista Loop Drive to approximately the public alley which is proposed to be 31 feet wide. The applicant is requesting a reduction of the right-of-way in this location in order to shift the road to the south to construct a wider sidewalk on the north side of this

street within a private landscaped tract. All proposed streets are designed to intersect at right angles with the intersecting street and comply with the requirements of Section 17.94.50.(H)(5). No private streets, with the exception of private drives, are proposed in the development.

91. The applicant has submitted a turning diagram demonstrating that there should be sufficient room for a 22 foot long vehicle to back out of a driveway (with an adjacent parked car in the driveway) and into the public alley with cars parked on the opposite side of the alley in a single motion without any conflict. **The garage face setback from the alley shall meet or exceed that shown in the turning diagram.**

92. **The various streets and public alleys shall include a minimum four-foot wide utility and sign easement on both sides to provide enough room for street name, traffic control and regulatory signage and utility pedestals, fire hydrants, water meters, etc.**

93. The plans detail all street intersections provide at least 50 foot tangents as required per 17.84.50(H)(5)(C). **The vertical design grade for landing at all the Tee intersections where controlled with "Stop" signs shall be no greater than 8 percent for a minimum of 50 feet or two car lengths.**

94. Section 17.84.60 outlines the requirements of public facility extensions. The applicant submitted a utility plan (Exhibit D, Sheets 12 and 13) which shows the location of proposed public water, sanitary sewer, and stormwater drainage facilities. Broadband fiber service will be detailed with construction plans. No private utilities are proposed. **All public sanitary sewer and waterline mains are to be a minimum of 8 inches in diameter and storm drains are to be a minimum of 12 inches in diameter. These shall 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.**

95. According to the applicant's supplemental memos regarding sanitary sewer capacity dated December 9, 2020 (Exhibits JJ and KK), both the applicant and the city engineer anticipate adequate sewer capacity to accommodate new development:

> "New commercial/residential loads are minor by comparison to the [infiltration and inflow] impact, and adding additional development has a nearly negligible impact on the system loading" (Exhibit JJ).

Additionally, the applicant suggests that SDC credits associated with the development will assist in paying for the City's existing plans to update the sanitary sewer system.

96. Franchise utilities will be provided to all lots within the proposed subdivision as required in Section 17.84.80. The location of these utilities will be identified on construction plans and installed or guaranteed prior to final plat approval. The applicant does not anticipate extending franchise utilities beyond the site. All franchise utilities other than streetlights will be installed underground. The developer will make all necessary arrangements with franchise utility providers. The developer will install underground conduit for street lighting.

97. Section 17.84.90 outlines requirements for land for public purposes. The only public easements anticipated with this development are public pedestrian access easements located over sidewalks not located within a public right-of-way, trails within the private open space tracts, and the recreation area tracts. Eight-foot wide public utility easements will be provided along all lots adjacent to street rights-of-way for future franchise utility installations. **All easements and dedications shall be identified on the final plat as required**.

98. Section 17.84.100 outlines the requirements for mail delivery facilities. **The location and type of mail delivery facilities shall be coordinated with the City Public Works Director and the Post Office as part of the construction plan process.**

99. **SandyNet shall receive a set of PGE utility plans to design and return a SandyNet broadband deployment plan.**

100. There are two private storm drain lines crossing the proposed right-of-way of The Views Drive. These storm lines serve private developments to the south of the site. Private utility facilities serving single sites are not permitted in public rights-of-way. When the land use application for the private development south of the site was processed the City identified that the location of these lines would present a conflict if a public right-of-way was ever dedicated across these private lines. Staff believes there are three options available: 1) relocate these lines outside the public right-of-way; 2) Replace the existing lines with materials conforming to City standards or demonstrate that the pipeline materials comply with and were installed in conformance with City standards and dedicate these improvements as public; or, 3) Have the owner of the adjacent site served by these lines apply for a revocable permit to place private drainage facilities in a public right-of-way. **Since the exact location relative to proposed improvements in the right-of-way is unknown at this time the City will determine the most suitable option during construction plan review.**

101. ~~**The proposed public sidewalks outside of the street right-of-way will require pedestrian scale bollard lighting conforming to the City's standards.** Use of full-cutoff, Type II roadway distribution streetlights will not provide sufficient illumination for pedestrians where the sidewalk is set back so far from the street and obscured by trees.~~ The proposed public sidewalks located outside of the street right-of-way shall provide lighting levels in conformance with City standards. **The applicant shall submit a photometric analysis demonstrating that pedestrian lighting standards are met along all pedestrian facilities outside a public right-of-way.**

102. **An ODOT Permit to Occupy or Perform Operations Upon a State Highway shall be obtained for all work in the State highway right-of-way.** When the total value of improvements within the ODOT right-of-way is estimated to be $100,000 or more, an agreement with ODOT is required to address the ownership, maintenance, and operations of any improvements or alterations made in highway right-of-way. An Intergovernmental Agreement (IGA) is required for agreements involving local governments and a Cooperative Improvement Agreement (CIA) is required for private sector agreements. The agreement shall address the project standards that must be followed, compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements, and any other ODOT

requirements for project construction, including costs for ODOT staff time for project approvals, inspection, and completion.

17.86 – Parkland and Open Space

103. The applicant intends to pay a fee in lieu of parkland dedication as outlined in the requirements of Chapter 17.86. Section 17.86.10(2) contains the calculation requirements for parkland dedication. The formula is acres = proposed units x (persons/unit) x 0.0043. For the four single family homes, acres = 120 x 3 x 0.0043 = 1.548 acres. For the maximum development of 48 multifamily units, acres = 48 x 2 x 0.0043 = 0.4128 acres. Combined, this totals 1.96 acres.

104. The applicant proposes paying a fee in lieu of parkland dedication. Based on 1.96 acres the parks fee in-lieu shall be $472,360 based on the City's current fee schedule if this payment is not deferred and paid prior to final plat approval, and $519,400 if half of the payment is deferred. If deferred, one-half of this amount ($259,700) is required to be paid prior to final plat approval with the other half ($259,700) evenly split and paid with each building permit. Because two of the lots are proposed to contain multi-family dwellings at a later date, the applicant requests the parks fee for these units be paid with the building permit for these units rather than at the time of final plat approval. If this proposal is accepted the amount of cash-in-lieu to be paid with the final plat would be based on the area of parkland required for the single family units which is 1.55 acres. This results in the following amounts 1.55 x $241,000 = $373,550 if paid prior to Final plat approval and 1.55 x $265,000 = $410,750 if one-half of the payment is deferred. The fee associated with the multi-family units 0.41 x $265,000 = $108,650 would be paid with the building permit for these units if that is the ultimate decision of the City Council.

105. As explained in the findings for Chapter 17.64, maintenance for the dedicated open space areas will be the responsibility of a Homeowners Association. **The applicant shall submit a draft agreement between the City and the HOA detailing the minimum maintenance requirements and responsibilities including a means for the City to remedy any failure to meet the agreed-upon standards. The agreement shall be finalized and recorded prior to plat approval and referenced on the face of the plat. Staff recommends a condition that the meandering walkways in the open space tracts remain the responsibility of the homeowner's association. Consistent with sidewalks along street frontages, staff recommends a plat note or restrictive covenant be recorded that if the homeowner's association dissolves the responsibility to maintain and repair the meandering walkways and associated landscaping including street trees and groundcover shall shift to the adjacent property owners.**

106. Per Section 17.86.50(5), in the event that any private owner of open space fails to maintain it according to the standards of the Sandy Municipal Code, the City of Sandy, following reasonable notice, may demand that the deficiency of maintenance be corrected, and may enter the open space for maintenance purposes. **All costs thereby incurred by the City shall be charged to those persons having the primary responsibility for maintenance of the open space.**

17.90 – Design Standards

107. Chapter 17.90 contains design standards for development based on type and zone. **All future buildings shall adhere to the design standards in Chapter 17.90.** Single family residences and townhomes will be reviewed at building permit and multi-family buildings will be reviewed with a future design review application.

17.92 – Landscaping and Screening

108. Section 17.92.10 contains general provisions for landscaping. As previously determined by the Planning Commission, the City's tree protection standards in this section do not apply to residential subdivisions. Per Section 17.92.10(L), **all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing.**

109. 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 applicant did not submit a separate street tree plan but the conceptual plan (Exhibit L) details street trees along all of the proposed streets, except Highway 26. **The applicant shall update the street tree plan to detail street trees along Highway 26.** A majority of the streets include both street trees and trees in the front yards of the private property, which creates an allée of trees and adds an element of exceptional design above and beyond a typical subdivision as required for the PD density bonus. The Landscape/Conceptual Plan (Exhibits L, M, and N) identifies tree species, size, and quantities of trees. The landscape/conceptual plan does not show much variety in tree species; for example, both sides of the entire length of Bonnie Street are proposed to have Japanese styrax. 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.** In addition, the applicant is proposing red maples along The Views Drive, public alleys, and cul-de-sacs. Due to concerns with Asian Longhorn Beetle and Emerald Ash Borer, staff are not recommending maples or ashes at this time. **The applicant shall update the plant palette to detail an alternate species for the red maple that is not a maple or an ash.**

110. 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 and other areas proposed to contain trees 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.**

111. **If the plan set changes 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 and shall be removed after one growing season (or a maximum of 1 year).**

112. Section 17.92.40 specifies that landscaping shall be irrigated, either with a manual or automatic system, to sustain viable plant life. The proposal includes numerous private tracts with landscaping. The applicant did not submit an irrigation plan nor did the applicant address Section 17.92.40 in the narrative. **The applicant shall submit an irrigation plan.**

113. Section 17.92.50 contains standards related to types and sizes of plant materials. The applicant submitted a plant key (Exhibit O) and landscape plans (Exhibits L, M, and N) that detail plant sizes in compliance with this section. Section 17.92.50(B) encourages the use of native plants or plants acclimatized to the PNW. The applicant is proposing two species of *Prunus* that are nuisance species: *Prunus laurocerasus* 'Otto Luyken' and *Prunus lusitanica*. **The applicant shall update the plant palette to include two alternate species to replace the nuisance *Prunus* species.** Chapter 17.60 requires that any plants planted in the FSH overlay area are native. **The Landscape Plan shall detail native plants for all vegetation planted in the FSH overlay area and native or PNW acclimatized pollinator friendly species for all vegetation planted in the recreation tracts and private walkway tracts.** Staff recommends the following native or PNW acclimatized pollinator species:

    - Trees: *Rhamnus purshiana, Prunus virginiana, Amelanchier alnifolia, Malus floribunda*
    - Shrubs: *Ceanothus spp., Berberis aquifolium, Perovskia atriplicifolia, Solidago canadensis, Helenium autumnale, Agastache foeniculum*
    - Groundcover: *Eschscholzia californica, Madia elegans, Symphyotrichum subspicatum*

114. The applicant submitted a conceptual plan that details extensive landscaping in the proposed private open space tracts and stormwater tracts. The inclusion of the recreation area tracts and the wider, more pedestrian friendly walkways with an allée of trees are two elements that set this planned development apart from a typical subdivision. On the streets where the meandering walkways with allées of trees are not proposed, the applicant is detailing additional trees planted in the front yards of houses to continue the allée feel. In addition, the proposal details trees in the rear yards of Lots 103-121, which will help buffer the noise from the highway, and trees in the public alley and private drives. **The applicant shall install landscaping in the private open space tracts, front yards, rear yards, public alleys, and private drives as detailed on the submitted conceptual plan and in accordance with the requirements for the updated landscape plan.** The applicant is proposing three natural area open space tracts, one of which will have a trail, which is a permitted use in otherwise undeveloped open space. The applicant is also proposing four recreation area tracts, which are proposed to contain sports courts and/or playground equipment. **The applicant shall install the proposed sports courts and playground equipment per the conceptual plan and prior to recording the plat of the associated phase. The applicant shall submit details on the sports courts and playground equipment to staff for review and approval.**

115. 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.**

116. **Landscaping requirements for the multi-family units will be addressed with a subsequent design review application.**

17.98 – Parking, Loading, and Access Requirements

117. Section 17.98.10(M) requires that the developer provide a Residential Parking Analysis Plan. This plan identifying the location of parking is included in Exhibit D, Sheet 10.

118. Section 17.98.20(A) requires that each single family dwelling unit is required to provide at least two off-street parking spaces. **Compliance with this requirement will be evaluated during building plan review. Parking for the proposed multi-family units will be evaluated as part of a future design review application.** Section 17.98.60 has specifications for parking lot design and size of parking spaces. No lots are proposed to gain access from an arterial or collector street (Section 17.98.80).

119. Section 17.98.100 has specifications for driveways. **The minimum driveway width for a single-family dwelling shall be 10 feet and the maximum driveway approach within the public right-of-way shall be 24 feet wide measured at the bottom of the curb transition.** Shared driveway approaches may be required for adjacent lots in cul-de-sacs in order to maximize room for street trees and minimize conflicts with utility facilities (power and telecom pedestals, fire hydrants, streetlights, meter boxes, etc.). ~~**The applicant shall update the driveway plan to detail shared driveways for the following pairs of Lots: 43 and 44, 45 and 46, 59 and 60, and 63 and 64.**~~ As shown on the applicant's submittal (Exhibit D), allowing each cul-de-sac lot to be accessed by a separate driveway complies with the requirements of this section. Additionally, all driveways will meet vertical clearance, slope, and vision clearance requirements. All driveways appear to meet these criteria, but this will be verified at time of building permit submission and prior to excavation for the footings. Per Section 17.98.100(G), **the sum of the width of all driveway approaches within the bulb of a cul-de-sac as measured in Section 17.98.100(B) shall not exceed fifty percent of the circumference of the cul-de-sac bulb.** The applicant submitted additional analysis (Exhibit FF) showing that cul-de-sacs in the development comply with this standard. This requirement is satisfied. Per Section 17.98.100(I), **driveways shall taper to match the driveway approach width to prevent stormwater sheet flow from traversing sidewalks.**

120. Section 17.98.110 outlines the requirements for vision clearance. **The requirements of this section will be considered in placing landscaping in these areas with construction of**

homes and will be evaluated with a future design review application for the multi-family units.

121. 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.**

122. Section 17.98.200 contains requirements for providing on-street parking spaces for new residential development. Per Section 17.98.200, one on-street parking space at least 22 feet in length has been identified within 300 feet of each lot as required. Exhibit D, Sheet 10 shows that a minimum of 120 on-street parking spaces have been identified in compliance with this standard. No parking courts are proposed by the applicant.

17.100 – Land Division

123. 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.**

124. A pre-application conference was held with the City on May 29, 2019 per Section 17.100.60(A). The pre-app notes are attached as Exhibit BB.

125. As required by Section 17.100.60(E), the proposed subdivision is designed to be consistent with the density, setback, design standards, and dimensional standards in the SFR zoning district with the exception of the requests as part of the Planned Development (PD). Dimensional and/or quantitative variations to development standards are permitted as part of the PD process per Section 17.64.30(A). See findings for Chapter 17.64 in this document.

126. Section 17.100.60(E)(2) requires subdivisions to be consistent with the design standards set forth in the 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.

127. 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. Given the requirements in Section 17.100.100(E), the site specific conditions of the subject property, particularly the location of the FSH overlay area, limits construction of an interconnected street system. The only existing street to be extended is Ortiz Street in the Upper Views, which is proposed to be located directly across Vista Loop Drive from the existing street. The applicant submitted a future street plan (Exhibit D, Sheet C10); however, it details the area north of Ortiz Street as future apartments and does not consider this area to lend itself to a traditional subdivision. **The Planning Commission needs to determine if an additional street stub or pedestrian access shall be extended north (i.e. in the location of Lots 91 and 92).**

128. 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, sanitary sewer and stormwater are available or will be constructed by the applicant to serve the subdivision. As detailed on the submitted plans and because of the depth of the existing sewer line in Vista Loop, eleven lots in the Lower Views (Lots 39-46 and 61-63) and five lots (Lots 96-100) in the Upper Views will require installation of individual grinder sump systems to pump sanitary waste from these dwellings to a gravity sewer line.

129. Section 17.100.60(E)(5) requires all proposed improvements to meet City standards through the completion of conditions as listed within this document and as detailed within these findings. The detailed review of proposed improvements is contained in this document.

130. 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 proposes building The Lower Views as Phase 1 and The Upper Views as Phase 2. Staff supports a phased approach as proposed by the applicant but finds that **the Planning Commission shall set forth recommendations to the City Council on items such as Parks fee in-lieu and expiration dates related to plat recording.** This is explained in further detail in the recommendations section of this document.

131. Section 17.100.80 provides standards for denial of a development application due to physical land constraints. A significant portion of the Lower Views is affected by the FSH overlay identified by the City of Sandy. The applicant does not propose any development within this area. A Geotechnical Evaluation (Exhibit I) for the property is included with the application package. Except for the areas designated as open space, all areas of the Lower Views and all of the Upper Views property are suitable for development and do not pose any issues due to flooding.

132. The subject property abuts Highway 26 and notification of the proposal was sent to ODOT as required by Section 17.100.90. ODOT's comments are included as Exhibit W. One of ODOT's comments reads as follows: "The proposed land use notice is to construct 128 single family residential units and 48 multi-family units within the vicinity of the US 26/Vista Loop Drive intersection. The "Upper Views" site is located adjacent to the highway. ODOT has review the Traffic Impact Study prepared by Ard Engineering for the development. The development will increase the number of vehicles turning right onto Vista Loop Drive from the highway. The posted speed on the highway is 55 mph and vehicles making this turning movement must to slow down significantly to safely make the turn. Due to the high speed of through traffic, increasing the number of vehicles turning from the through lane onto Vista Loop Drive is a safety concern. In order to separate the right turning vehicles from the through movement, ODOT recommends that the city require the applicant to provide space for right turning vehicles to utilize while turning right onto Vista Loop Drive." After additional discussion with the City Transportation Engineer, prior to conditioning additional asphalt area for turning movements, he recommends the applicant's transportation engineer provides further analysis to be reviewed by ODOT and the City of Sandy. This analysis by Ard Engineering is contained in Exhibit F and explained in further detail in Chapter 17.84 of this document.

133. As required by Section 17.100.100(A), a traffic impact study prepared in compliance with the City standards was submitted with the application (Exhibit F). This study does not identify any issues requiring mitigation by the applicant. The findings from the City Transportation Engineer (Exhibit S) are expressly incorporated by reference into this document. None of the special traffic generators listed in Section 17.100.100(B) are located near the subject site.

134. While Section 17.100.100(C) calls for a rectangular grid pattern, due to topographic constraints in the Lower Views and existing infrastructure in the Upper Views (Highway 26 and Vista Loop Drive) the site does not lend itself to creating a rectangular gridded street pattern.

135. Section 17.100.100(E) requires applicants to provide a future street plan within a 400 foot radius of the subject property(ies). Given the requirements in Section 17.100.100(E), the site specific conditions of the subject property, particularly the location of the FSH overlay area, limits construction of an interconnected street system. The only existing street to be extended is Ortiz Street in the Upper Views, which is proposed to be located directly across Vista Loop Drive from the existing street. The applicant submitted a future street plan (Exhibit D, Sheet C10); however, it details the area north of Ortiz Street as future apartments and does not consider this area to lend itself to a traditional subdivision. **The Planning Commission needs to determine if an additional street stub or pedestrian access shall be extended north (i.e. in the location of Lots 91 and 92).**

136. Section 17.100.120(A) requires blocks to 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. All blocks within the proposed subdivision have sufficient width to provide for two tiers of lots as required in Section 17.100.120(A), with the exception of blocks along Highway 26 and blocks adjacent to the FSH overlay district. The unique character of the site does not lend itself to creating blocks with two tiers due to the existing location of Highway 26 and the FSH overlay area.

137. Section 17.100.120(B) requires that blocks fronting local streets shall not exceed 400 feet in length, although blocks may exceed 400 feet if approved as part of a Planned Development. Due to site specific and topographic conditions, all streets do not comply with the 400 foot block length standard. The applicant is requesting an exception to this standard as part of the Planned Development request as identified in Chapter 17.64 of this document.

138. Section 17.100.120(D) requires that in any block 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. The applicant proposes establishing a ten foot wide sidewalk within a 15-foot wide pedestrian access easement in the middle of Knapp Street to provide a sidewalk connection from this street to Vista Loop Drive. In order to provide sufficient room for landscaping, **the walkway shall be shifted to one side of the 15 foot wide pedestrian access easement to accommodate a landscaping strip that is at least 5 feet in width with trees.**

139. As required by Section 17.100.130, eight-foot wide public utility easements will be included along all property lines abutting a public right-of-way. Eight foot wide public utility easements shall be included along all property lines abutting a public right-of-way. Only public pedestrian access easements will be needed to allow public access along some of the sidewalks located within private tracts. Staff does not believe that any other easements for public utility purposes are required but will verify this during construction plan review. **Preliminary plat approval does not connote utility or public improvement plan approval including easement locations which will be reviewed and approved separately upon submittal of public improvement construction plans.**

140. Section 17.100.140 requires that public alleys shall have a minimum width of 20 feet. A 28-foot wide paved alley within a 29-foot public right-of-way is proposed in the Lower Views. This alley is designed to provide access to the 32 single family detached dwellings abutting this right-of-way. The proposed alley width is designed to accommodate public parking on the south side of the alley. The proposed alley widths include Type C vertical curb with 7 inch exposure per the street sections diagram.

141. Section 17.100.150 outlines requirements for residential shared private drives. A shared private drive is intended to provide access to a maximum of two dwelling units. One of the following two criteria must be met: Direct access to a local street is not possible due to physical aspects of the site including size, shape, or natural features; or the construction of a local street is determined to be unnecessary. As shown on submitted plans the Lower Views includes three private drives serving two lots each. These private drives are proposed due to the topographic constraints with the subject property. The design of the lots should be such that a shared access easement and maintenance agreement shall be established between the two units served by a shared private drive, public utility easements shall be provided where necessary in accordance with Section 17.100.130, and shared private drives shall be fully improved with an all weather surface (e.g. concrete, asphalt, permeable pavers) in conformance with city standards. The pavement width shall be 20 feet, and parking shall not be permitted along shared private drives at any time and shall be signed and identified accordingly. The proposed three private drives in the Lower Views are designed to serve only two lots each as permitted. **A shared access easement and maintenance agreement shall be established for each private drive as part of the Final Plat.** Public utility easements will be accommodated along these private drives as necessary to serve these lots. As shown on submitted plans each private drive is proposed to include a 20-foot wide all weather surface within a 21-foot wide tract and shall be posted “no parking.”

142. Section 17.100.170 outlines requirements for flag lots. Lots 103 and 104 are proposed as flag lots. Both lots contain a minimum 15 feet of street frontage as required.

143. Section 17.100.180(A) requires that intersections are designed with right angles. All streets in the proposed subdivision have been designed to intersect at right angles to the opposing street as required.

144. All streets in the proposed subdivision have a minimum curve radius as required by Section 17.100.180(B).

145. **A lighting plan shall be coordinated with PGE and the City as part of the construction plan process and prior to installation of any fixtures as required by Section 17.100.210.**

146. All lots in the proposed subdivision have been designed so that no foreseeable difficulties due to topography or other conditions will exist in securing building permits on these lots as required by Section 17.100.220(A).

147. Section 17.100.220(B) requires that 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 applicant may be required to arrange such lots to allow further subdivision and the opening of future streets to serve such potential lots. As allowed by Chapter 17.64 for Planned Developments, the applicant has proposed modifications to the minimum lot size and dimension standards specified in the Single Family Residential zone. Only Lot 62 (16,694 square feet) is proposed to contain more than double the minimum lot size (7,500 square feet) in the SFR zone. Due to its location and topographic constraints no further division of this lot is possible and therefore staff supports the proposed square footage of Lot 62.

148. Section 17.100.220 states that all new lots shall have at least 20 feet of street frontage. All lots in the proposed subdivision contain at least 20 feet of frontage along a public street with the exception of one flag lot and the six lots that are proposed to be accessed by three private drives.

149. Only Lots 99 and 103-121 are designed to have frontage on both an internal local street (Knapp Street) and Highway 26. This configuration is unavoidable because of the location of Highway 26 and limitations for access to this roadway and is thus allowed as required by Section 17.100.220(D).

150. The applicant shall install all water lines and fire hydrants in compliance with the applicable standards in Section 17.100.230, which lists requirements for water facilities.

151. The applicant intends to install sanitary sewer lines in compliance with applicable standards in Section 17.100.240. As noted above, because of the depth of the existing sanitary sewer in Vista Loop, 11 lots in the Lower Views (Lots 39-46 and 61-63) and five lots (Lots 96-100) in the Upper Views will require installation of a grinder sump system installed at each of these dwellings to pump sanitary sewer waste from these dwellings to a gravity sanitary sewer line in the development.

152. Section 17.100.250(A) details requirements for stormwater detention and treatment. A stormwater water quality and detention facility is proposed to be located in the eastern portion of the Lower Views and the western area of the Upper Views as shown on submitted plans. These facilities have been sized and located to accommodate public stormwater generated by the subdivision. A stormwater report (Exhibit E) is included with this application as required. Stormwater calculations are found to meet the water quality/quantity criteria as stated in the City of Sandy Development Code 13.18 Standards and the 2016 City of Portland Stormwater Management Manual 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**.

153. **The detention ponds shall be constructed to meet the requirements of the 2016 City of Portland Stormwater Management Manual for landscaping Section 2.4.1 and escape route Section 2.30. The access to the detention ponds shall be paved of an all-weather surface to a minimum of 12-foot in width per the 2016 City of Portland Stormwater Management Manual.**

154. 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.**

155. Section 17.100.270 requires that sidewalks shall be installed on both sides of a public street and in any special pedestrian way within the subdivision. Sidewalks will be installed on both sides of all streets with the exception that a sidewalk is proposed to be constructed on only the north side of The View Drive from its intersection with Vista Loop Drive to the proposed public alley. The applicant is proposing this design to allow the road surface to be shifted to the south side of the public right-of-way to construct a six-foot sidewalk within a widened landscaped buffer. The applicant believes this design will provide a more aesthetically pleasing and desirable environment for pedestrians walking between the upper and lower parts of the development. The roadway width in this location will be 28 feet wide in compliance with city standards.

156. Planter strips will be provided along all frontages as required in Section 17.100.290. Street trees in accordance with City standards will be provided in these areas. **The applicant shall provide a revised street tree plan with alternative species as explained in Chapter 17.92 of this document.**

157. Grass seeding shall be completed as required by Section 17.100.300. Grass seeding will be completed as required by this section. The submitted erosion control plan (Exhibit D) provides additional details to address erosion control concerns. **A separate Grading and Erosion Control Permit will be required prior to any site grading.**

17.102 – Urban Forestry

158. Section 17.102.20 contains information on the applicability of Urban Forestry regulations. An Arborist Report by Todd Prager of Teragan & Associates (ASCA Registered Consulting Arborist #597, ISA Board Certified Master Arborist, WE-6723B, ISA Qualified Tree Risk Assessor) is included as Exhibit G. The arborist inventoried approximately 530 trees. The inventory is included in Exhibit D, Sheet 6 and the proposed retention trees are shown in Exhibit D, Sheet 7.

159. The property contains 32.87 acres requiring retention of 99 trees 11 inches and greater DBH (32.87 x 3 = 98.61). The submitted Tree Retention Plan (Exhibit D Sheets C6 and C7) identifies 219 trees that will be retained. Of the 219 trees proposed for retention, 105 are 11 inches DBH or greater and in good condition as required. Five (5) of the proposed retention trees are nuisance species: Tree #149 is an English holly and Trees #223, 224, 225, and 227

are sweet cherries. In addition, 76 of the 105 trees (72 percent) are conifer species as preferred by Section 17.102.50(4). The applicant submitted a supplemental Tree Protection Plan and Table prepared by the project arborist that details an additional seven (7) retention trees within the FSH overlay district that weren't previously inventoried that meet retention tree standards and aren't nuisance species. With these additional seven retention trees, the applicant is proposing to retain 101 trees that meet the retention standards and aren't nuisance species.

160. No trees are proposed to be removed within the FSH overlay area. **The applicant shall not remove any trees from the FSH overlay area.**

161. The Arborist Report (Exhibit G) provides recommendations for protection of retained trees including identification of the recommended tree protection zone for these trees. The requirements of Section 17.102.50(B) will be complied with prior to any grading or tree removal on the site. 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 arborist report details a root protection zone radius of 1 foot per 1 inch DBH and a minimum construction setback radius of 0.5 feet per 1 inch DBH. **The applicant shall install tree protection fencing at the critical root zone of 1 foot per 1 inch DBH to protect the 101 retention trees on the subject property as well as all trees on adjacent properties. 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. Up to 25 percent of the area between the minimum root protection zone of 0.5 feet per 1-inch DBH and the critical root zone of 1 foot per 1 inch DBH may be able to be impacted without compromising the tree, provided the work is monitored by a qualified arborist. The applicant shall retain an arborist on site to monitor any construction activity within the critical root protection zones of the retention trees or trees on adjacent properties that have critical root protection zones that would be impacted by development activity on the subject property. The applicant shall submit a post-construction report prepared by the project arborist or other TRAQ qualified arborist to ensure none of the retention trees were damaged during construction.**

    To ensure protection of the required retention trees, **the applicant shall record a tree protection covenant specifying protection of all retention trees, including trees in the FSH Overlay per the recommendations of the applicant's arborist report of 1 foot per 1 inch DBH. The tree protection covenant shall specify limiting removal of the**

retention trees 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 consistent with the applicant's arborist report. 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.

162. The arborist report contains additional recommendations related to tree protection, directional felling, stump removal, tree crown protection, monitoring of new grove edges, and sediment fencing. **The applicant shall follow the recommendations outlined in the arborist report related to tree protection, directional felling, stump removal, tree crown protection, monitoring of new grove edges, and sediment fencing.**

15.30 – Dark Sky

163. 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

164. The applicant submitted a Geotechnical Report (Exhibit I) prepared by Redmond Geotechnical Services dated May 15, 2020. **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.**

165. **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.**

166. 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.**

167. Development at both the 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.**

RECOMMENDATION TO FORWARD TO COUNCIL:

If the ultimate decision is to approve this land use application with conditions, all of the conditions (with the exception of standard conditions) are listed in this document in the findings with the use of bold. Instead of creating a conditions list as is typically done in a Planning Commission staff report, staff believes the main objective for the Planning Commission in this application is to answer the requests related to the application and forward a recommendation of approval, approval with conditions, or denial to the City Council.

Staff is generally supportive of the applicant's request and thinks the applicant has done a commendable job of creating a development proposal that meets the spirit of the Development Code while also incorporating some creative solutions to increase density and deviate from some of the code requirements. Staff has been working closely with the developer and his consultants, but with the public comments received to date and the indeterminate language in Chapter 17.64 staff finds it important to define if the Planning Commission finds that this proposed PD meets the intent of the development code. Some of the indeterminate language in Chapter 17.64 includes things such as, 'outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning' and 'development standards of the base zone, overlay zone or planned development overlay apply unless they are superseded by the standards of this chapter, or are modified during a Planned Development review'. While staff understands concerns as expressed by the surrounding neighborhood the proposal incorporates a variety of housing price points and supports inclusionary zoning practices.

Staff recommends the Planning Commission provide the City Council a clear recommendation by answering the following questions:

A. Does the Planning Commission recommend exceeding the maximum density for the base zone by six (6) percent? To allow this density increase the Planning Commission, and ultimately the City Council, needs to find that the Planned Development is outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning.

B. Does the Planning Commission recommend permitting rowhouses in the SFR zoning district?

C. Does the Planning Commission recommend permitting multifamily housing in the SFR zoning district?

D. Does the Planning Commission recommend allowing lot sizes less than 7,500 square feet?

E. Does the Planning Commission recommend allowing a minimum average lot width less than 60 feet?

F. Does the Planning Commission recommend allowing interior side yard setbacks at 5 feet, when the typical standard is 7.5 feet?

G. Does the Planning Commission recommend reducing the rear yard setbacks from 20 feet to 10 feet for lots 47-56 in the Lower Views and 20 feet to 15 feet for lots 84-86 and 88-102 in the Upper Views?

H. Does the Planning Commission recommend allowing block lengths at 691 feet on The Views Drive from Vista Loop Drive to Bonnie Street; at 665 feet on the north side of Bonnie Street; and at 805 feet on Knapp Street from Vista Loop Drive to Ortiz Street?

I. Does the Planning Commission recommend approval of the request to provide meandering walkways within private open space tracts rather than a traditional sidewalk/planter strip in the public right-of-way with the condition that the tracts maintain a minimum width of 15 feet to accommodate a 5 foot wide walkway with an average of 5 foot wide planter strips on either side?

J. Does the Planning Commission recommend approval of the request to not provide a sidewalk on the south side of The Views Drive with the condition that Tract E on the north side of The Views Drive be designed as proposed (i.e. approximately 19 feet wide with 5 feet wide of planting space on either side of the meandering walkway to accommodate street trees on both sides of the walkway)?

K. Does the Planning Commission recommend approval of the request to not provide front doors facing Highway 26 and instead allow the lot line abutting Highway 26 to be considered the rear yard so the sound wall can be 6 feet in height?

L. Does the Planning Commission recommend phasing this development in two distinct phases as proposed by the applicant? If so, what policies should be recommended for the two following requirements?
    a. Parks fee in-lieu?
    Staff recommends the parks fee in-lieu are paid prior to each phase being recorded. The parks fee in-lieu for Phase one, the Lower Views would be the calculation for Lots 1-72. The parks fee in-lieu for Phase two, the Upper Views would be the calculation for Lot 73 – 122.
    b. Expiration dates?
    Staff recommends each phase is allowed two years to complete plating requirements, with the two-year clock starting for the second phase at the recording date of phase one, the Lower Views.

M. Does the Planning Commission recommend to not require a right turn lane at the intersection of Vista Loop Drive and Highway 26, consistent with staff's recommendation -or- does the Planning Commission recommend a condition to require a right turn lane at this intersection, consistent with ODOT's recommendation?

N. Does the Planning Commission recommend the proposed future street layout north of Ortiz Street as proposed by the applicant -or- does the Planning Commission recommend a street stub and/or pedestrian connection to the north in the vicinity of where Knapp Street intersects with Ortiz Street?

O. Does the Planning Commission recommend that additional vegetation is planted between the sound wall and the sidewalk along Highway 26 to make it more pedestrian friendly and to soften the large concrete wall?

P. Does the Planning Commission have any additional recommendations related to maintenance of the open space owned by a proposed Homeowner's Association (HOA)?

Q. Does the Planning Commission have any other recommendations related to modifying other findings or conditions?

R. Does the Planning Commission recommend approval of The Views PD?

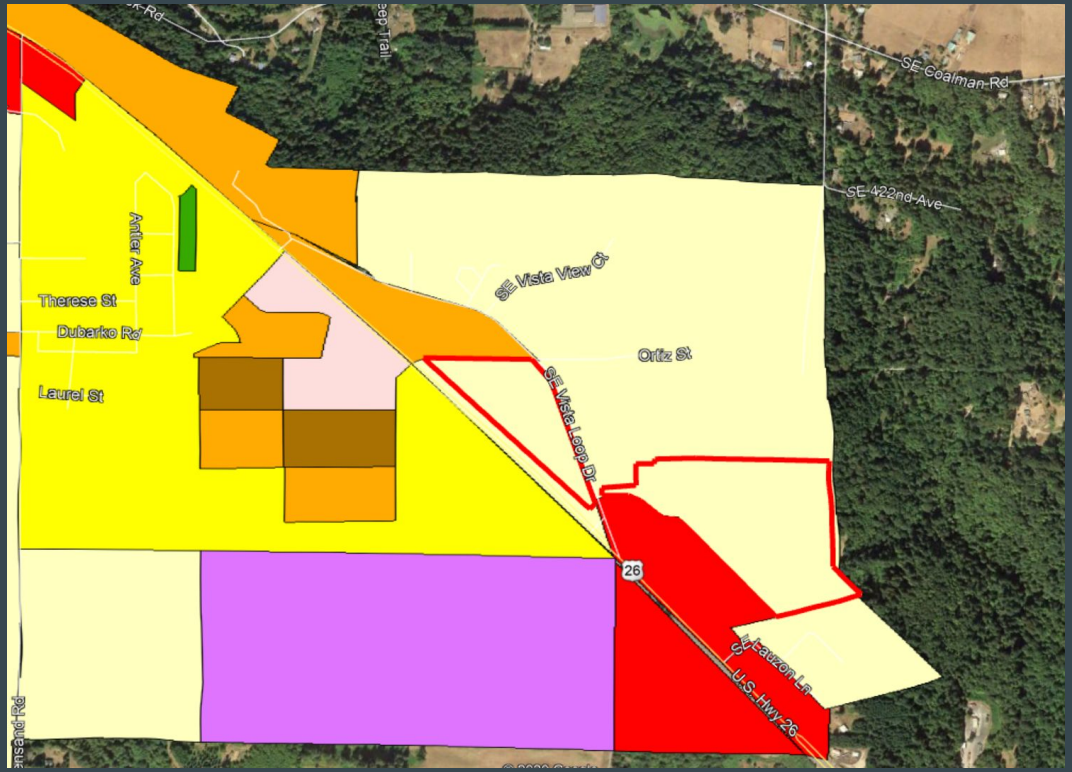
EXHIBIT GG

The Views PD

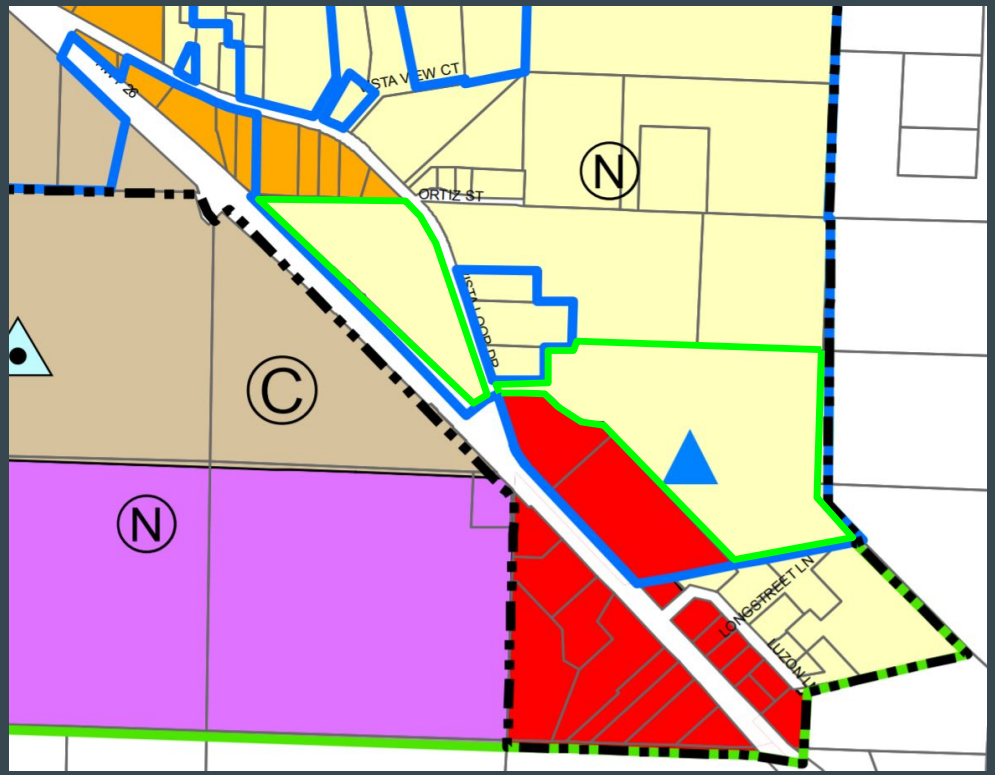
Planning Commission 12/16/2020

Vicinity Map

Zoning Map


SE Coalman Rd
SE 422nd Ave
Antler Ave
Therese St
Dubarko Rd
Laurel St
SE Vista View Dr
Ortiz St
SE Vista Loop Dr
26
U.S. Hwy 26
N

Comprehensive Plan Map



Request

The applicant is requesting the following:

- Planned Development
- Subdivision of land into parcels
- Type III Special Variances
- FSH Overlay Review
- Tree removal

History

- January 2019: Applicant begins discussion with City staff
- May 29, 2019: Pre-application conference
- June/July 2020: Application materials submitted and application deemed complete
- November 23, 2020: First Planning Commission hearing
- December 16, 2020: Second Planning Commission hearing

Background on a Planned Development

- Both a development type and a legal process.

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- Intent:
  - Mixture of housing types and densities
  - Flexibility in site planning and land use
  - Encourage environmental conservation
  - Coordination of building form
  - Provide common recreation areas

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- Trade off: implementing “outstanding design elements” which may not be explicitly supported by the development code.

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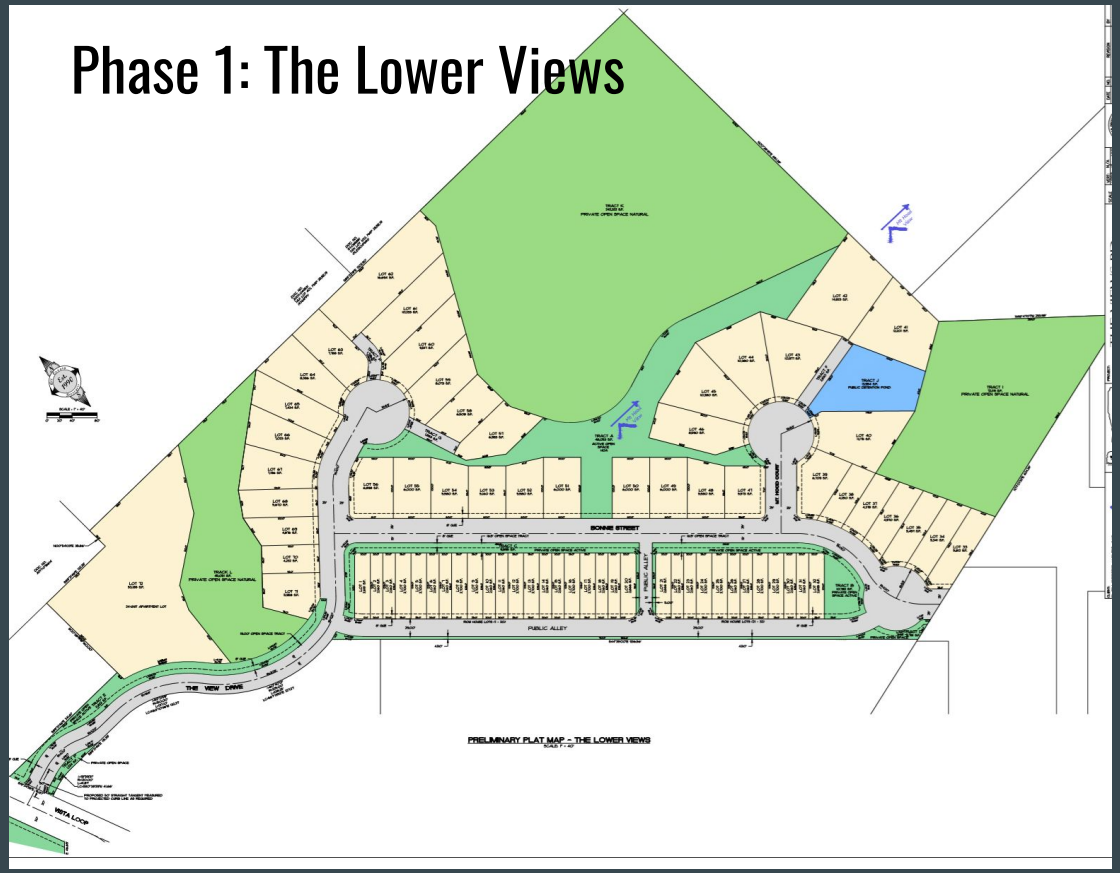
  - Coordination of building form
  - Provide common recreation areas
- Trade off: implementing “outstanding design elements” which may not be explicitly supported by the development code.
- Applicant is allowed to request modifications to quantitative code requirements, including underlying zoning district density.

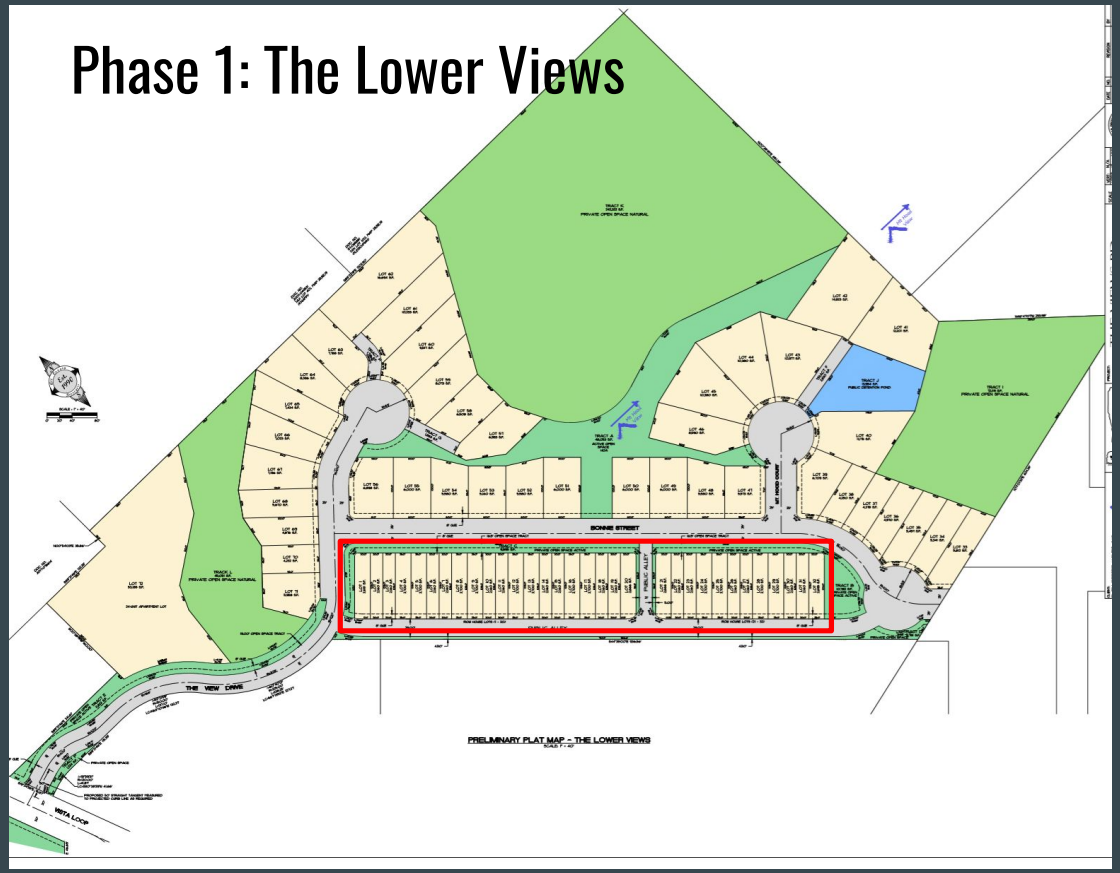
LOWER VIEWS
PHASE 1
UPPER VIEWS
PHASE 2
ORTIZ STREET
VISTA LOOP
KNAPP STREET
THE VIEW DRIVE
BONNIE STREET
MT. HOOD COURT
HIGHWAY 26
TRACT K
OPEN SPACE
TRACT A
TRACT J
POND
TRACT I
OPEN SPACE
TRACT L
OPEN SPACE
TRACT N
TRACT M
TRACT O
POND
PUBLIC ALLEY
Mt. Hood View
SCALE: 1" = 100'
0' 50' 100' 200'

Phase 1: The Lower Views



- 39 single family detached homes
- 32 single family attached homes
- 24 multi-family homes

Phase 1: The Lower Views



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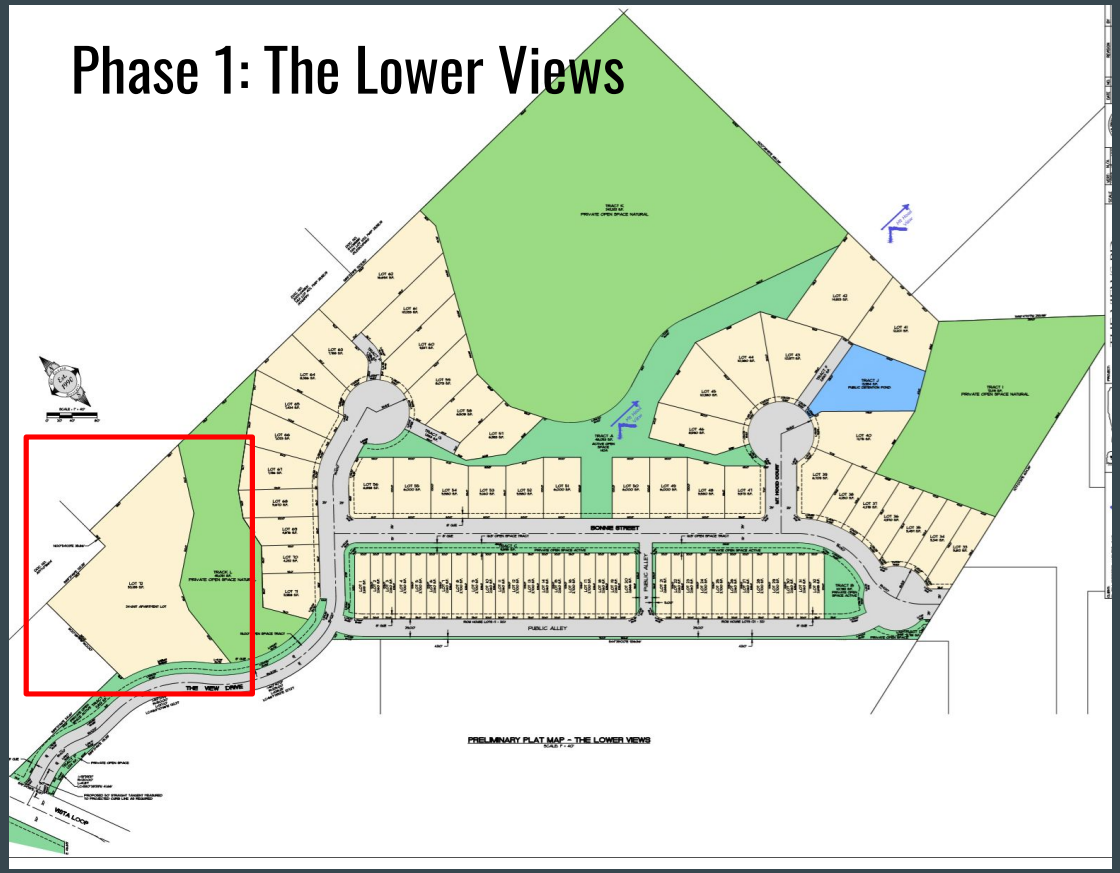

- 39 single family detached homes
- 32 single family attached homes
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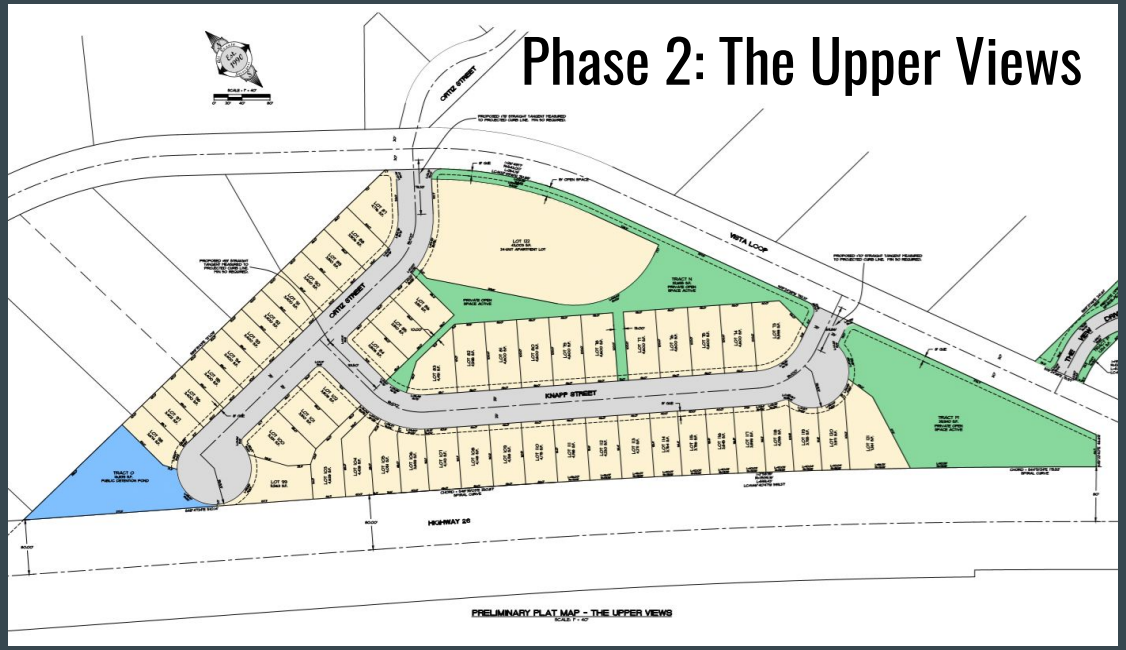
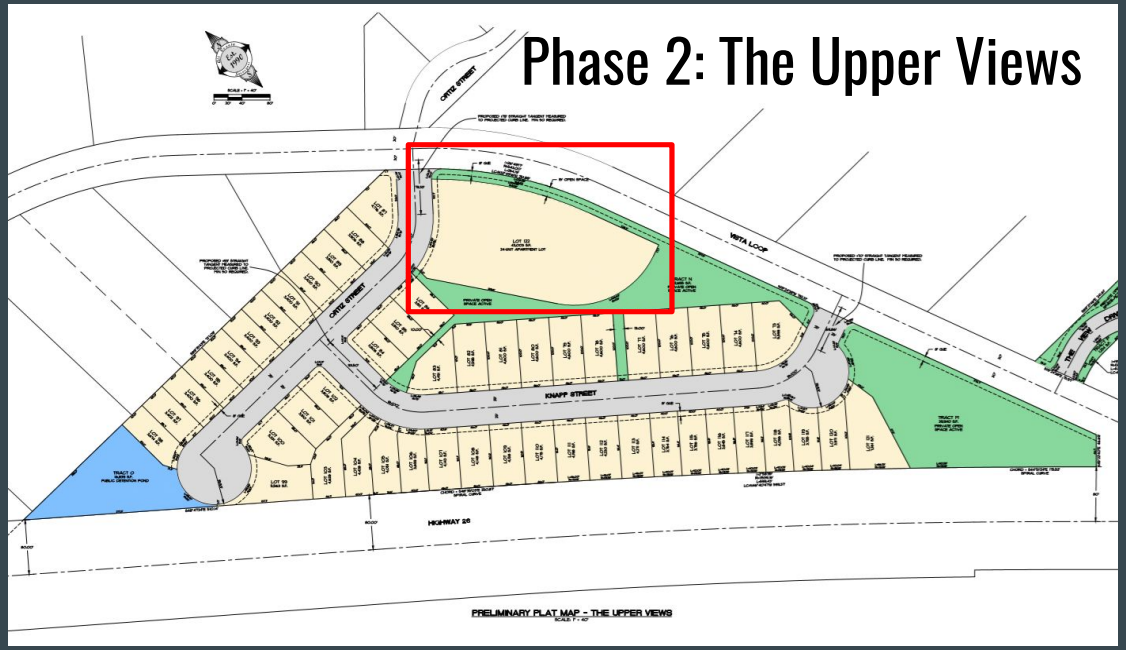
Phase 2: The Upper Views



- 49 single family detached homes
- 24 multi-family homes

Phase 2: The Upper Views



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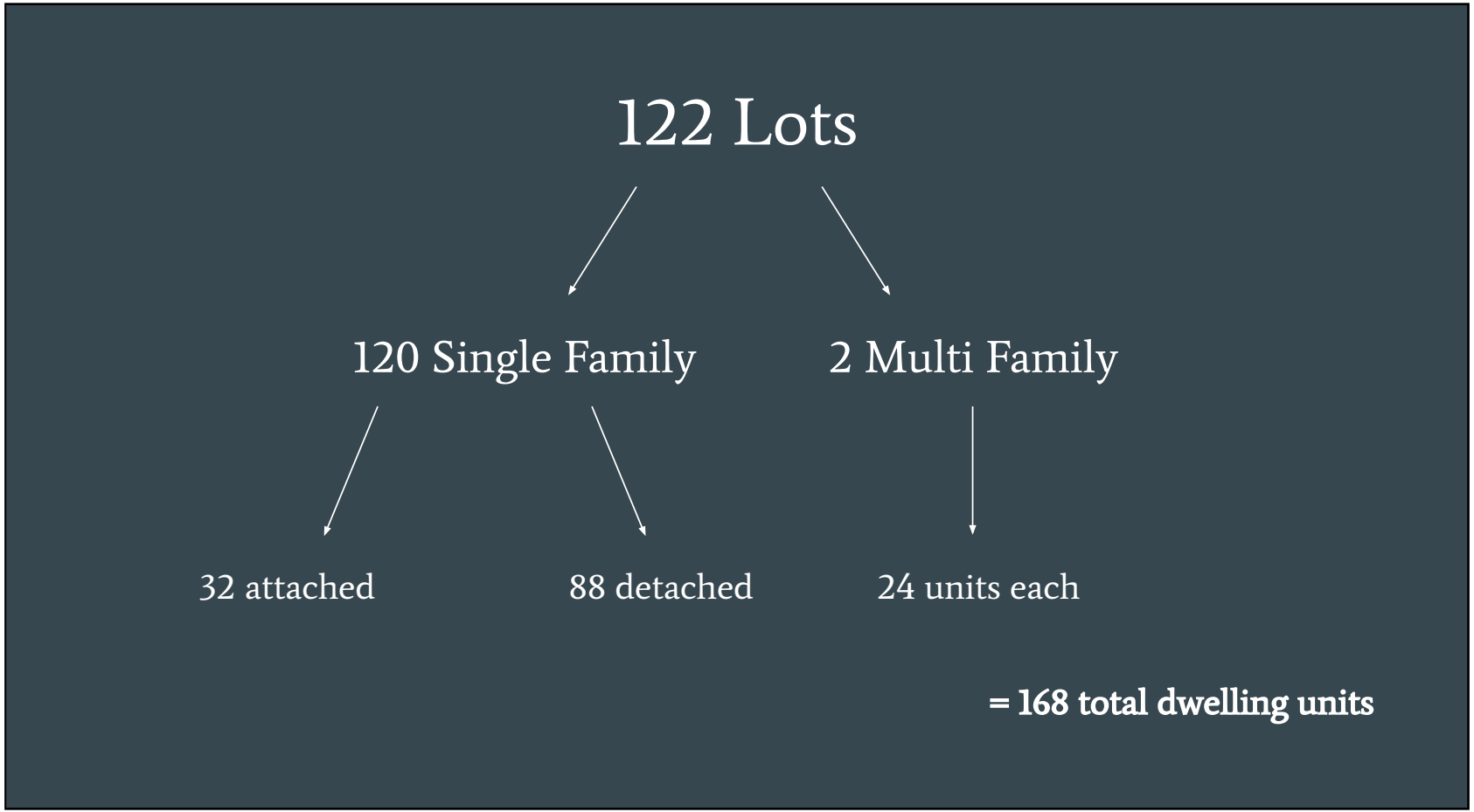
- 24 multi-family homes


122 Lots
120 Single Family
2 Multi Family
32 attached
88 detached
24 units each
= 168 total dwelling units

Density

- Under current SFR zoning, a minimum of 63 and a maximum of 159 single family homes are allowed according to net acreage.*
- The applicant is requesting a density increase as part of the PD process:
  - 17.64.40: “An increase in density of up to 25% of the number of dwelling units may be permitted upon a finding that the Planned Development is outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning.”
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* Because of House Bill 2001, some or all of these homes could be duplexes, potentially leading to as many as 318 units.

“Outstanding” Design Elements

- Mix of housing types and densities
- Private recreation tracts integrated into development
- Proposed allee of trees along majority of street frontages
- Sound wall along Highway 26
- Open space and active recreation areas totalling more than is required

Additional PD Code Deviation Requests

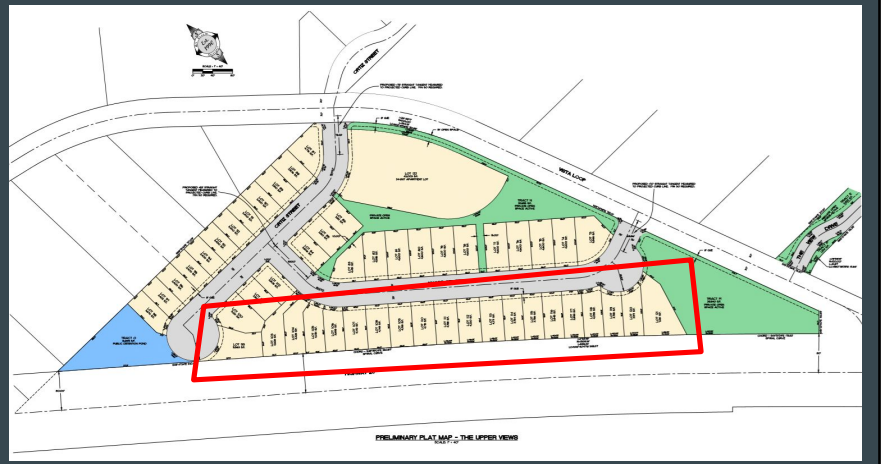
- Rowhouses and multi-family housing
- Smaller lot sizes
- Smaller minimum average lot width
- Smaller interior side yard setbacks
- Smaller rear yard setbacks
- Longer block lengths

Special Variances

- Required for qualitative code deviations:
  - Front doors on SW side of The Upper Views facing internal streets rather than Highway 26.
  - Removing sidewalk from various street frontages.

Special Variances

- SDC Section 17.82.20 says that homes abutting a transit street must face the transit street.
- Lots 99 and 103-121 in The Upper Views abut Highway 26
- Applicant is requesting that these homes face the internal streets.



Special Variances

- SDC Section 17.84 requires sidewalks and planter strips along streets.
- The applicant is requesting to waive this requirement along the south side of The View Drive.
- The applicant is requesting to install a meandering walkway along Bonnie Street, the north side of The View Drive, and Vista Loop in lieu of sidewalks.

Public Comments

- As of 12/16/2020, 31 public comments have been received
- Key concerns:
  - Traffic safety
  - Lack of code-required improvements
  - Ignoring requests of existing residents
  - Encroaching development in FSH
  - Capacity of fire, police, and public utilities
  - Increased traffic on already busy streets
  - Removal of wild animal habitat
  - Significant increase in housing density
  - Changing the character of the area
  - Lowering value of land
  - Lack of amenities for future residents
  - Safety walking along streets
- Support:
  - Local developer
  - Increased public revenue
  - Support to pay for new wastewater treatment facilities
  - Improvement of Vista Loop Drive

FSH Review

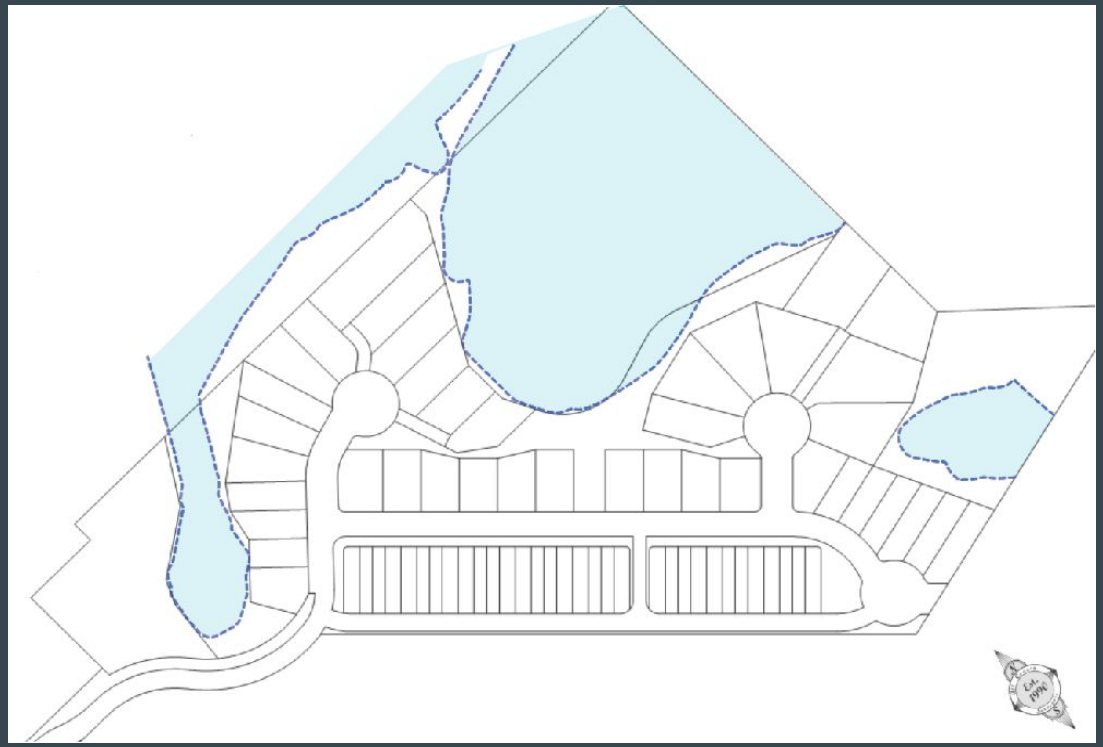


EXHIBIT HH

Sandy Planning Commission
Regular Meeting
Wednesday, December 16, 2020

Chairman Crosby called the meeting to order at 7:03 p.m.

1. MEETING FORMAT NOTICE: Instructions for electronic meeting

2. ROLL CALL

Commissioner Carlton – Present
Commissioner Lesowski – Present
Commissioner Maclean-Wenzel – Present
Commissioner Logan – Present
Commissioner Mobley – Present
Commissioner Mayton – Present
Chairman Crosby – Present

Others present: Development Services Director Kelly O'Neill Jr., Senior Planner Emily Meharg, Associate Planner Shelley Denison, City Attorney Chris Crean, City Recorder Jeff Aprati

3. APPROVAL OF MINUTES

3.1 APPROVAL OF MINUTES – November 23, 2020
Motion: Approve the Planning Commission minutes for November 23, 2020.
Moved By: Commissioner Maclean-Wenzel
Seconded By: Commissioner Mobley
Yes votes: All Ayes
No votes: None
Abstentions: Commissioner Logan
The motion passed.

4. REQUESTS FROM THE FLOOR – CITIZEN COMMUNICATION ON NON-AGENDA ITEMS:

None.

5. COMMISSIONER'S DISCUSSION
Chairman Crosby asked about the new Planning Commissioners. O'Neill gave an update on the new Planning Commissioners. Commissioner Mayton was reappointed and a new Planning Commissioner, Steven Hook, was appointed. There is still one vacancy. Chairman Crosby expressed sadness over the departure of Commissioners Mobley and Logan from the Planning Commission and thanked them for their service as did the other Commissioners.

6. OLD BUSINESS:

6.1 The Views PD (20-028 SUB/TREE/FSH/PD/VAR) Continuance:
Chairman Crosby opened the public hearing continuance on File No. 20-028 SUB/TREE/FSH/PD/VAR at 7:12 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

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any individual member of the Planning Commission. No challenges were made. Chairman Crosby stated he received three emails sent directly by one or more members of the public but didn't open them. Commissioner Carlton received an email from John Andrade and another from someone else. He opened them, but then forwarded them to O'Neill. Commissioner Mayton also received two emails, read the first few lines on the first, and forwarded it to O'Neill, and read the second one after it was sent to all Commissioners. Commissioners Logan, Lesowski, Maclean-Wenzel, and Mobley also received the emails but didn't open them or respond. O'Neill emphasized the need for the public to send emails to planning@cityofsandy.com. City Attorney Crean asked if any commissioners had any conversations with the emailers. None of the commissioners did. Commissioner Logan stated he watched the video 1.5 times, read the minutes, and read all of the material. The applicant's attorney, Robinson, asked if the emails received by the Commissioners were now part of the record. O'Neill confirmed the emails were made part of the record. Robinson also wanted to clarify that there were no conversations between the Commissioners and the emailers. It was confirmed that no conversations took place.

Crosby stated the Planning Commission's role is to make a recommendation to Council and that there will be another public hearing on this proposal before the City Council in the future.

Staff Report:
Associate Planner Denison summarized the staff report and provided an updated presentation related to the Planned Development (PD) request. Denison presented an overview of the proposal, history of the project, and explained the intent of a PD. Denison clarified the requested use types and number of proposed lots. Denison outlined the requested density bonus and "outstanding" design elements as well as the quantifiable deviations the applicant is requesting as part of the PD process and the two additional special variance requests. Denison mentioned that HB 2001 would allow for duplexes on all of the lots. Denison summarized comments that were received between the November 23 Planning Commission hearing and the December 16 Planning Commission hearing, including both concerns and support for the proposal. Denison clarified that no development is proposed in the Flood Slope Hazard (FSH) overlay.

Applicant Testimony:
Tracy Brown
17075 Fir Drive
Sandy, OR 97055
Mr. Brown referenced additional documents the applicant provided and showed a slideshow presentation. The applicant is proposing a "Welcome to Sandy" sign. Brown showed images associated with the proposed development and explained the PD process. Brown summarized the developer's vision, what makes this development unique, and why the proposal should be approved. Brown responded to the concerns received from the public.

Mac Even
PO Box 2021
Gresham, OR 97030
Mr. Even introduced himself and provided background on his history as a builder. Even stated he wants to make a long-term investment in the community. Even and Engineer Moore met with approximately a dozen neighbors the morning of December 16, 2020 to discuss the proposal. Even mentioned the apartments are being included to help offset the infrastructure costs and to create inclusionary housing for all income levels to enjoy the same kinds of amenities.

Even stated the apartments on Lot 72 are proposed at 3 stories in height, but he is now proposing to remove 9 units from that building and make it a 2 story building to help preserve views for the neighbors. This would also reduce the number of units to 159, which means he's no longer asking for a density bonus. Even stated that if they did duplexes instead, they would not be able to include the passive and active recreation areas.

Proponent Testimony:

Chris Anderson
17150 University Ave
Mr. Anderson said he thinks the project is great and appreciates that the developer is removing one floor from the apartments on Lot 72. Prefers the PD proposal over duplexes. Asked some questions about the proposed HOA.

Cassidy Moore
1912 SW 6th Ave
Portland, OR
Ms. Moore stated she is excited to see growth.

Buzz Ortiz
41525 SE Vista Loop
Sandy, OR 97055
Mr. Ortiz said he supports the project because the alternative is rentals and duplexes.

Lindsey Sawyer
18085 Scenic Street
Sandy, OR 97055
Ms. Sawyer said she owns a property management company in Sandy and is excited for this proposal. Loves profit and rentals as a property manager but wants to see affordable housing too. Thinks having the developer assume park construction and having the park be maintained by an HOA is a good idea. Encourages everyone to think outside of the box.

Opponent Testimony:

Jason Dyami
41625 SE Vista Loop Drive
Sandy, OR 97055
Mr. Dyami expressed concerns about the additional impacts of traffic in the City of Sandy and wastewater treatment concerns. He stated that the FSH Overlay area already can't be built on so wondered if that space is included in the required open space. Wonders if there is a better location for apartments in a different part of town. He asked, why do the apartments need to be behind his house? Hard for him to swallow why current residents of the community need to suffer or lose what they've worked hard for so someone else can gain.

Lisa Hull
18265 SE Vista View Ct.
Sandy, OR 97055
Ms. Hull stated that she attended the informal meeting held by Mac Even on the morning of December 16. Her biggest disappointment is that most of the people that live in this neighborhood have worked all their lives to afford to live in this neighborhood and enjoy beauty, peace, and quite that it provides. She stated that development will be nice for some people, but it takes the neighborhood down a notch and they've worked all their lives to be where they are today. A lot of the people living on Vista Loop are retired. She said that she learned that the

eastern third of Vista Loop will be improved, but she is not sure residents of the new development will only use a third of Vista Loop. Sent a letter about her concerns about traffic safety with the influx of people and wanted to make sure her email was received. Highway 26 is already unsafe at the east end of Vista Loop and therefore suggests lowering the speed limit from 55 mph to 45 mph like on the west side of Sandy. Ms. Hull said there used to be a slip lane like a highway off ramp to exit Highway 26, which felt safer. The recent improvements to the intersection removed the slip lane and made it a hard right without a right turn lane. Parking analysis indicates no on-street parking but wants to know how that is going to be enforced based on the existing issues at the west end of Vista Loop.

John Barmettler
41613 SE Vista Loop
Sandy, OR 97055
Mr. Barmettler voiced that his biggest concern is the apartment buildings, regardless of the number of stories. He stated that he finds it preposterous. Sent emails out and wants everyone to know he's very upset about the whole thing. Concerned about the proposed location of Knapp Street intersecting with Vista Loop, which will point headlights into his bedroom. Doesn't doubt we need housing for people who can't afford high-end living, but the proposed location for apartments is the wrong place. He also stated that justifying the Planned Development (PD) by saying there are multiple housing types is circular logic.

Todd Springer
18519 Ortiz Street
Sandy, OR 97055
Mr. Springer stated that his biggest concern is schools and the size of the classrooms. His grandson had 23 kids in his kindergarten class last year. He would like to see speed controls, such as speed bumps. Mr. Springer is concerned about the safety of his five grandchildren who play in his yard.

Neutral Testimony:
John Andrade
18509 Ortiz Street
Sandy, OR 97055
Mr. Andrade stated that he met with Mac Even the morning of December 16. He is concerned about three-story apartments. For example, police recently responded to apartments on the west end of Vista Loop. Likes the developer's team but wants Planning Commissioners to hear the public's concerns, including that neighbors are used to having less traffic. Wants to hold Mac Even to HOA but knows many HOAs dissolve and ultimately the City and taxpayers absorb costs.

Staff Recap:
Denison reiterated that all letters and emails received are part of the record and Planning Commission has received them. Clarified that the applicant is proposing an HOA and that the applicant has completed a TIA, which was reviewed by a third-party traffic engineer. Speed limit reduction request would be a different application but feels the sidewalk on Highway 26 and the Welcome to Sandy sign should aid in traffic calming. Parking enforcement will be done through the City's current enforcement procedures. The Planning Commission can't take schools into account, but multi-family housing statistically has fewer children than single-family homes. Sounds like Mac Even's meeting with neighbors went well, which is great. Constitution protects property rights and economic viability of land so City can't say "no, you can't develop the land." Concern about apartments is not unique but there's great research on multi-family housing.

O'Neill stated there will be additional vehicles on the highway because of the proposed development but the traffic generated from the new units will have very little impact on the 33,000 vehicles already on Highway 26 (based on 2011 numbers). He stated to contact the Public Works Director or City Manager regarding Wastewater Treatment or speed bumps. The Sandy code enforcement officer will enforce no on-street parking. ODOT would need to review a speed limit reduction request and asked concerned citizens to ask Council to get this started. Classroom size is an Oregon Trail School District (OTSD) issue and people should contact Julia Monteith with concerns. However, additional property taxes and school excise taxes collected with development should help fund additional teachers and classroom expansion. You can't develop within the restricted development area of the FSH, but the remainder of the FSH is an analysis area. Many other developments include lots platted with some FSH area which becomes a code enforcement nightmare. This area is included inside the UGB so the subject property will be developed, whether it's the proposed development or another in the future. O'Neill stated that he hopes Mac Even submits additional details on reduction of the apartment building in the Lower Views from 3-stories to 2-stories, which ultimately means the density bonus is no longer applicable and development doesn't need to be considered outstanding anymore.

Applicant Rebuttal:
Brown emphasized that Mac Even intends to have an HOA and will retain ownership of the apartments himself. Single-family residents that are in the neighborhood will also have eyes on the development if there's a problem. Understands concern about change in the neighborhood, but the only way the road will be improved is with development. If this development isn't approved the alternative probably won't have all the benefits that are being proposed.

Discussion:
Chairman Crosby reiterated the Commission's task is to forward a recommendation to City Council with any adjustments they want to make or concerns they have. Crosby wants the Commission to respond to staff's questions. O'Neill stated that if there are questions the Commission feels they don't need to discuss, that's fine. Logan talked about House Bill (HB) 2001 and wondered how many questions could be considered moot once HB 2001 provisions are adopted and duplexes are allowed where single-family residences are allowed.

Carlton stated the proposed development area is zoned SFR, which won't really exist after HB 2001, though single-family detached homes will still be built. Needed housing refers to all housing needs, not just higher density. Need to listen to Sandy's citizens. Carlton reviewed the UGB expansion analysis and determined there's R-2 and R-3 land available, so every project doesn't need to include R-2- or R-3-like development. The subject PD proposal doesn't provide analysis on effect on urban growth expansion analysis. Carlton also stated that he hasn't seen a memo from City Attorney Crean, which was requested at the last meeting. Section 17.64.30(A) states that the underlying base zone standards apply unless superseded by the PD process, which allows modification of quantifiable standards. Base zone is still SFR. The Commission and Council can make a determination on each modification request, but Section 17.34.10 doesn't include townhomes or multi-family as permitted uses. Smaller lot areas lead to smaller lot widths. Applicant doesn't provide rationale for reduced setbacks. Is block length modification a variance or can that be done as part of the PD process even though it's in Chapter 17.100 and not Chapter 17.34? Carlton states that if property were to develop as SFR, there would still be FSH areas, there wouldn't be mix of housing types, and there might still be some recreation areas still due to odd shaped areas. Doesn't feel proposal is outstanding. Believes the SFR base zone standards should apply and not be modified. O'Neill stated that block length request

can be processed through the PD process because it's a dimensional and quantitative standard in the Development Code.

Lesowski stated that he appreciates the preservation of the natural areas and incorporation of rowhouses to separate residential and commercial properties. Loves the public areas and amenities with meandering paths and views of Mt Hood. However, he feels the proposed quantitative modifications are too drastic. SFR would require minimum 7,500 square foot lots; proposal includes 50 lots under 5,000 square feet. A duplex on a 7,500 square foot lot would probably give more outside space and be more functional than 2 separate lots that are 3,400 square feet each with single family homes. He feels the high number of smaller lots push the proposal past decency. Commission is not supposed to be looking at development costs, even though it always comes up in the conversation. Most of the amenities are in the Lower Views and it would have been nice to spread out the amenities to the Upper Views too.

Mayton said he believes the proposed PD is a great concept and would add benefit to the community. His six "Nos" are around lot size and setbacks. Right-turn is also a "No" for him. He drove it three times at 5pm and was nervous. It's a tough right turn to make. Entrance into Vista Loop needs to be changed to make it feel safe for drivers, though he understands the traffic analysis found otherwise. Mayton is not sure about the last four questions but would support the PD with a lot of conditions tacked on, but in its current state he wouldn't be supportive.

Logan stated that he agrees that the concept, mix of uses, and open spaces are all great. He lives in a PD in Sandy and loves it, but his neighborhood doesn't have apartment buildings. Happy to hear Mac Even and Ray Moore met with the neighbors this morning. He stated that he doesn't like the apartment building on Lot 72 but doesn't have a problem with the lot sizes and widths given the amenities proposed. Finds the right turn off the highway to Vista Loop is problematic. Understands the issues with parking on Vista Loop Drive and that maybe code enforcement isn't doing their job or people aren't complaining.

Maclean-Wenzel said that she agrees with Logan. Feels for neighbors and understands it must be hard to have a new development go in next door, but the Commissions job is to review the proposed development and determine if it meets code. HB 2001 will allow duplexes and therefore change is on the horizon. Feels the developer has worked hard to put together a nice plan with lots of amenities. She is happy the developer met with neighbors on the morning of December 16 and likes the proposal to reduce the apartment building to 2 stories on Lot 72. As a PD, she finds the proposal is outstanding and will look nicer than some of the other subdivisions that have been approved. Her biggest concern is the right turn off Highway 26 at Vista Loop Drive.

Mobley is less concerned about smaller lot sizes and thinks they're more common now. He lives on one. Recognizes that smaller lots could create parking issues but thinks overall the project is well designed. Likes that the design preserves views of Mt Hood. Understands neighbors wouldn't anticipate multi-family housing in a SFR zone. The right turn lane was fixed recently by taking out the slip lane at the intersection of Highway 26 and Vista Loop. Doesn't disagree with the technical analysis but understands the issues people are having with the comfort of making a right turn. Would be in favor of a speed zone analysis on that section of highway. Overall, he is in support of the development proposal.

O'Neill stated there's nothing in the evidence submitted by ODOT, or the developer's traffic engineer, or the City's third party traffic engineer that proves the intersection of Highway 26 and Vista Loop is unsafe. O'Neill believes ODOT should pay for improvements because property

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owner Picking already made improvements in 2018 as approved by ODOT. He stated that concerned citizens should voice concerns to ODOT. He reiterated that ODOT originally installed the slip lane, then asked a property owner to fix it by removing the slip lane and is now asking the same property owner to pay to fix it again.

Crosby agrees the overall design and appearance of the plan is wonderful, especially the meandering wide sidewalk area. Crosby reiterated the PD intent section. No one has referenced the first two points related to villages, which was a big part of the 2040 Comprehensive Plan. An essential theme in the Comprehensive Plan is village areas, which are compact developments designed to increase reliance on pedestrian mobility and reduce reliance on cars. How does a developer get to apply a PD anywhere? The Comprehensive Plan map includes designated village areas, though they never gained traction in Sandy. Other village areas have a mix of zones. This property is SFR. Crosby questioned the applicability of a PD request on SFR zoned land outside a village. O'Neill responded that last PD approved was in 2008 so no one on staff has processed one. Initially, staff believed PDs could only be applied in areas designated as Villages on the Comprehensive Plan Map but realized that almost all existing PDs in Sandy have been approved in areas that don't have the Village designation. At that time, Attorney Doughman pointed out that intent sections aren't criteria, and that Section 17.64.20 states PDs are allowed in all zones. So, the attorney interpretation was that PDs could be requested in any area. Crosby thanked O'Neill for the explanation and stated he struggles with the idea that a PD essentially throws away residential zoning. Crosby acknowledged that the HOA is proposed to be professionally run, but that staff included a condition that should the HOA dissolve that maintenance responsibility is assumed by adjacent homeowners. There's a huge area in the north views with one lot that is adjacent so would that lot take on responsibility for the entire open space area if the HOA dissolves? Crosby would like to see a requirement that the HOA cannot be disbanded. O'Neill stated that the intent of the condition is that meandering path areas would need to be maintained by adjacent landowners. City Attorney Crean stated the City can't control HOAs or keep them from dissolving, but the City can try to anticipate downstream effects of an HOA dissolving. He explained that the HOA is responsible for paying taxes on open space too so if the HOA dissolves, eventually they would foreclose and the County would try to sell them to adjacent property owners. Crean acknowledges there's a focus on villages in the PD section but that they aren't limited to those areas. The code allows a PD in all zones; even if the focus is on villages, it's not limited to villages.

Carlton stated he appreciates the reduction of the apartment building by one story but is not sure if that will help maintain neighbors' views or not. Carlton mentioned previous open space areas were deeded to the City so that the City would maintain them instead of relying on an HOA. HOAs generally fail. City Council could ask the developer to dedicate the open space areas.

Applicant Attorney Robinson stated the Commission hasn't closed the record and is creating new conditions. Robinson mentioned there are other ways to maintain areas besides HOAs, for example maintenance agreements that run with the land.

Logan mentioned the City is getting $472,000 from park fee-in-lieu dedication so wonders if that money could go towards maintaining open space areas if the HOA dissolves. O'Neill stated areas could be maintained but SDCs could not be used to make improvements without revising the SDC methodology. City Attorney Crean brought up a city that keeps an eye on HOAs that go defunct and then buys the property but is not sure it's possible to condition that the property would automatically go to the City if the HOA dissolves. O'Neill stated the City has acquired some land in the past that way.

Crosby requested the public hearing be closed.

Motion: Motion to close the public hearing at 10:20 p.m.
Moved By: Commissioner Lesowski
Seconded By: Commissioner Logan
Yes votes: All Ayes
No votes: None
Abstentions: None

O'Neill stated he has a good idea of Commission's concerns and what they think the developer is doing well. Lesowski asked about process and wants to clarify Commission's points on all the questions. Mayton wants to get to a consensus on the 18 questions. Crosby believes the Commission is leaning towards moving the proposal to City Council but with serious concerns.

A. Doesn't apply with the removal of nine dwelling units.
B. Rowhouses allowed in SFR: 5 yes, 2 no
C. Multi-family allowed in SFR: 4 yes, 3 no
D. Lot sizes less than 7,500 sq. ft.: 3 yes, 4 no
E. Minimum avg lot widths less than 60 ft: 3 yes, 4 no
F. Reduce interior side yard setbacks to 5 feet: 3 yes, 4 no
G. Reduce rear yard setback to 10 feet, or 15 feet: 3 yes, 4 no
H. Block lengths at 691 feet, 655 feet and 805 feet: 7 yes, 0 no
I. Meandering walkways instead of traditional right-of-way sidewalks: 7 yes, 0 no
J. No sidewalk on south side of The Views Drive with Tract E condition: 7 yes, 0 no
K. No front doors facing Highway 26: 7 yes, 0 no
L. Two development phases (Lower Views and Upper Views): 7 yes, 0 no
M. Not require right turn lane at Vista Loop and Highway 26 to be burden of developer: 6 yes, 1 no, but want right-turn lane to be installed by ODOT. Mayton stated he believes the developer has some responsibility to help improve the intersection, regardless of whether they pay for it or not.
N. Proposed future street layout north of Ortiz proposed by applicant or street stub or pedestrian path connection: pedestrian path connection 7 yes, 0 no
O. Additional vegetation between the sound wall and sidewalk on Highway 26: 6 yes, 1 no. Mobley stated he thinks additional vegetation could be a maintenance issue.
P. Alternative maintenance option research (i.e. instead of HOA): 6 yes, 1 no
Q. Other recommendations: Crosby stated that looking into a maintenance agreement option in lieu of the proposed HOA is his preference. Mayton wants formal documentation on developer's proposal to lower apartment on Lot 72 to two stories instead of three stories. O'Neill also brought up Carlton's request for sight line analysis. Crosby asked if that should be done now or when the apartment comes in for Design Review. Carlton said it would be nice to know now. O'Neill stated the sight line analysis could determine a maximum height now, though the design of the apartment could be done later. 7 yes, 0 no to condition line of sight analysis.
R. Recommend approval of PD: City Attorney Crean stated the Commission does not need to make a formal recommendation of approval or denial. Carlton thinks a motion would give Council an idea of Planning Commission support. Mayton states a motion will be difficult because there are some questions where consensus might be yes, but a particular Commissioner strongly disagrees but might be amenable if a condition is included. Crean suggests that the recommendation could be that Council approve or deny the application after full consideration of the Planning Commission's concerns and recommendations.

Motion: Motion to recommend to the City Council that the Council approve or deny the application after full consideration of the Planning Commission's issues, concerns, and recommendations below.
Moved By: Commissioner Mayton
Seconded By: Commissioner Maclean-Wenzel
Yes votes: All Ayes
No votes: None
Abstentions: None
The motion passed at 10:56 p.m.

Mayton expressed his appreciation for Commissioner's Logan and Mobley. O'Neill wanted to make sure there will be a quorum in January. Sounds like there will be one. Denison is still trying to figure out what a "village" is in Sandy and it will be part of the Comprehensive Plan update. Crosby mentioned that the village concept hasn't gained traction because we're not seeing commercial developed. Carlton wants staff and the Planning Commission to think about implications about allowing PDs anywhere and what that means for residential zoning.

7. ADJOURNMENT
Motion: To adjourn
Moved By: Commissioner Mobley
Seconded By: Commissioner Logan
Yes votes: All Ayes
No votes: None
Abstentions: None
The motion passed.

Chairman Crosby adjourned the meeting at 11:02 p.m.

_____
Chairman Jerry Crosby

Attest:

_____ Date signed:_____
Kelly O'Neill Jr., Development Services Director

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EXHIBIT II

Marisol Martinez <mmartinez@ci.sandy.or.us>

Re: The Views Application

Kelly O'Neill Jr. <koneill@ci.sandy.or.us> Wed, Sep 23, 2020 at 4:06 PM
To: "Robinson, Michael C." <MRobinson@schwabe.com>
Cc: "David Doughman Esq." <david@gov-law.com>, Emily Meharg <emeharg@ci.sandy.or.us>, Shelley Denison <sdenison@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

Thanks Mike.

Shelley and Marisol - This will need to be an exhibit.

On Wed, Sep 23, 2020 at 9:20 AM Robinson, Michael C. <MRobinson@schwabe.com> wrote:

> Good morning, Kelly. I represent the applicant and the applicant has authorized me to send this email and to extend the 120-day period.
>
> I am writing to confirm our discussion this morning:
>
> 1. The applicant wants the application removed from the 9/28 Sandy Planning Commission meeting agenda. You agreed to do so. You won't issue a public staff report this week.
>
> 2. You will place the application on the 11/23 Sandy Planning Commission meeting agenda. This will require new public hearing notice on 11/3 and, as we discussed, if a Sandy Comprehensive Plan Amendment is required, new pre-hearing notice to DLCD must be mailed by 10/19. The draft report must be available to the public by 11/16.
>
> 3. Based on the above, the applicant will extend the 120-day period in ORS 227.278(1) by 56 days, the period of time between 9/28 and 11/23.
>
> 4. You'll issue a draft staff report for the applicant's review this week and we'll contact you to schedule a call next week to review the issues identified in the staff report. Our goal is to agree on a path to resolve the outstanding issues so that you can recommend that the Planning Commission recommend approval of the application to the Sandy City Council.
>
> Please let me know if you have any questions. Please confirm that you've received this email and that we are in agreement on this path.
>
> Thanks for giving us a heads-up on the issues.
>
> Mike
>
> Sent from my iPhone
>
> ---
>
> NOTICE: This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

--
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 JJ

Date: November 22, 2020
To: City of Sandy Planning Staff and Planning Commission
From: Tracy Brown, Tracy Brown Planning Consultants, LLC
Re: Requested modifications to The Views PD Conditions (File No. 20-028)

This document lists requested modifications and additions to Conditions in the Planning Commission staff report for this project dated November 16, 2020. Requested additions to the Findings are identified in underline text and Conditions in **bold underline** text. Deletions are identified in ~~red strikethrough~~.

1. **Modify Condition 80 to read:**
   ~~As has been noted in this document, staff is not supportive of the alternative sidewalk plan along Highway 26. Per the Public Works Director,t~~**The applicant shall improve all public street frontages (including the Highway 26 right-of-way, and the street frontage of all tracts) in conformance with the requirements of 17.84.30 and 17.84.50 except as otherwise specified in this document.** ~~Street frontage improvements include, but are not limited to: street widening, curbs, sidewalks, storm drainage, street lighting and street trees. One of the reasons for providing an urban street section (curbs, sidewalks, lighting, etc.) inside the city limits is to provide motorists with a visual cue that they are entering an urbanized area and to adjust their speed and alertness to match the visual cues. The area on both sides of Highway 26 is within the UBG and Urban Reserve so it will eventually become urbanized. An urbanized right-of-way makes drivers aware that they are entering a city and hopefully lead to adjusted speeds to match the conditions. As the city grows and these areas become urbanized the posted speed limit will likely be lowered to match the conditions. This is the case at the west end of Sandy where Highway 26 is an arterial street instead of a rural highway. This is also the case east of the couplet where the speed limit drops from basic rule to 40 mph and then to 25 mph as one travels west.~~

   Response: *The applicant requests this Condition be modified as identified above. In addition, the applicant requests additional Findings and Conditions be added to reflect modifications to this standard for Highway 26 and The Views Drive as detailed below.*

2. **New Findings and Condition Regarding Highway Improvements:**
   The subject property contains frontage along Highway 26. The applicant's plan set shows a six-foot sidewalk is proposed to be constructed at the top of the bank along the site's entire highway frontage. The applicant's Engineer corresponded by email with the City's Public Works Director and an ODOT representative regarding if a curb will be required along the highway frontage. The Public Works Director indicated the decision on a curb is up to ODOT as they have authority over Highway 26. The ODOT representative stated that construction of a curb is not required along Highway 26 and construction of a sidewalk at the top of the bank is acceptable. With this, staff recommends the following condition: **Improvements**

adjacent to the site's Highway 26 frontage shall consist of a six-foot wide sidewalk constructed at the top of the bank, lighting, and street trees only as approved and permitted by ODOT.

Response: *As discussed through email correspondence between the applicant's Engineer, City Public Works Director, and ODOT (See Attachment), ODOT has jurisdiction over Highway 26 and does not require construction of a curb along the highway frontage. The applicant proposes constructing a sidewalk at the top of the bank and installing street trees and lighting as necessary. The applicant requests Findings and a Condition be added to clarify what improvements are required along the Highway 26 frontage.*

3. **New Finding and Condition regarding sidewalk on south side of The Views Drive if Special Variance is approved:**
   The applicant requested Special Variance approval to only construct a curb on the south side of The Views Drive from the intersection of The Views Drive with Vista Loop Drive to the alley in the Lower Views. The Planning Commission reviewed this request and found that it met the approval criteria in Section 17.66.80 and approved the request. With approval of this Special Variance staff recommends the following condition be added: **Only a curb is required to be constructed on the south side of The Views Drive from the intersection of The Views Drive with Vista Loop Drive to the alley in the Lower Views.**

   Response: *The applicant requests a new Finding and Condition be added clarifying required improvements on south side of The Views Drive if a approval of the Special Variance requested is granted.*

4. **Modify Condition 110 to read:**
   The proposed public sidewalks located outside of the street right-of-way shall provide lighting levels in conformance with ~~will require pedestrian scale bollard lighting conforming to the~~ City standards. ~~Use of full-cutoff, Type II roadway distribution streetlights will not provide sufficient illumination for pedestrians where the sidewalk is set back so far from the street and obscured by trees.~~ **The applicant shall submit a photometric analysis demonstrating that pedestrian lighting standards are met along all pedestrian facilities outside a public right-of-way.**

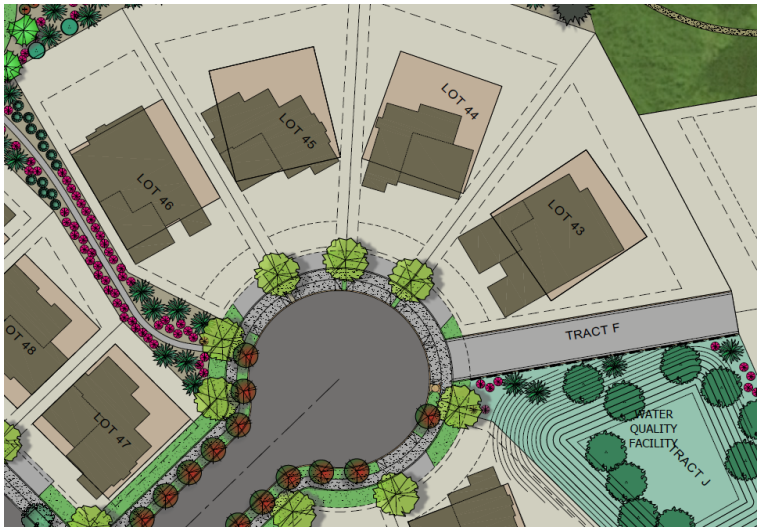
   Response: *The applicant requests this Condition be modified to allow all pedestrian sidewalks outside a public right-of-way to be lite without installation of bollard style lighting if illumination standards can be met using overhead fixtures.*

5. **Modify Finding 118 to read:**
   Section 17.98.100 has specifications for driveways. The minimum driveway width for a single-family dwelling shall be 10 feet and the maximum driveway approach within the public right-of-way shall be 24 feet wide measured at the bottom of the

curb transition. Shared driveway approaches may be required for adjacent lots in cul-de-sacs in order to maximize room for street trees and minimize conflicts with utility facilities (power and telecom pedestals, fire hydrants, streetlights, meter boxes, etc.). ~~The applicant shall update the driveway plan to detail shared driveways for the following pairs of Lots: 43 and 44, 45 and 46, 59 and 60, and 63 and 64.~~ As shown on the applicant's submittal, allowing each cul-de-sac lot to be accessed by a separate driveway complies with the intent of this section.

Per Section 17.98.100(G), the sum of the width of all driveway approaches within the build of a cul-de-sac as measure in Section 17.98.100(B) shall not exceed fifty percent of the circumference of the cul-de-sac bulb. The applicant submitted additional analysis (Exhibit _) showing that cul-de-sacs in the development comply with this standard. This requirement is satisfied.

Response: *The applicant requests this Condition be modified to allow lots accessed from a cul-de-sac to have their own driveway rather than a shared driveway. The reason for this request is these are the premium lots in the development, likely to contain three car garages and RV parking. A shared driveway configuration makes maneuvering in and out of these lots more challenging and detracts from the benefit of having a large lot. As shown on the sketch below, the proposal for individual driveways provides an opportunity to plant three trees within the cul-de-sac. In addition, as the attachment below shows, the sum of the width of all driveway approaches in the two proposed cul-de-sacs do not exceed 50 percent as required.*



Attachments:

- Email Correspondence Regarding Highway Improvements
- Driveway Approaches on Cul-de-sacs

Email Chain Regarding Highway 26 Frontage Improvements

From: MW
Sent: Tuesday, October 27, 2020 12:48 PM
To: DANIELSON Marah B
Cc: Ray Moore ; Mike Walker ; KIEFFER Loretta L
Subject: Re: 19-071 - The Views PD - Sandy OR

Marah,

I wanted to clarify a few items in Ray Moore's email. The standard arterial street section in the municipal Code and the City's TSP is a curb separated from a six-foot wide sidewalk by a planter strip of varying width (minimum 6 ft.). In my discussions with Ray Moore I indicated that the decision on a curb was up to ODOT since US 26 is their facility. I don't think characterizing the City's position as "not requiring a curb along the highway" is accurate. The same is true for the sidewalk location. It can go anywhere within the right-of-way (existing or dedicated to ODOT) with ODOT making the final determination on location. Placing the sidewalk at the right-of-way line (near or at the top of the cut slope) is also an ODOT decision. However, I would caution that it may be difficult to stay under the ODOT maximum 7.5% design grade following the existing top of the cut slope. I assume these decisions would be made during ODOT's construction plan review and permitting process.

The City's condition will indicate that required street frontage improvements shall comply with ODOT standards and requirements.

Please let me know if you have any questions or wish to discuss this further.

On Thu, Oct 15, 2020 at 3:16 PM DANIELSON Marah B <Marah.B.DANIELSON@odot.state.or.us> wrote:
Hi Ray,

ODOT is ok with the sidewalk being at the top of slope probably behind the utility poles. You may need to donate right of way to ODOT for the sidewalk. Also, you do not need to install a curb in this location.

When you are ready to work on your construction plans for your highway improvements and ODOT permit application, please send an email to Loretta Kieffer at Loretta.L.KIEFFER@odot.state.or.us. She is out of the office through October 30th. Let me know if you have any follow up questions.

Marah Danielson, Senior Planner
ODOT Development Review Program
Marah.b.danielson@odot.state.or.us
503.731.8258

From: Ray Moore <raym@allcountysurveyors.com>
Sent: Friday, October 9, 2020 3:44 PM
To: DANIELSON Marah B <Marah.B.DANIELSON@odot.state.or.us>
Subject: 19-071 - The Views PD - Sandy OR

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hi Marah, thanks for the call. Just to follow-up The City is not requiring a curb along the highway, Mike Walker said that will be up to ODOT. Mike has also ok'd that the pedestrian sidewalk can be placed at the top of the slope and that the existing drainage ditch can remain.

Please let me know if ODOT is going to require curbing the frontage. Keep in mind we are on a 55 mph section of highway.

Thanks,

Ray Moore, PE, PLS
All County Surveyors & Planners, Inc.
PO Box 955, Sandy, OR 97055
Phone: 503-668-3151
email: raym@allcountysurveyors.com

Supplemental Information to Address
Section 17.98.100 (G) regarding driveways on a cul-de-sac

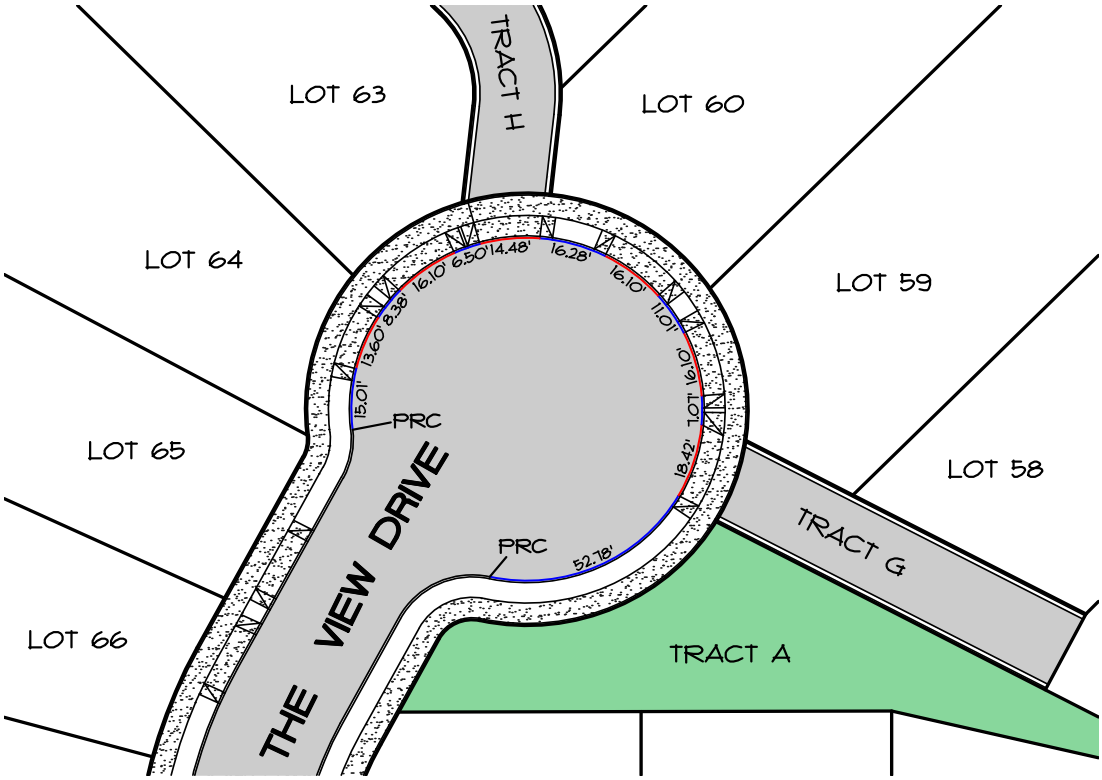
CUL-DE-SAC DRIVEWAY ANALYSIS

THE VIEW DRIVE
SCALE: 1" = 40'

TOTAL CIRCUMFERENCE FROM PRC TO PRC = 211.83'
TOTAL GAPS = 117.03' (55%)
TOTAL DRIVEWAY LENGTH = 94.80' (45%)
(45% IS LESS THAN 50%. MEETS CODE)

SCALE : 1" = 40'

0' 40' 80'



REGISTERED PROFESSIONAL ENGINEER
49710
OREGON
JULY 21, 1998
RAY L. MOORE

RENEWAL DATE: 12/31/2020

All County Surveyors & Planners, Inc.
Surveying, Planning and Civil Engineering
P.O. Box 955 Sandy, OR 97055
Phone: (503) 668-3151
Fax: (503) 668-4730

DATE OF PLOT: 11-20-20 FILE:19-071-PLANNING.dwg

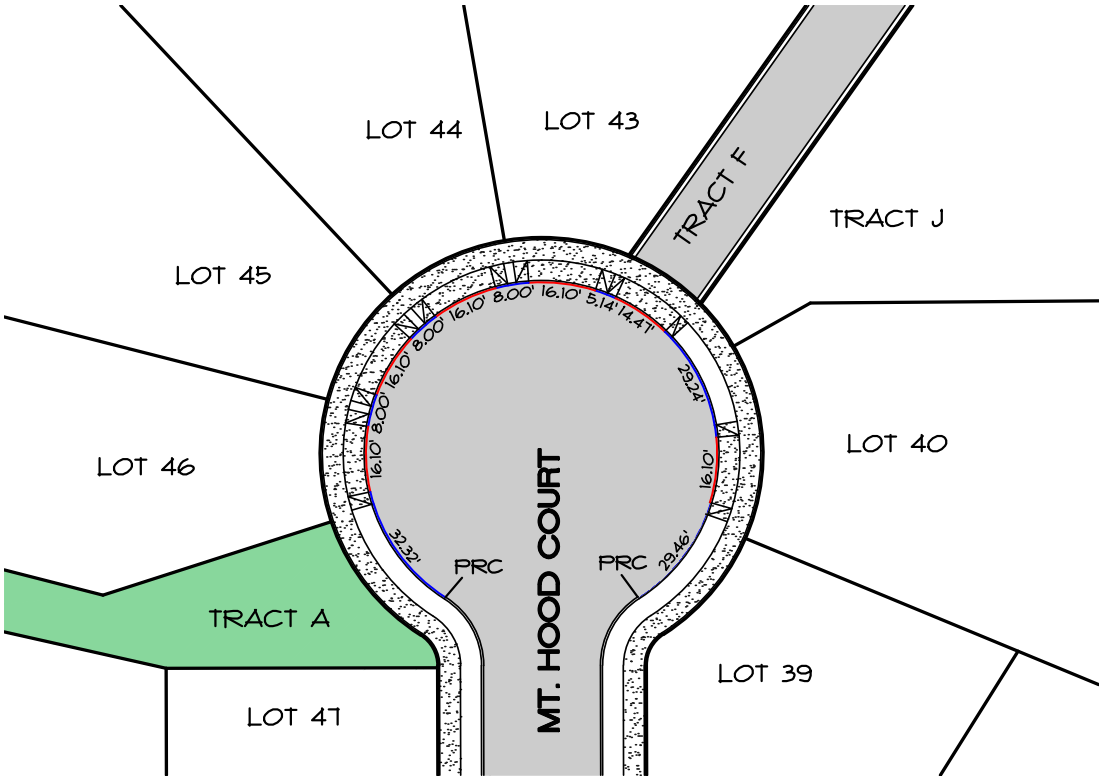
CUL-DE-SAC DRIVEWAY ANALYSIS

MT. HOOD COURT
SCALE: 1" = 40'

TOTAL CIRCUMFERENCE FROM PRC TO PRC = 215.13'
TOTAL GAPS = 120.16' (56%)
TOTAL DRIVEWAY LENGTH = 94.97' (44%)
(44% IS LESS THAN 50%. MEETS CODE)

SCALE : 1" = 40'

0' 40' 80'



REGISTERED PROFESSIONAL ENGINEER
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DATE OF PLOT: 11-20-20 FILE:19-071-PLANNING.dwg

EXHIBIT KK

Marisol Martinez <mmartinez@ci.sandy.or.us>

Re: The Views; Extension of 120-Day Period

Kelly O'Neill Jr. <koneill@ci.sandy.or.us> Sun, Nov 29, 2020 at 9:47 AM
To: "Robinson, Michael C." <MRobinson@schwabe.com>
Cc: Mac Even <mac@evenbetterhomes.com>, Ray Moore <raym@allcountysurveyors.com>, Tracy Brown <tbrownplan@gmail.com>, PE Michael Ard <mike.ard@gmail.com>, Shelley Denison <sdenison@ci.sandy.or.us>, "Christopher Crean Esq." <Chris@gov-law.com>, Marisol Martinez <mmartinez@ci.sandy.or.us>

Thank you for your email Mike. We will make sure this email is part of the record by making it an exhibit.

Have a great day.

On Sat, Nov 28, 2020, 8:39 AM Robinson, Michael C. <MRobinson@schwabe.com> wrote:

> Good morning, Kelly. I spoke with Mac Even, the applicant. He has authorized me to extend the 120-day period in ORS 227.178(1)on behalf of the applicant by 32 days from January 28, 2021 to March 1, 2021, in order for the Sandy City Council to hold its hearing on the application on February 16, 2021 and for the City to issue the final decision thereafter.
>
> Mac understands that February 16 is the first meeting at which the Sandy City Council can consider the application. While he appreciates the City's schedule, he asked me to tell you that his construction schedule is premised on being able to start construction in the second quarter of 2021, which means that he'll need to have his permits reviewed and approved early in the second quarter. We hope that the City staff will be able to help him meet this schedule.
>
> Thanks and hope you had a good Thanksgiving. Mike
>
> Sent from my iPhone
>
> _____
>
> NOTICE: This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

EXHIBIT LL

Date: December 9, 2020
To: City of Sandy Planning Commission and Planning Staff
From: Tracy Brown, Tracy Brown Planning Consultants, LLC
Re: File No. 20-028, The Views Planned Development - Approval Criteria and Supplemental Materials

Approval Criteria - As detailed in Chapter 17.64, Planned Developments, the Planned Development process consists of both a Conceptual Plan Review and a Detailed Plan Review process. The code allows these two steps to be submitted as a Combined Review and that is what was done with this application.

Conceptual Plan Review - The approval criteria for the Conceptual Plan Review are found in Section 17.64.100(C). These criteria are:

1. *Assure consistency with the Intent of this chapter;*
2. *Assure compliance with the General Provisions, Development Standards and Application provisions of this chapter; and*
3. *When located in a Village, assure consistency with the appropriate Comprehensive Plan policies for Village designations.*

As detailed in the applicant's submittal as analyzed in the staff report, the proposal complies with criteria C.1 & C.2 and since the property is not located in a Village it is not required to comply with criteria C.3.

Detailed Plan Review - The Code treats the Detailed Plan Review process essentially the same as a subdivision. This review is guided by Chapter 17.100, Land Division and approval criteria are found in Section 17.100.60(E).

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.*
2. *The proposed subdivision is consistent with the design standards set forth in this chapter.*
3. *The proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy.*
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.*

With the exception of variations to standards approved through the Planned Development process, the applicant's proposal as submitted and reviewed by staff complies with all approval criteria. In addition, all improvements as proposed are designed in compliance with City standards and there is nothing in this proposal that cannot be resolved with a Condition of Approval.

Supplemental Materials - Please find several items to supplement the record and to aid in your review of this application.

1. Response to "The Questions" - This memo provides applicant responses to the questions on pages 34 - 36 of the November 16, 2020 staff report for this project. A scorecard of the questions is included on the last page of this document.

2. Sanitary Sewer Capacity - A letter from Ray Moore addresses concerns regarding sanitary sewer capacity to serve the proposed development. Also included is a letter from Curran-McLeod Engineering, the City's contract Engineer, dated July 17, 2020 sent to DEQ regarding the current capacity of City's sanitary sewer system.

3. Highway 26 Right Turn on Vista Loop - This technical memo by Mike Ard summarizes his analysis previously submitted regarding ODOT's right-turn lane recommendation on the highway at Vista Loop. Also included is a letter from the City's Traffic Consultant regarding Mr Ard's analysis and the adequacy of the currently reconstructed Highway configuration in this location.

4. Highway 26 Right Turn Plans - The ODOT approved plans used to close the slip lane at east end of Vista Loop are also attached.

Attachments:
A - The Questions Memo (12/9/20)
B - Ray Moore, Sanitary Sewer Capacity Memo (12/4/20)
C - Curran-McLeod Letter to DEQ (7/17/20)
D - Mike Ard, Right-Turn Lane Cover Memo (12/8/20)
E - Mike Ard, Right-Turn Lane Analysis (10/27/20)
F - John Replinger - Right-Turn Analysis Review (11/30/20)
G - Highway 26 Slip Lane Closure Plans (8/9/16)

EXHIBIT MM

Date: December 9, 2020
To: City of Sandy Planning Commission and staff
From: Tracy Brown, Tracy Brown Planning Consultants
Re: File No. 20-028, The Views Staff Report Questions

The purpose of this document is to assist the Planning Commission in reviewing "the questions" found on pages 34 - 36 of the November 16, 2020, staff report for this project. Following your discussion during the November 23 hearing, I felt the commission would benefit from some additional information. It should be noted that these questions do not substitute for or replace the approval criteria found in Chapters 17.64 and 17.100 of the Development Code. The record shows these criteria are met. As you consider answers to these questions please note that some of the questions cannot be answered independently without considering the context of other questions. For example: it would be inconsistent for the Commission to answer "yes" to permitting row homes and then answer "no" to questions about lot size, minimum average lot width, and side yard setbacks because construction of row homes would not be feasible without approval of these modifications. Conversely, because row homes are permitted uses with the PD process, questions about lot size, etc. are not relevant.

Each of the questions are written below in regular text as they appear in the staff report followed by the applicant's response in *italics text*. In addition, a heading has been added above groups of similar questions. To further aid in your review a table is included on the last page of this document that can serve as a scorecard of sorts as you evaluate these questions.

1. **OUTSTANDING DEVELOPMENT**
   A. Does the Planning Commission recommend exceeding the maximum density for the base zone by six (6) percent? To allow this density increase the Planning Commission, and ultimately the City Council, needs to find that the Planned Development is outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning.
   Response: *The applicant has requested approval to exceed the maximum density otherwise allowed on the property by nine units, a six percent increase. To approve this request Section 17.64.40(C) the Planning Commission and Council are required to find,* ***"the Planned Development is outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning."*** *The applicant believes such a Finding is justified for the following reasons:*
      - *No platted lots encroach in restricted development areas.*
      - *The PD is designed in consideration of and enhances the unique topographic and physical features of the site.*

- *The PD exceeds by 11 percent (25% required, 36% proposed) open space requirements.*
- *The proposal contains more parkland than is required for the number of units by 180 percent = 1.57 acres (1.96 ac required, 3.53 ac proposed).*
- *The proposal includes an array of recreational amenities (trails, Mt. Hood viewing plaza, sports courts, play structures and field, and dog park) not found in any other development in Sandy.*
- *A sound wall constructed along Highway 26 and meandering sidewalks, items not found in any other development in Sandy, enhance livability.*
- *The proposed townhomes design (detached garage with courtyard) is unique in Sandy and exceeds required number of design features.*
- *The number of on-street parking spaces proposed significantly exceeds the minimum number required by code.*
- *The PD layout includes extensive landscaped areas along sidewalks and trails adding aesthetic interest and character.*

2. **PERMITTED USES**

B. Does the Planning Commission recommend permitting rowhouses in the SFR zoning district?

C. Does the Planning Commission recommend permitting multifamily housing in the SFR zoning district?

***Response**: Section 17.64.60, Allowed Uses, lists both "row houses" and "multiple family dwellings" as allowed uses in a planned development. With this language in mind, these uses are considered permitted uses with submittal of a planned development application, not independent discretionary decisions as this question suggests.*

3. DIMENSIONAL AND/OR QUANTITATIVE STANDARDS

D. Does the Planning Commission recommend allowing lot sizes less than 7,500 square feet?

Response: Section 17.64.60, Allowed Uses, lists both "row houses and clustered dwelling units" as dwelling types in a PD. Construction of these residential types would not be possible without approval of a reduction in the 7,500 square foot lot size minimum in the SFR zone. A "no" answer to this question effectively prohibits construction of these housing types. It is my opinion this question is contrary to the intent of the PD process and should not have been included.

E. Does the Planning Commission recommend allowing a minimum average lot width less than 60 feet?

Response: Section 17.64.30 permits "modification of development code standards that are dimensional and/or quantitative" as part of the PD process. The 60-foot minimum average lot width standard is a dimensional standard.

Because row homes and cluster housing are permitted as discussed above, a reduction of the minimum average lot width standard is necessary and essential for these development types. A 60-foot wide row house lot is simply not practical.

F. Does the Planning Commission recommend allowing interior side yard setbacks at 5 feet, when the typical standard is 7.5 feet?
Response: Similar to question E above, the 7.5 foot side yard setback in the SFR zone is a dimensional standard. The proposed setback reduction to 5-feet for all lots is intended to provide the applicant with additional flexibility for the detached dwelling lots, given the unique constraints and features of the site. In addition, a reduction of side yard setbacks is necessary and essential to allow construction of row homes as permitted.

G. Does the Planning Commission recommend reducing the rear yard setbacks from 20 feet to 10 feet for lots 47-56 in the Lower Views and 20 feet to 15 feet for lots 84-86 and 88-102 in the Upper Views?
Response: Rear yard setbacks are a dimensional standard permitted to be modified by Section 17.64.30. The proposed reduction of the 20-feet rear yard setback for the listed lots is necessary to provide the applicant with additional flexibility when constructing homes on these lots. The depth of many of these lots have been reduced to avoid platting lots within a restricted development area.

H. Does the Planning Commission recommend allowing block lengths at 691 feet on The Views Drive from Vista Loop Drive to Bonnie Street; at 665 feet on the north side of Bonnie Street; and at 805 feet on Knapp Street from Vista Loop Drive to Ortiz Street?
Response: The 400 foot block length standard found in Section 17.100.120 is a dimensional standard. As detailed in the project narrative, due to the unique physical characteristics of the Lower Views (steep slope, restricted development areas) and the Upper Views (Vista Loop Drive and Highway 26), compliance with the 400 foot maximum block length standard in Section 17.100.120 is not possible.

4. SPECIAL VARIANCES

I. Does the Planning Commission recommend approval of the request to provide meandering walkways within private open space tracts rather than a traditional sidewalk/planter strip in the public right-of-way with the condition that the tracts maintain a minimum width of 15 feet to accommodate a 5 foot wide walkway with an average of 5 foot wide planter strips on either side?
Response: The applicant submitted a Special Variance with this application requesting approval to construct meandering sidewalks rather than traditional sidewalks in several locations. This proposal is intended to provide a unique

amenity for residents of the development. As reviewed in the staff report, this request complies with relevant Special Variance criteria in Section 17.66.70 and staff recommended approval of this request.

J. Does the Planning Commission recommend approval of the request to not provide a sidewalk on the south side of The Views Drive with the condition that Tract E on the north side of The Views Drive be designed as proposed (i.e. approximately 19 feet wide with 5 feet wide of planting space on either side of the meandering walkway to accommodate street trees on both sides of the walkway)?
***Response**: This Special Variance seeks approval to eliminate the sidewalk on the south side of The Views Drive and instead build a wider meandering sidewalk within a landscape tract on the north side of this street. The applicant views this facility as an additional amenity adding to the unique character of the development. As reviewed in the staff report, this request complies with relevant Special Variance criteria in Section 17.66.70 and staff recommended approval of this request.*

K. Does the Planning Commission recommend approval of the request to not provide front doors facing Highway 26 and instead allow the lot line abutting Highway 26 to be considered the rear yard so the sound wall can be 6 feet in height?
***Response**: The applicant also requests a Special Variance to allow homes located along Highway 26 to face towards the internal street rather than Highway 26. In addition, the applicant proposes constructing a six-foot tall decorative sound wall along the back of these lots. Because of these factors requiring the front door of these homes to face this direction is not practical. This request complies with relevant Special Variance criteria of Section 17.66.70 and staff has recommended approval.*

5. OTHER CODE RELATED QUESTIONS

L. Does the Planning Commission recommend phasing this development in two distinct phases as proposed by the applicant? If so, what policies should be recommended for the two following requirements?
   a. Parks fee in-lieu?
      Staff recommends the parks fee in-lieu are paid prior to each phase being recorded. The parks fee in-lieu for Phase one, the Lower Views would be the calculation for Lots 1-72. The parks fee in-lieu for Phase two, the Upper Views would be the calculation for Lot 73 122.
   b. Expiration dates?
      Staff recommends each phase is allowed two years to complete plating requirements, with the two-year clock starting for the second phase at the recording date of phase one, the Lower Views.

***Response**: The applicant proposes developing the project in two phases as permitted by the SDC Sections 17.64.120(B) and 17.100.60(E)(7). The applicant agrees with staff's recommendations for payment of parks fee in-lieu payment and phasing expiration dates.*

M. Does the Planning Commission recommend to not require a right turn lane at the intersection of Vista Loop Drive and Highway 26, consistent with staff's recommendation -or- does the Planning Commission recommend a condition to require a right turn lane at this intersection, consistent with ODOT's recommendation?
Response: The applicant agrees with staff's recommendation that construction of a right turn lane on Highway at Vista Loop Drive is not warranted. This recommendation is supported by the Technical Memorandum provided by the applicant's Traffic Engineer dated October 27, 2020 and the City's Traffic Consultant in his letter dated November 30, 2020.

N. Does the Planning Commission recommend the proposed future street layout north of Ortiz Street as proposed by the applicant -or- does the Planning Commission recommend a street stub and/or pedestrian connection to the north in the vicinity of where Knapp Street intersects with Ortiz Street?
***Response**: The Future Street Plan submitted with this application was prepared by Ray Moore, a registered professional Engineer. Because of existing zoning designations of the property north of Ortiz Street and the alignment of this street relative to the alignment of Vista Loop Drive, a road extension north of Ortiz Street is not shown. The October 27, 2020 email from the property owner most affected by this plan confirms he does not think a street extension in this location is needed. No comments contrary to this proposal were received from any city reviewing body.*

6. <u>OTHER ITEMS</u>

O. Does the Planning Commission recommend that additional vegetation is planted between the sound wall and the sidewalk along Highway 26 to make it more pedestrian friendly and to soften the large concrete wall?
***Response**: As the pictures submitted with this application show, the proposed sound wall includes texture and relief. The applicant is fine with the concept of providing landscaping in front of the wall, however, we request the Planning Commission consider a few additional factors prior to answering this question: 1) The proposed wall will be placed on the private property rather than within the public right-of-way. 2) The sidewalk along the highway will be constructed within the public-right-way and limited public right-of-way exists between the top of bank and the property lines to construct this facility. 3) The applicant's Engineer estimates there will only be one to two feet of additional right-of-way between edge of the sidewalk and the face of the wall*

to add landscaping. 4) Landscaping planted in this location will not be visible from the rest of the development and will be challenging to maintain. With these items in mind, the applicant requests this Condition be removed.

P. Does the Planning Commission have any additional recommendations related to maintenance of the open space owned by a proposed Homeowner's Association (HOA)?
Response: *Section 17.86.50(4)(b) allows open space areas to be owned in common and maintained by a Homeowners Associations and this is the ownership and maintenance mechanism the applicant has chosen for this development. Homeowners Associations are governed by state law and the applicant is not aware of the commission's authority to impose further specifications.*

Q. Does the Planning Commission have any other recommendations related to modifying other findings or conditions?
Response: *If the Planning Commission decides to modify other findings and conditions, the applicant reserves the right to provide additional testimony.*

R. Does the Planning Commission recommend approval of The Views PD?
Response: *As demonstrated in the applicant's narrative and detailed in the staff report for this application, the proposal complies with all relevant code criteria and should be approved with Conditions.*

Summary of Applicant Responses

	Question	Code Citation	Applicant's Requested Response
A	Increase density	17.64.40(C)	Yes - outstanding development
B	Permit rowhouses	17.64.60	Yes - permitted use
C	Permit multi-family	17.64.60	Yes - permitted use
D	7,500 sq.ft. lot size	17.64.30/.60	Yes - required for permitted uses
E	60 ft. lot width	17.64.30	Yes - required for permitted uses
F	Side setback	17.64.30	Yes - required for flexibility/ permitted uses
G	Rear setback	17.64.30	Yes - warranted because of site constraints/required for permitted uses
H	Block length	17.64.30	Yes - warranted because of site constraints
I	SV - meandering sidewalks	17.84.30(A) 17.66.70	Yes - unique development
J	SV - eliminate sidewalks	17.84.30(A) 17.66.70	Yes - unique development
K	SV - home orientation Hwy 26	17.82.20(A)&(B) 17.66.70	Yes - site constraints
L.a	Parks fee-in-lieu	17.86	Yes - as staff recommends
L.b	Phasing	17.64.120(B) 17.100.60(E)(7)	Yes - as staff recommends
M	Right-turn lane	––	No - not warranted Applicant's consultant City traffic consultant
N	Future Street Plan	17.100.100(E)	Yes - complies as proposed
O	Landscaping between wall and sidewalk	––	No - problematic, limited area & maintenance concerns
P	HOA	17.86.50(4)(b)	No - not warranted
Q	Other recommendations	––	None needed
R	Approval	17.64 17.100	Yes - complies with Code as proposed

All County Surveyors & Planners, Inc.
PO Box 955 • Sandy, Oregon 97055 • Phone: 503-668-3151 • Fax: 503-668-4730

EXHIBIT NN

December 4, 2020

City of Sandy
Atten: Kelly O'Neill Jr., Development Services Director
39250 Pioneer Blvd
Sandy, OR 97055

RE: The Views PD, Sandy Project Number 20-028

Dear Mr. O'Neill:

The purpose of this letter is to inform Planning Staff that the existing sanitary sewer system has adequate capacity for the proposed new development.

I spoke to the City Engineer, Curt McLeod, PE, who provided the attached letter. As explained in the letter, the sewer treatment plant has loading issues related to infiltration and inflow (I/I). According to the City Engineer's letter ***"New commercial/residential loads are minor by comparison to the I/I impact, and adding additional development has a nearly negligible impact on the system loading."***

It is our understanding that the City will be making improvements to the existing aging collection system that is currently allowing I/I into the system. These improvements are scheduled for construction in the summer of 2021. It is also our understanding that the City is moving forward with a substantial expansion of the treatment facilities in the coming years.

The proposed homes in the Views PD will be starting construction in the fall/winter of 2021 through 2022. The I/I improvements will be completed before these new homes come on line. The new homes and apartments will be paying over $700,000 in sewer SDC fees alone at time of building permit. These fees will go a long way in helping the City make the needed upgrades to the sewer system. The upgrades will be needed with or without this development.

If you have any questions or need additional information, please feel free to contact our office.

Sincerely,

All County Surveyors & Planners, Inc.

Ray L. Moore, PE, PLS
Engineering Division

Enclosure: Curran-McLeod, Inc. Letter dated July 17, 2020

Affiliated: Professional Land Surveys of Oregon • American Congress of Surveying and Mapping

EXHIBIT OO

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS
6655 S.W. HAMPTON STREET, SUITE 210
PORTLAND, OREGON 97223

July 17, 2020

Mr. Michael Pinney, PE
Senior Environmental Engineer
Oregon Department of Environmental Quality
700 NE Multnomah Street, Ste 600
Portland, OR 97232

RE: CITY OF SANDY
EXISTING WWTP LOAD CAPACITY

Dear Mike:

This letter is in response to DEQ's July 1, 2020 letter to the City of Sandy requesting more capacity information on the collection and treatment systems to determine the wastewater system's ability to accommodate additional growth. The Facilities Plan completed in late 2019 has extensive capacity discussion that provides a good basis for capacity.

Without question, the plant loading during storm events is approaching capacity, and as a result the City has initiated the upgrade and expansion process. The only substantial loading issue is related to infiltration and inflow. New commercial/residential loads are minor by comparison to the I/I impact, and adding additional development has a nearly negligible impact on the system loadings.

With this letter we are providing additional detail in support of DEQ approval of the Shaylee Meadows development (previously known as the Bailey Meadows development). Shaylee Meadows has 100 lots which at buildout is estimated to increase the serviced population by 273 people based on the 2019 Census estimate of an average of 2.73 persons per household for the City of Sandy.

The 2019 Facility Plan calculated the average dry weather loading rate was 67 gallons per person per day. Accordingly, the load increase upon buildout of the Shaylee Meadows development would be an estimated 18,300 gallons per day. This is an increase of 2% to the current average dry weather flow of 1.0 MGD, and 1.33% to the current MMDWF of 1.5 MGD, both of which can be efficiently conveyed and treated by the existing system.

Note that the probability of Average Dry Weather Flow ADWF occurs every year, whereas the probability of the Maximum Month Dry Weather Flow MMDWF only occurs one month every ten years. Additionally, new developments have tight pipes and cause minimal wet weather flows increase over dry weather flows. To be conservative our calculations add 500 gallons per acre per day to the 24-acre Shaylee Meadows site, making the total increase to MMDWF and MMWWF 30,000 gpd.

PHONE: (503) 684-3478 E-MAIL: cmi@curran-mcleod.com FAX: (503) 624-8247

HYDRAULIC CAPACITY

The collection system analysis concluded the Sandy Trunk Main is the limiting collection system component and has a capacity of 6.3 MGD without surcharging. During peak storm events, the modeling completed as part of the Facilities Plan concluded the collection system would surcharge in the last four manholes entering the plant site, but that the surcharging would be less than 24" and would not result in any overflows or flooding. The additional 30,000 gpd wet weather flows from Shaylee Meadows is an increase of 0.3% of the current peak day flow of 8.9 MGD, which would have a negligible impact.

The treatment plant hydraulics were modeled in the Facilities Plan under the existing peak instantaneous flow PIF of 10.3 MGD. A summary of the plant hydraulics is shown on the attached spreadsheet. The result of the analysis is that the existing plant, which was originally designed for a 6.5 MGD PIF, can actually pass the current estimated peak instantaneous flow of 10.3 MGD without overtopping any structures.

Although a PIF event would be attenuated through the plant, the analysis of 10.3 MGD on each unit process indicated:

* The headworks drum screen would bypass a portion of the flow through the manual bar screen; and
* The aeration basin splitter box would bypass flow to the equalization basin (although the Facilities Plan modeling included the internal recirculation flow back to the splitter box whereas it actually recirculates back to the first cells of the AB and would not hydraulically load the splitter box); and
* The secondary clarifier launders would be totally submerged yet not overtop the structure walls. (The hydraulic grade line would be very close to the ground surface at the adjacent scum pumping station likely flooding at that location under the PIF)

With a diurnal peaking factor of 3, the contribution of the Shaylee Meadows subdivisions would only increase the PIF by approximately 50 gpm and would have a negligible effect on the current 10.3 MGD or 7,160 gpm PIF and would not result in overtopping any structures.

ORGANIC CAPACITY

There are two unit processes that limit the organic capacity of the treatment facility:

Aeration Basins:

The aeration basins have a total volume of 740,000 gallons and substantial excess blower capacity.

The organic loading capacity published on the 1996 plan set used a very conservative criterion of 22 pounds per day per 1,000 cubic feet, which resulted in a daily design loading of 2,200 pounds. Typical activated sludge aeration basin organic loading rates for conventional plug flow would be 20 to 40 pounds of BOD per 1,000 cubic feet of basin volume. The existing 99,000 CF basin would have a capacity to treat from 2,000 to 4,000 pounds of BOD per day.

Current dry weather loading rates average approximately 2,500 pounds per day of BOD. The additional load from buildout of the Shaylee Meadows development using the criteria calculated in the Facilities Plan of 0.209 pounds per day per capita, would result in an increased loading of approximately 57 pounds, or an increase of approximately 2%. This total would still be well within typical design criteria for the aeration basin.

Hydraulic detention time criteria for conventional activated sludge would be 4 – 8 hours. At the current MMDWF of 1.5 MGD, the detention time is approximately 12 hours. At the current MMWWF of 2.6 MGD, the detention time is approximately 6.8 hours. The addition of 30,000 gallons per day from the Shaylee Meadows development reduces the detention times by less than 15 minutes and does not impact the basin's treatment capability.

Secondary Clarifiers:

The two 54-foot diameter secondary clarifiers have a surface area of 4,580 square feet. Typical surface overflow rates for secondary clarifiers would be 800 to 1,200 gallons per day per square foot. At 800 gpm/sf this would equate to a capacity of 3.7 MGD.

The existing maximum monthly dry weather flow MMDWF from the Facilities Plan has a probability of occurring once every 10 years. The existing MMDWF of 1.5 MGD would have an overflow rate of 327 gpd/sf. The maximum monthly wet weather flow MMWWF of 2.6 MGD has a probability of occurring once every five years and would have an overflow rate of 570 gpd/sf. The existing Peak Weekly Flow of 4.0 MGD derived in the Facilities Plan would have an overflow rate of 875 gpd/sf.

The addition of 30,000 gallons per day from the Shaylee Meadows development would increase the surface overflow rates by approximately 7 gpd/sf and not cause the clarifiers to exceed the design criteria.

Weir loading rates are typically a maximum of 30,000 gallons per day per lineal foot. The secondary clarifiers have inboard launders with weirs on each side. The total length of weirs is 480 feet. At 30,000 gallons per foot, the weirs have a capacity of over 14 million gallons per day.

CAPACITY SUMMARY

The design capacities of the unit processes are adequate to treat the MMDWF and MMWWF as summarized in the following table:

Process Unit	*Capacity*	*Loading at 1.5 MGD MMDWF*	*Loading at 2.6 MGD MMWWF*
Headworks Screening	6.6 MGD	23%	40%
Grit Removal	7.0 MGD	21%	37%
Influent Metering	9.2 MGD	16%	28%
Aeration Basins	3,000 PPD	83%	80%
Secondary Clarifiers	3.6 MGD	42%	72%
Effluent Filtration	7.0 MGD	21%	37%
UV Disinfection	7.0 MGD	21%	37%
Dry Weather Effluent PS	3.0 MGD	50%	NA

The limitations occur with the storm induced flows. The plant can hydraulically accommodate the existing PIF flows of 10.3 MGD without flooding, however, this would be without effective treatment. The existing Peak Week Flow PWF of 4.0 MGD would push the secondary clarifiers, however, we would anticipate if all process equipment is operational that the plant could convey and adequately treat the current PWF to meet permit limits.

Currently there is sufficient capacity for DEQ to continue approving development within the City without causing conveyance or treatment deficiencies and failures. The existing plant will function acceptable for the near future, but we recognize long-term projections clearly show the facilities need to be expanded. As you know, the City has recognized the limitations in the collection and treatment systems and has initiated the process of facility planning and expanding the treatment facilities.

Please let me know if you have questions.

Very truly yours,
CURRAN-McLEOD, INC.

Curt J. McLeod, PE

Enclosure: Treatment Facility Hydraulic Summary
CC: Mr. Mike Walker, City of Sandy

Sandy Wastewater Treatment Plant

Hydraulic Model from 2019 Facilities Plan with peak day flow of 10.3 MGD
Resulting Water Surface Elevations and Structure Freeboard

Structure	*Flow MGD*	*Water Elev, ft*	*Wall Elev, ft*	*Freeboard, ft*	*Notes*
Screen Inlet	10.3	527.96	527.75	**-0.21**	Flow would route through bypass channel and manual bar screen and not overtop wall
Grit Removal	10.3	527.38	527.75	0.37	
Parshall Flume	10.3	526.8	527.75	0.95	
in-line Manhole	10.3	523.46	524.5	1.04	
AB Splitter Box	28.4	523.46	522	**-1.46**	Would route through bypass channel to equalization basin and not overtop wall. 28.4 MGD flow too high in hydraulic model contained in the F Plan. Only 20 MGD without Internal Recirc would route through splitter box.
AB CELLS 1 and 5	28.4	523.41	522	**-1.41**	Would not route 28 MGD to cells 1 & 5 in series. High flow would require parallel flow path and water surface would be approximately 520.95.
AB Cells 1 - 8	28.4	520.95	522	1.05	Flow with parallel path
Secondary Clarifiers	28.4	519.69	520	0.31	Weirs are submerged but not overtopping structure walls
Filter Inlet Channel	10.3	517.71	518	0.29	
UV Inlet Channel	10.3	514.7	518	3.3	
UV Channel Outlet	10.3	512.52	518	5.48	
Effluent V Notch	10.3	512.24	512.25	0.01	

EXHIBIT PP

ARD ENGINEERING
21370 SW Langer Farms Pkwy
Suite 142, Sherwood, OR 97140

Technical Memorandum

To: Shelley Denison and Kelly O'Neill, City of Sandy

From: Michael Ard, PE

Date: December 8, 2020

Re: The Views – Highway 26 at Vista Loop Drive Analysis Summary

---

On October 27, 2020, Ard Engineering prepared the attached detailed analysis demonstrating that installation of a right-turn lane or associated shoulder enhancement westbound on Highway 26 at SE Vista Loop Drive is not warranted per the objective standards and procedures outlined in ODOT's Analysis Procedures Manual. That analysis was subsequently reviewed by the City of Sandy's on-call Transportation Engineer, John Replinger, who concurred with our findings and provided a review memorandum dated November 30, 2020 (also attached).

It should also be noted that there are numerous locations along Highway 26 in the site vicinity that operate acceptably under existing conditions absent these treatments. These locations include the existing driveway serving Johnson RV, several driveways serving the existing commercial uses surrounding the Calamity Jane's site, and the nearby public intersections of Highway 26 at SE Canyon Valley Road and Highway 26 at SE Veneer Lane. None of these intersections currently has a right-turn lane, and all have westbound highway speeds and volumes comparable to those at Vista Loop Drive.

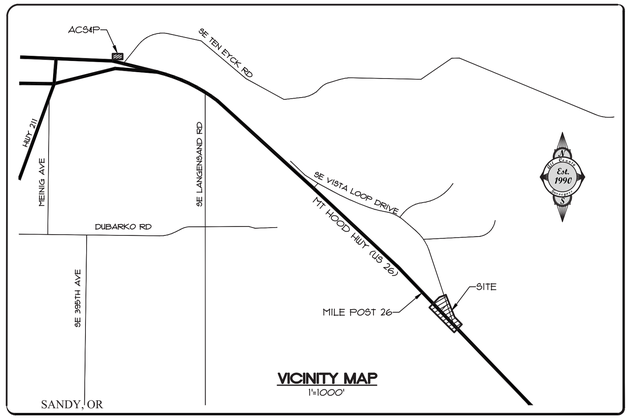
It is possible that as further future development occurs on SE Vista Loop Road that turn lane warrants will be met at some point in the future. For this reason, it is recommended that any future land use applications include an updated right-turn lane warrant analysis. This requirement will ensure that once the appropriate thresholds for installation of turn lane treatments are met, the corresponding physical improvements can be constructed.

If you have any further questions regarding this issue, please feel free to contact me at mike.ard@gmail.com.

EXHIBIT QQ

MT. HOOD HWY AT VISTA LOOP DRIVE EAST

FRONTAGE IMPROVEMENTS
OCTOBER, 2016



VICINITY MAP
1"=1000'

GENERAL

ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THE 2015 EDITION OF THE OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION, ODOT STANDARDS, UNIFORM PLUMBING CODE, UNIFORM BUILDING CODE AND CITY OF SANDY STANDARDS. WHERE STANDARDS CONFLICT THE MORE STRINGENT SHALL APPLY

CONTRACTOR SHALL PROTECT EXISTING MONUMENTS, BENCH MARKS, PROPERTY CORNERS GOVERNMENT MONUMENTS, AND SURVEY STAKES. REPLACEMENT OF THESE ITEMS SHALL BE AT THE CONTRACTOR'S EXPENSE.

ALL EXISTING UTILITIES SHOWN HAVE BEEN LOCATED FROM THE BEST AVAILABLE INFORMATION. PRIOR TO ANY CONSTRUCTION THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND WHEN ACTUAL CONDITIONS DIFFER FROM THOSE SHOWN ON THE PLANS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION.

ROCKS LARGER THAN 12 INCHES IN DIAMETER, ROOTS, BRUSH AND REFUSE OF ANY KIND SHALL BE EXPORTED AND LEGALLY DISPOSED OF BY THE CONTRACTOR, UNLESS OTHERWISE DIRECTED BY THE ENGINEER, AT NO EXTRA COST TO THE OWNER.

CITY OF SANDY REQUIRES THE COMPACTION OF SELECTED IMPORT MATERIAL AND SUBGRADE WITHIN THE RIGHT-OF-WAY AND FOR ALL PUBLIC UTILITY TRENCHES TO BE TESTED TO A MINIMUM OF 95% OF AASHTO T-180 (ASTM D - 1557). COMPACTION OUTSIDE THE ROW AND FOR ALL PRIVATE UTILITIES SHALL BE AS REQUIRED BY THE INTERNATIONAL BUILDING CODE.

ALL TRENCH SAWCUTS SHALL BE SMOOTH, STRAIGHT, TACKED AND SAND SEALED UPON PAVEMENT COMPLETION. FINAL SURFACE SHALL BE SMOOTH, TRUE TO GRADE, FREE DRAINAGE AND FREE OF ALL SURFACE DEFECTS.

CONTRACTOR SHALL OBTAIN ALL PERMITS AND LICENSES PRIOR TO CONSTRUCTION .

ALL NONMETALLIC PIPELINES SHALL BE ACCOMPANIED WITH A 14 GAUGE INSULATED COPPER TONING WIRE ALONG THE TOP OF THE BURIED PIPE AND CONNECTED TO ALL PIPELINE APPURTENANCES FOR FUTURE LOCATES.

AREAS OF CONSTRUCTION SHALL BE STRIPPED BY REMOVING TOPSOIL, HUMUS, AND SOILS NOT SUITABLE FOR COMPACTION. STRIPPED MATERIALS SHALL NOT BE USED FOR ROADWAY EMBANKMENT OR STRUCTURAL FILL. ALL FILL SHALL BE CONSIDERED STRUCTURAL FILL. HOWEVER, TOPSOIL MAY BE PLACED AND SPREAD WHERE APPROPRIATE FOR LAWN AREAS.

CONTRACTOR SHALL DO ALL WORK SHOWN ON DRAWINGS AND ALL INCIDENTAL WORK NECESSARY TO COMPLETE THE PROJECT IN AN ACCEPTABLE MANNER.

CONTRACTOR AND/OR SUBCONTRACTOR(S) SHALL HAVE A MINIMUM OF ONE (1) SET OF APPROVED CONSTRUCTION PLANS ON THE JOB SITE AT ALL TIMES DURING CONSTRUCTION.

ALL EXCAVATORS SHALL COMPLY WITH ALL PROVISIONS OF ORS 757.541 TO 757.751 INCLUDING NOTIFICATION OF ALL OWNERS OF UNDERGROUND FACILITIES AT LEAST 48 BUSINESS DAY HOURS, BUT NOT MORE THAN 10 BUSINESS DAYS BEFORE COMMENCING ANY EXCAVATION. ONE CALL LOCATE NUMBER IS 246-6699.

ATTENTION: OREGON LAW REQUIRES THE CONTRACTOR TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. COPIES OF THE RULES MAY BE OBTAINED BY CALLING THE CENTER. (OREGON UTILITY NOTIFICATION CENTER = (503) 232-1987) ANY NEW ELECTRICAL UTILITIES (PHONE, POWER AND CATV) SHALL BE INSTALLED UNDERGROUND

THE CONTRACTOR SHALL TAKE NO ADVANTAGE OF ANY ERRORS OR OMISSIONS OR DISCREPANCIES IN THE PLANS. WHEN ERRORS, OMISSIONS OR DISCREPANCIES ARE FOUND, THE ENGINEER SHALL BE NOTIFIED. WORK PERFORMED BY THE CONTRACTOR AS A RESULT OF AN ERROR, OMISSION OR DISCREPANCY IN THE PLANS SHALL BE AT THE CONTRACTORS RISK WHEN SUCH ERROR, OMISSION OR DISCREPANCY HAS NOT BEEN BROUGHT TO THE ATTENTION OF THE ENGINEER.

ANY EXISTING DOMESTIC OR IRRIGATION WELLS 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 OF SANDY.

ANY ON-SITE SEWAGE DISPOSAL SYSTEM SHALL BE ABANDONED IN CONFORMANCE WITH CLACKAMAS COUNTY WATER ENVIRONMENT SERVICES (WES) REGULATIONS. A COPY OF THE SEPTIC TANK REMOVAL CERTIFICATE SHALL BE SUBMITTED TO THE CITY OF SANDY.

PRIOR TO ANY ON-SITE DISTURBANCE, A GRADING PERMIT WILL BE REQUIRED FROM THE CITY BUILDING DEPARTMENT.

THE WORKING HOURS ARE AS FOLLOWS: 7:00 AM TO 6:00 PM MONDAY THROUGH FRIDAY AND 8:00 AM TO 5:00 PM ON SATURDAYS. NO WORK ON SUNDAYS.

MT. HOOD HWY CENTERLINE AND STATIONING ESTABLISHED AS PER ROW MAP NO. 8B-2-25

PUBLIC STORM SEWER NOTES

STORM SEWER PIPE SHALL BE THE SIZE AND TYPE SHOWN ON THE PLANS.

ALL STORM SEWER CONSTRUCTION SHALL CONFORM TO THE 2015 EDITION OF THE OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION, CITY OF SANDY AND APWA STANDARDS. WHERE STANDARDS CONFLICT, THE MORE STRINGENT STANDARD SHALL BE USED.

ALL PLASTIC PIPES SHALL PASS 95% MANDREL TEST AND TV INSPECTION.

811 Know what's below. Call before you dig.

PROJECT CONTACTS

DEVELOPER:

BRAD PICKING
PO BOX 632
SANDY, OR 97055
PHONE: 503-663-7414

ENGINEER/SURVEYOR:

ALL COUNTY SURVEYORS & PLANNERS, INC.
RAY MOORE, PE, PLS
P.O. BOX 955
SANDY, OREGON 97055
PHONE: (503) 668-3151
FAX: (503) 668-4730

LEGEND

- PROPERTY LINE
- LOT LINE
- EXISTING 5' GROUND CONTOUR
- EXISTING 1' GROUND CONTOUR
- EXISTING PAVEMENT
- EXISTING PAVEMENT TO BE REMOVED
- EXISTING SIDEWALK/CONCRETE
- GRAVEL
- EXISTING CURB
- EXISTING FENCE
- CL OF DITCH
- EXISTING CULVERT
- EXISTING WATER LINE
- EXISTING STORM LINE
- EXISTING SANITARY LINE
- EXISTING GAS LINE
- EXISTING TELEPHONE LINE
- EXISTING CABLE TV LINE
- EXISTING UNDERGROUND POWER LINE
- EXISTING OVERHEAD POWER LINE
- EXISTING WATER METER
- EXISTING GAS VALVE
- EXISTING UTILITY POLE
- UTILITY POLE W/ GUY WIRE
- EXISTING SIGN
- SURVEY CONTROL POINT
- PROPOSED CURB
- PROPOSED SIDEWALK / CONCRETE
- PROPOSED AC
- PROPOSED SAWCUT LINE
- PROPOSED 5' FINISH CONTOUR
- PROPOSED 1' FINISH CONTOUR
- PROPOSED STORM LINE
- PROPOSED DITCH INLET
- PROPOSED SIGN

Sheet List Table

C1	COVER SHEET AND NOTES
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C4	VISTA LOOP PLAN AND PROFILE
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C7	MT. HOOD HWY STRIPING PLAN
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C11	ODOT ROADWAY DETAILS 3
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C13	ODOT ROADWAY DETAILS AND SANDY DETAILS
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C18	ODOT TRAFFIC DETAILS 5

SHEET C1 OF 18

DATE	NO.	REVISION	BY
-	-	-	-

DESIGNED: CTH
DRAWN: CTH
CHECKED: RLM
APPROVED: RLM

REGISTERED PROFESSIONAL ENGINEER — OREGON — JULY 14, 2006 — RAY L. MOORE — RENEWAL DATE: 12/31/2018

SCALE: N/A
HORIZ: 1"=1000'
DATE: 08-03-2016
FILE: 15-071-ODOT-DESIGN.dwg

LEGAL: SECTION 19, TWP. 2S, RANGE 5E

PROJECT:
MT HOOD HWY AT VISTA LOOP DR EAST
COVER SHEET AND NOTES

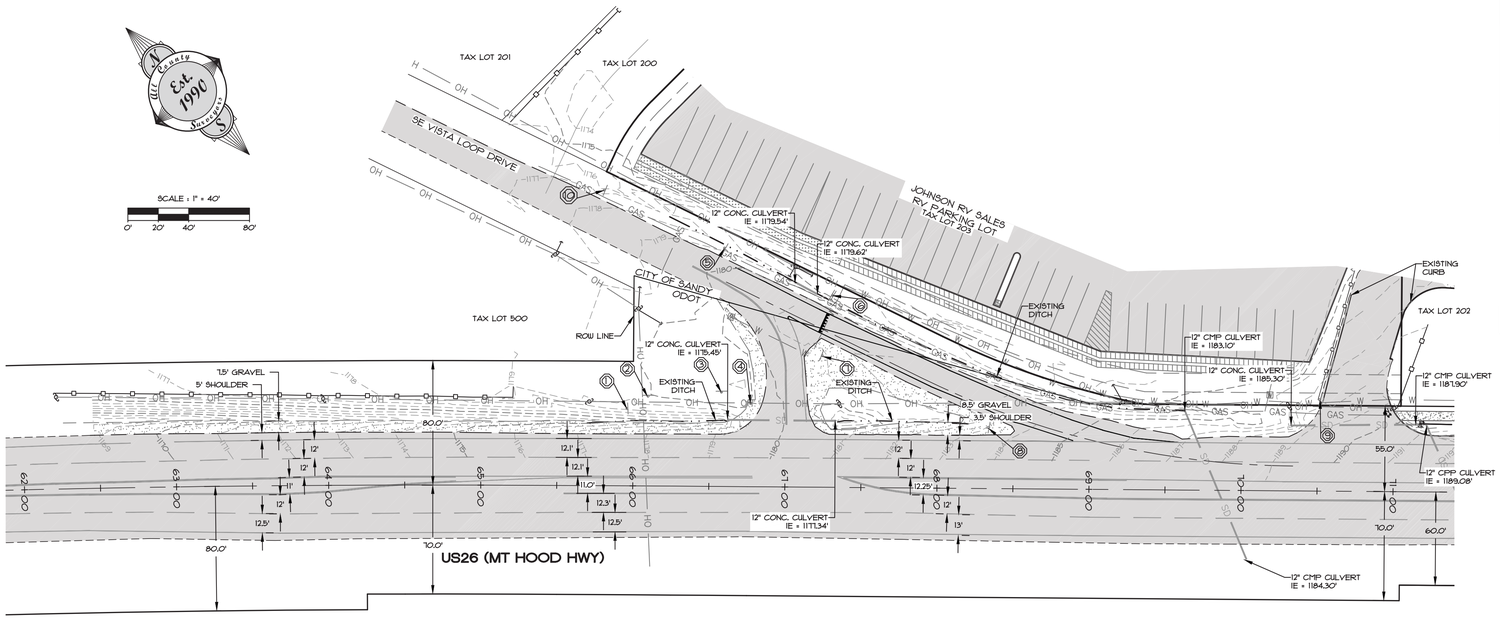
LOCATION:
EAST END OF VISTA LOOP DRIVE AND MT HOOD HWY, SANDY, OR 97055

All County Surveyors & Planners, Inc.
Surveying, Planning and Civil Engineering
P.O. Box 955 Sandy, OR 97055
Phone: (503) 668-3151
Fax: (503) 668-4730

DATE OF PLOT 2/1/2017

Client: BRAD PICKING
PO BOX 632
SANDY, OR 97055
PHONE: 503-663-7414

EXISTING CONDITIONS



LEGEND

- PROPERTY LINE
- LOT LINE
- EXISTING 5' GROUND CONTOUR
- EXISTING 1' GROUND CONTOUR
- EXISTING PAVEMENT
- EXISTING PAVEMENT TO BE REMOVED
- EXISTING SIDEWALK/CONCRETE
- GRAVEL
- EXISTING CURB
- EXISTING FENCE
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- EXISTING WATER LINE
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- EXISTING SANITARY LINE
- EXISTING GAS LINE
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- EXISTING WATER METER
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- EXISTING UTILITY POLE
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- PROPOSED SIDEWALK / CONCRETE
- PROPOSED AC
- PROPOSED SAWCUT LINE
- PROPOSED 5' FINISH CONTOUR
- PROPOSED 1' FINISH CONTOUR
- PROPOSED STORM LINE
- PROPOSED DITCH INLET
- PROPOSED SIGN

BENCHMARK
ELEVATIONS ARE BASED ON VISTA LOOP SANITARY SEWER AS-BUILTS FROM 2004.

THE TEMPORARY BENCHMARK IS BASED ON SURVEY CONTROL POINT PK #1 ALONG THE FRONTAGE OF MT HOOD HWY, LOCATED IN THE SHARED ACCESS DRIVEWAY. TEMPORARY BENCH MARK HAS AN ELEVATION OF 1188.00'.

EXISTING SIGNS TABLE

SIGN NUMBER	DESCRIPTION
1	WELCOME TO SANDY
2	PROPERTY OF ODOT/VENDING PROHIBITED
3	PROPERTY OF ODOT/VENDING PROHIBITED
4	STOP/9E VISTA LOOP DRIVE
5	END STATE HIGHWAY MAINTENANCE
6	YIELD/DO NOT ENTER
7	KEEP RIGHT
8	9E VISTA LOOP DRIVE
9	ENTRANCE
10	25 MPH

SHEET C2 OF 18

NO.	DATE	REVISION	BY
–	–	–	–

DESIGNED: CTH
DRAWN: CTH
CHECKED: RLM
APPROVED: RLM

REGISTERED PROFESSIONAL ENGINEER OREGON RAY L. MOORE RENEWAL DATE: 12/31/2018

SCALE: N/A
VERT: N/A
HORIZ: 1"=40'
DATE: 08-03-2016
FILE: 15-071-ODOT-DESIGN.dwg
LEGAL
SECTION: 19
TWP.: 2S
RANGE: 5E
DATE OF PLOT: 2/1/2017

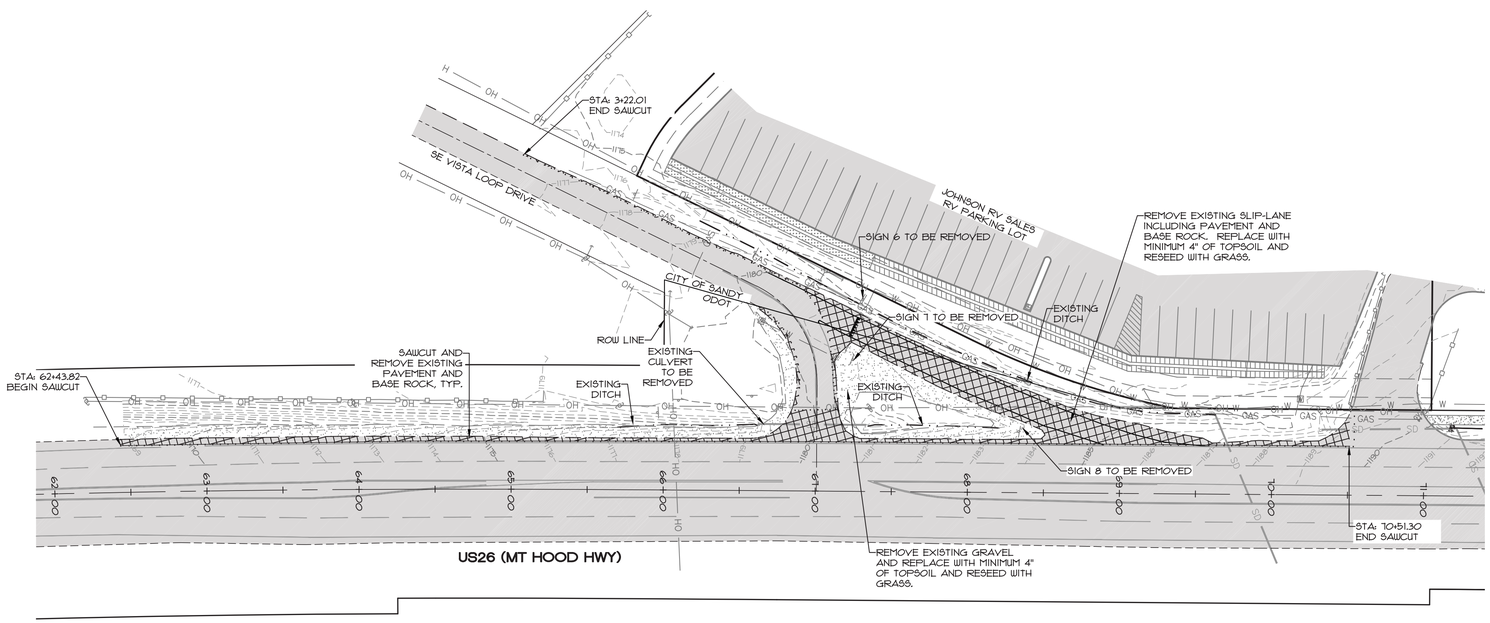
PROJECT:
MT HOOD HWY AT VISTA LOOP DR EAST
EXISTING CONDITIONS

LOCATION:
EAST END OF VISTA LOOP DRIVE AND MT HOOD HWY, SANDY, OR 97055

Surveyors & Planners, Inc.
Surveying, Planning and Civil Engineering
P.O. Box 955 Sandy, OR 97055
Phone: (503) 668-3151
Fax: (503) 668-4730

Client: BRAD PICKING
PO BOX 662
SANDY, OR 97055
PHONE: 503-663-1414

DEMOLITION PLAN



SHEET C3 OF 18

DATE	NO.	REVISION	BY
-	-	-	-

DESIGNED: CTH
DRAWN: CTH
CHECKED: RLM
APPROVED: RLM

REGISTERED PROFESSIONAL ENGINEER
OREGON
RAY L. MOORE
RENEWAL DATE: 12/31/2018

SCALE VERT: N/A HORIZ: 1"=40'
DATE: 08-09-2016
FILE: 15-071-ODOT-DESIGN.DWG

LEGAL		
SECTION	TWP.	RANGE
19	2S	5E

PROJECT:
MT HOOD HWY AT VISTA LOOP DR EAST
DEMOLITION PLAN

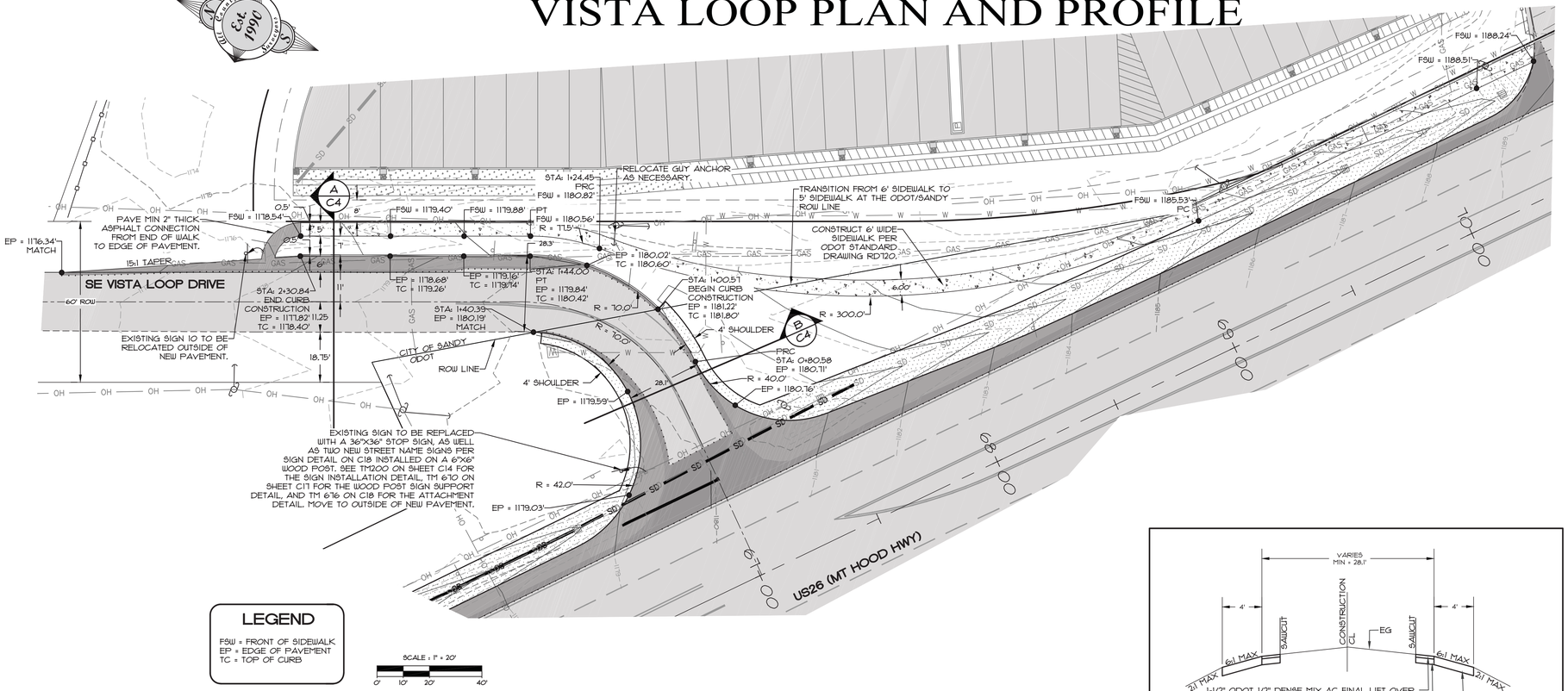
LOCATION:
EAST END OF VISTA LOOP DRIVE AND MT HOOD HWY, SANDY, OR 97055

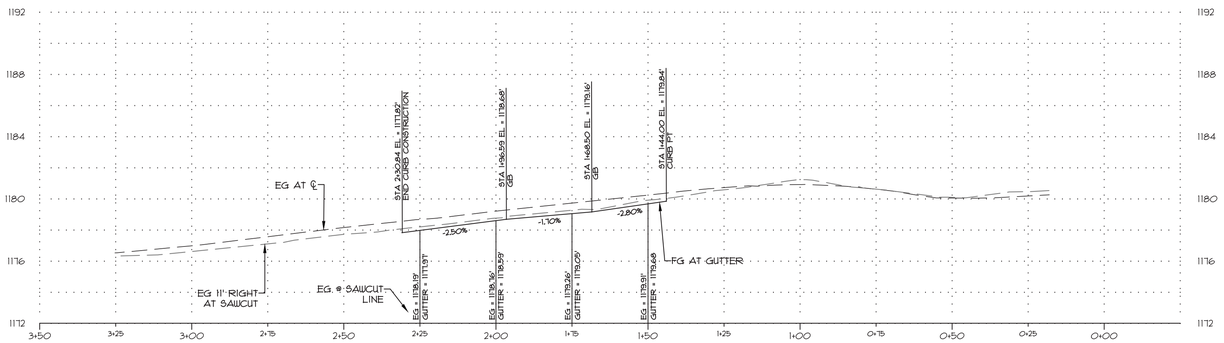
All County Surveyors & Planners, Inc.
Surveying, Planning and Civil Engineering
P.O. Box 955 Sandy, OR 97055
Phone: (503) 668-3151
Fax: (503) 668-4730

DATE OF PLOT 2/1/2011

Client: BRAD PICKING
PO BOX 632
SANDY, OR 97055
PHONE: 503-663-7414

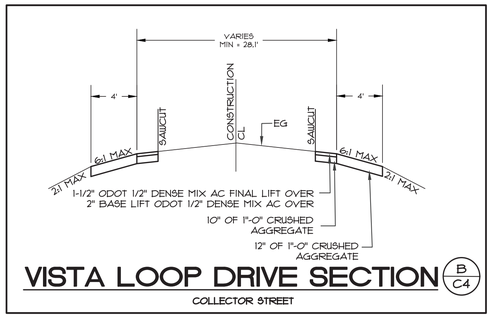
VISTA LOOP PLAN AND PROFILE





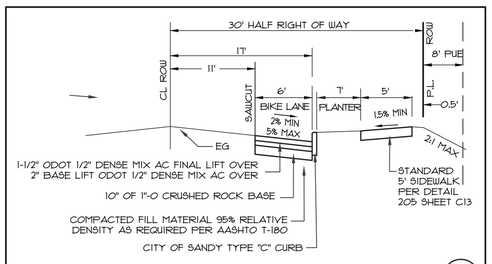
CL-N VISTA LOOP PROFILE

HORIZ: 1" = 20'
VERT: 1" = 4'



VISTA LOOP DRIVE SECTION (B / C4)

COLLECTOR STREET



VISTA LOOP DRIVE SECTION (A / C4)

COLLECTOR STREET

DATE	NO.	REVISION	BY
–	–	–	–

DESIGNED: CTH
DRAWN: CTH
CHECKED: RLM
APPROVED: RLM

SHEET C4 OF 18

REGISTERED PROFESSIONAL ENGINEER — OREGON — RAY L. MOORE — RENEWAL DATE: 12/31/2018

SCALE	HORIZ: 1"=20' VERT: 1"=4'
DATE:	08-09-2016
FILE:	15-011-ODOT-DESIGN.dgn

LEGAL

SECTION	TWP.	RANGE
19	2S	5E

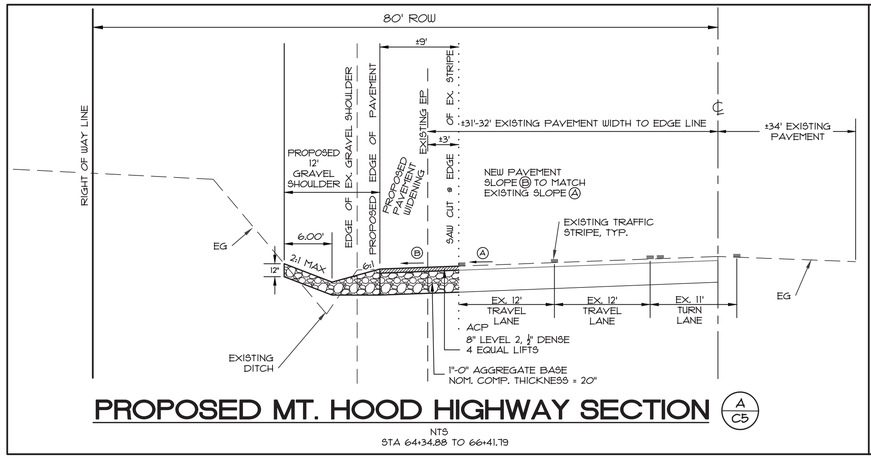
PROJECT:
MT HOOD HWY AT VISTA LOOP DR EAST
VISTA LOOP PLAN AND PROFILE

LOCATION:
EAST END OF VISTA LOOP DRIVE AND MT HOOD HWY, SANDY, OR 97055

Surveyors & Planners, Inc.
Surveying, Planning and Civil Engineering
P.O. Box 955 Sandy, OR 97055
Phone: (503) 668-3151
Fax: (503) 668-4730

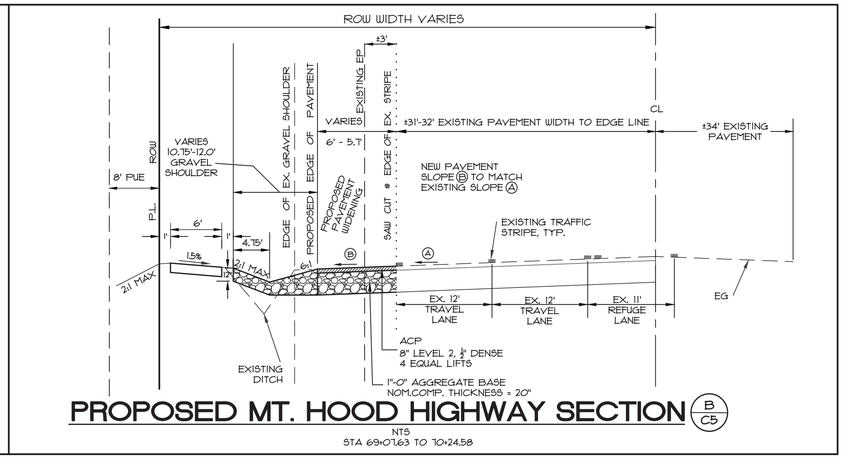
DATE OF PLOT: 2/1/2011

Client: BRAD PICKING
P.O. BOX 97
SANDY, OR 97055
PHONE: 503-663-1414



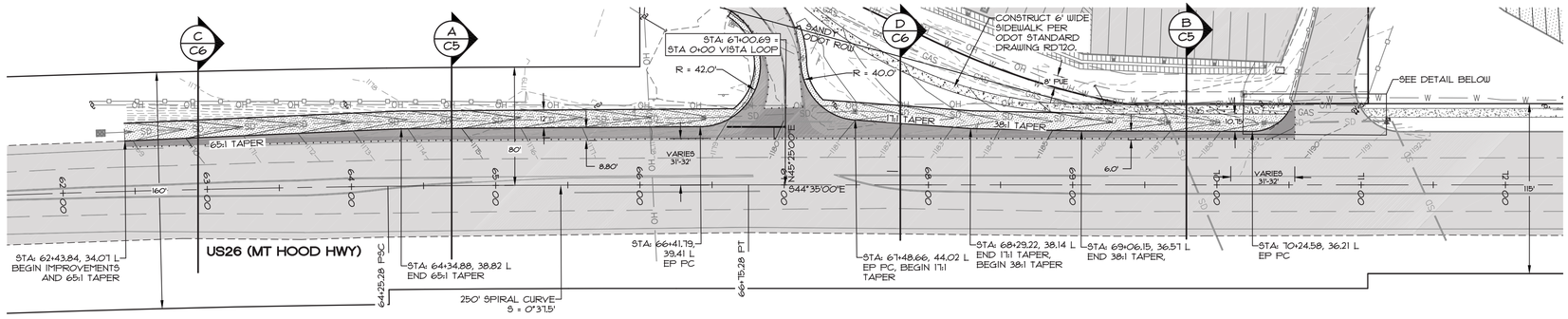
PROPOSED MT. HOOD HIGHWAY SECTION (A/C5)

NTS
STA 64+34.88 TO 66+41.79



PROPOSED MT. HOOD HIGHWAY SECTION (B/C5)

NTS
STA 69+07.63 TO 70+24.58



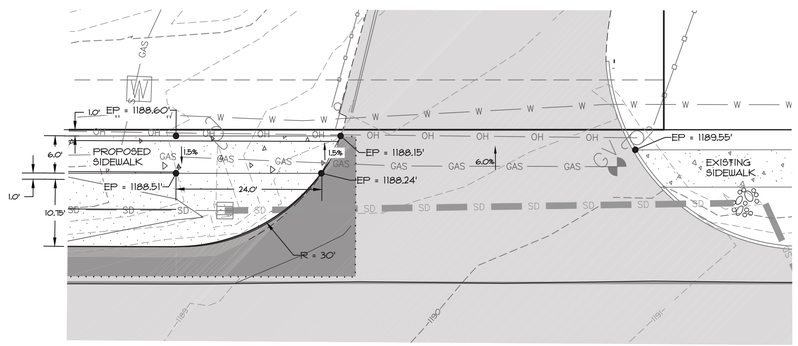
SCALE : 1" = 40'
0' 20' 40' 80'

NEW EDGE OF PAVEMENT				
POINT #	ELEVATION	STATION	OFFSET	
1000	1168.840	62+43.84	34.07L	BEG. IMPROVEMENTS AND TAPER
1001	1169.120	62+75.00	34.63L	
1002	1170.360	63+00.00	35.13L	
1003	1170.980	63+25.00	35.10L	
1004	1171.640	63+50.00	36.32L	
1005	1172.310	63+75.00	36.99L	
1006	1172.960	64+00.00	37.72L	
1007	1173.620	64+25.00	38.50L	
1008	1173.880	64+34.88	38.82L	TAPER END
1009	1174.280	64+50.00	38.78L	
1010	1174.960	64+75.00	38.75L	
1011	1175.580	65+00.00	38.77L	
1012	1176.180	65+25.00	38.82L	
1013	1176.760	65+50.00	38.91L	
1014	1177.350	65+75.00	39.02L	
1015	1177.850	66+00.00	39.15L	
1016	1178.340	66+25.00	39.30L	
1017	1178.720	66+41.79	39.41L	EP PC
1018	1180.980	67+48.66	44.02L	EP PC AND BEG. TAPER
1019	1181.810	67+75.00	42.10L	

STATION AND OFFSET BASED ON ODOT CENTERLINE
STATIONING FROM FP2015-064 CLACKAMAS COUNTY SURVEYORS OFFICE

NEW EDGE OF PAVEMENT				
POINT #	ELEVATION	STATION	OFFSET	
1020	1182.490	68+00.00	40.27L	
1021	1183.360	68+29.22	38.14L	TAPER END
1022	1184.020	68+50.00	37.72L	
1023	1184.720	68+75.00	37.21L	
1024	1185.490	69+06.15	36.57	
1025	1185.940	69+25.00	36.51L	
1026	1186.510	69+50.00	36.44L	
1027	1187.200	69+75.00	36.36L	
1028	1187.920	70+00.00	36.28L	
1029	1188.720	70+24.58	36.21L	EP PC

STATION AND OFFSET BASED ON ODOT CENTERLINE
STATIONING FROM FP2015-064 CLACKAMAS COUNTY SURVEYORS OFFICE



EXISTING DRIVEWAY DETAIL

1" = 10'

Client: BRAD PICKING
PO BOX 2310
SANDY, OR 97055
PHONE: 503-663-1414

Surveyors & Planners, Inc.
Surveying, Planning and Civil Engineering
P.O. Box 955 Sandy, OR 97055
Phone: (503) 668-3151
Fax: (503) 668-4730

DATE OF PLOT: 2/1/2011

SCALE: HORIZ: N/A, VERT: 1"=40'
DATE: 08-09-2016
FILE: 15-071-ODOT-DESIGN.dgn

LEGAL: SECTION 19, TWP. 2S, RANGE 5E

REVISION: 8" - | NO. - | DATE - | DESIGNED: CTH | DRAWN: CTH | CHECKED: RLM | APPROVED: RLM

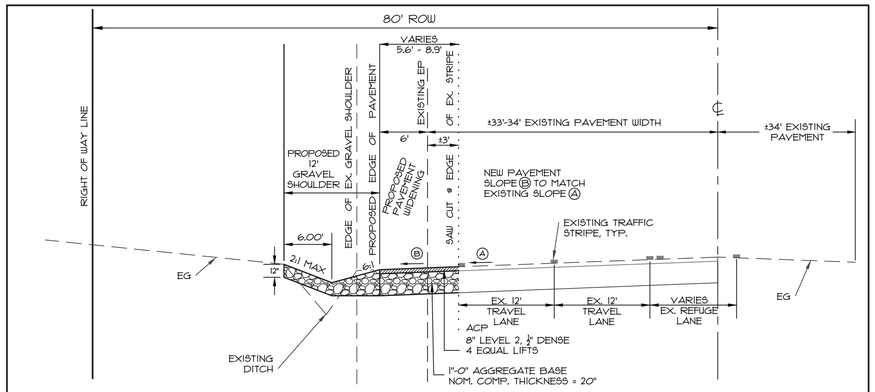
REGISTERED PROFESSIONAL ENGINEER OREGON RAY L. MOORE RENEWAL DATE: 12/31/2018

SHEET C5 OF 18

PROJECT:
MT HOOD HWY AT VISTA LOOP DR EAST
MT HOOD HWY FRONTAGE IMPROVEMENTS

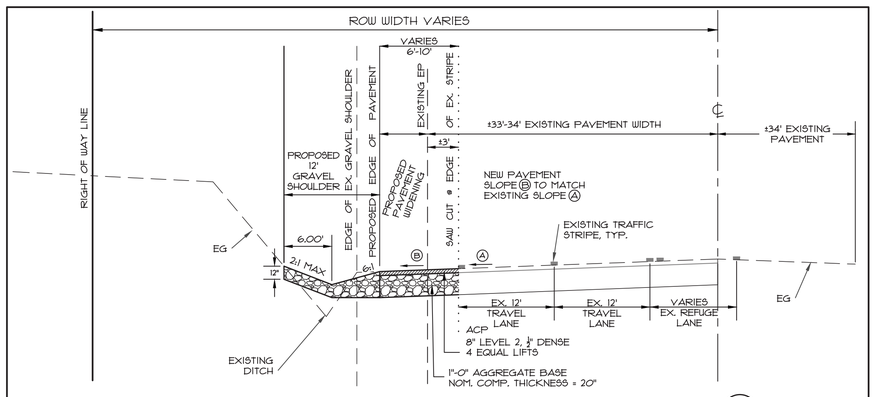
LOCATION:
EAST END OF VISTA LOOP DRIVE AND MT HOOD HWY, SANDY, OR 97055

MT HOOD HWY ROADWAY CROSS SECTIONS



PROPOSED MT. HOOD HIGHWAY SECTION (C/C6)

NTS
STA 62+43.84 TO 64+34.88



PROPOSED MT. HOOD HIGHWAY SECTION (D/C6)

NTS
STA 67+48.66 TO 69+07.63

SHEET C6 OF 18

DATE	NO.	REVISION	BY
-	-	-	-

DESIGNED: CTH
DRAWN: CTH
CHECKED: RLM
APPROVED: RLM

REGISTERED PROFESSIONAL ENGINEER
OREGON
RAY L. MOORE
RENEWAL DATE: 12/31/2018

SCALE VERT: N/A HORIZ: 1"=40'
DATE: 08-09-2016
FILE: 15-071-ODOT-DESIGN.dwg

LEGAL		
SECTION	TWP.	RANGE
19	2S	5E

PROJECT:
MT HOOD HWY AT VISTA LOOP DR EAST
MT HOOD HWY ROADWAY CROSS SECTIONS
LOCATION:
EAST END OF VISTA LOOP DRIVE AND MT HOOD HWY, SANDY, OR 97055

All County Surveyors & Planners, Inc.
Surveying, Planning and Civil Engineering
P.O. Box 955 Sandy, OR 97055
Phone: (503) 668-3151
Fax: (503) 668-4730

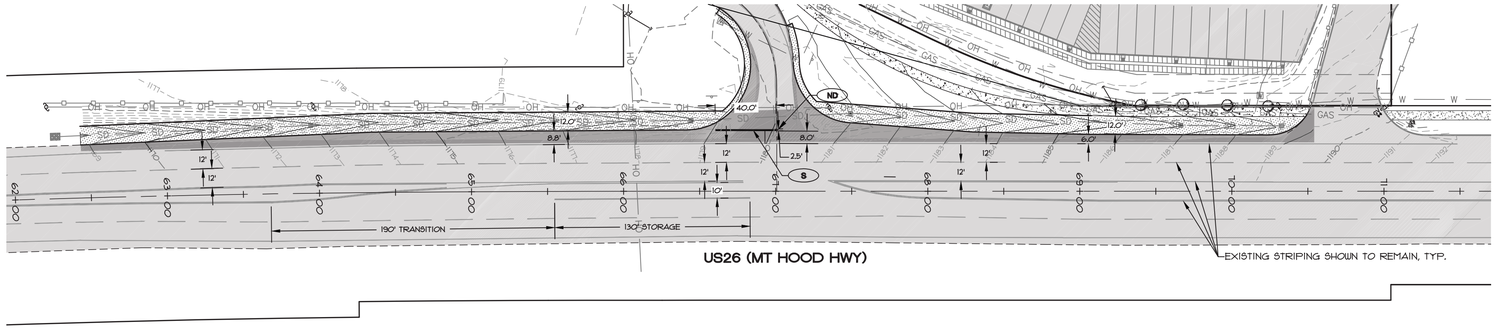
DATE OF PLOT 2/1/2011

Client: BRAD PICKING
PO BOX 632
SANDY, OR 97055
PHONE: 503-663-7414

MT HOOD HWY STRIPING PLAN

SCALE : 1" = 40'

0' 20' 40' 80'



PROPOSED STRIPING
(WITH NEW PAVEMENT IMPROVEMENTS)

STRIPING LEGEND

ND — INSTALL NARROW DOUBLE NO-PASS TWO YELLOW LINES
- METHOD A, THERMOPLASTIC, EXTRUDED, SURFACE, NON-PROFILED

S — INSTALL STOP BAR 12" WHITE BAR
- TYPE B-HS PREFORMED THERMOPLASTIC FILM HIGH SKID

NOTES

1. SEE OREGON STANDARD DRAWINGS STRIPING DETAILS TM500 AND TM503, ON SHEETS C14 AND C15.
2. INSTALL TYPE 1 TRAFFIC DELINEATORS FROM ODOT CENTERLINE STATION 62+43.75 TO 70+24.51. SEE OREGON STANDARD DRAWINGS TM510, TM511, AND TM516 ON SHEET C17 FOR DETAILS.

SCALE : 1" = 40'

0' 20' 40' 80'

CONSTRUCTION KEY NOTES

1 — MATCH FUTURE PAVEMENT STRIPING TO EXISTING AS SHOWN.

STRIPING LEGEND

ND R-40 — NARROW DOUBLE YELLOW POSITIONING GUIDE REFLECTORS WITH TWO 4" YELLOW LINES
ND R-40 — -METHOD A, THERMOPLASTIC, EXTRUDED, SURFACE, NON-PROFILED

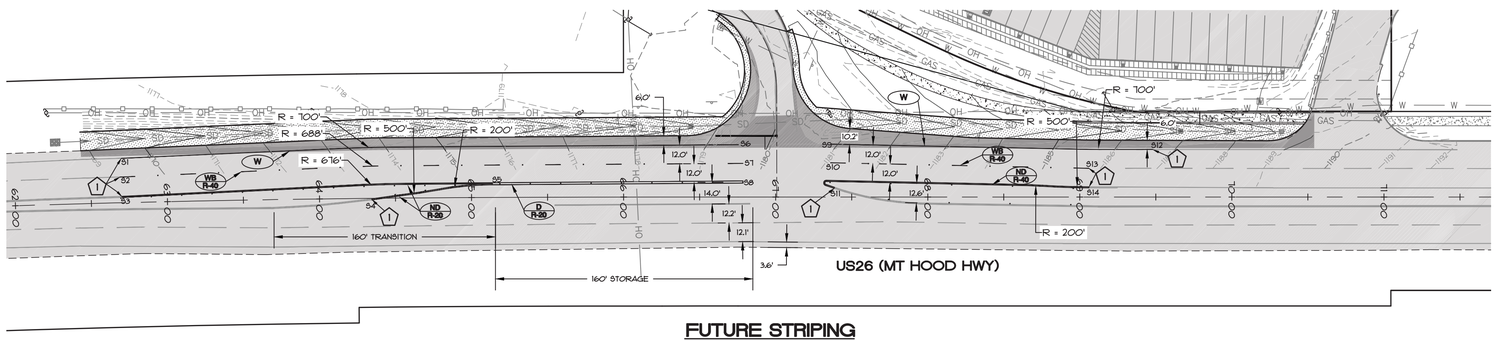
W — 4" WHITE LINE.
-METHOD A, THERMOPLASTIC, EXTRUDED, SURFACE, NON-PROFILED.

WB R-40 — 4" WHITE BROKEN LINE SUPPLEMENTATION REFLECTORS WITH 4" WHITE BROKEN LINE
-METHOD A, THERMOPLASTIC, EXTRUDED, SURFACE, NON-PROFILED.

D R-30 — DOUBLE NO-PASS TWO 4" YELLOW LINES
-METHOD A, THERMOPLASTIC, EXTRUDED, SURFACE, NON-PROFILED.

NOTES

1. STRIPING TO BE COMPLETED BY ODOT AT A FUTURE DATE
2. SEE OREGON STANDARD DRAWINGS STRIPING DETAILS TM500 AND TM 502, ON SHEETS C14 AND C15



FUTURE STRIPING
(NOT PART OF THIS PROJECT)

STRIPING TABLE

NUMBER	STATION	OFFSET
S1	62+70.25	28.53L
S2	62+69.08	16.51L
S3	62+70.28	3.45L
S4	64+34.27	0.31R
S5	65+13.90	8.80L
S6	66+15.51	33.64L
S7	66+18.54	21.66L
S8	66+18.62	9.66L
S9	67+36.21	34.04L
S10	67+35.96	22.04L
S11	67+38.75	6.16L
S12	69+48.13	30.52L
S13	69+05.93	18.45L
S14	69+06.10	5.90L

STATIONS AND OFFSETS ARE TO THE APPROPRIATE LANE LINE DESIGNATORS PER ODOT STANDARD DETAILS TM500 & TM561.

SHEET C7 OF 18

NO.	DATE	REVISION	BY
–	–	–	–

DESIGNED: CTH
DRAWN: CTH
CHECKED: RLM
APPROVED: RLM

SCALE: N/A
HORIZ: 1"=40'
DATE: 08-03-2016
FILE: 15-071-ODOT-DESIGN.dgn

LEGAL
SECTION 19 | TWP. 25 | RANGE 5E

REGISTERED PROFESSIONAL ENGINEER — OREGON — BRAD L. MOORE — RENEWAL DATE: 12/31/2018

DATE OF PLOT: 2/1/2017

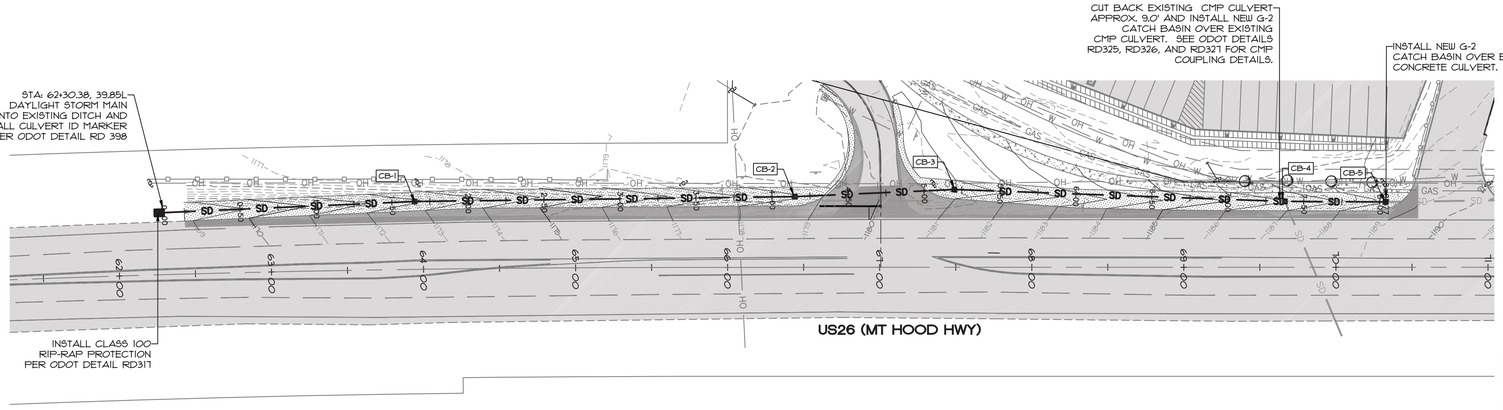
PROJECT:
MT HOOD HWY AT VISTA LOOP DR EAST
MT HOOD HWY STRIPING PLAN

LOCATION:
EAST END OF VISTA LOOP DRIVE AND MT HOOD HWY, SANDY, OR 97055

Surveyors & Planners, Inc.
Surveying, Planning and Civil Engineering
P.O. Box 955 Sandy, OR 97055
Phone: (503) 668-3151
Fax: (503) 668-4730

Client: BRAD PICKING
PO BOX 457
SANDY, OR 97055
PHONE: 503-663-1414

STORM IMPROVEMENT PLAN

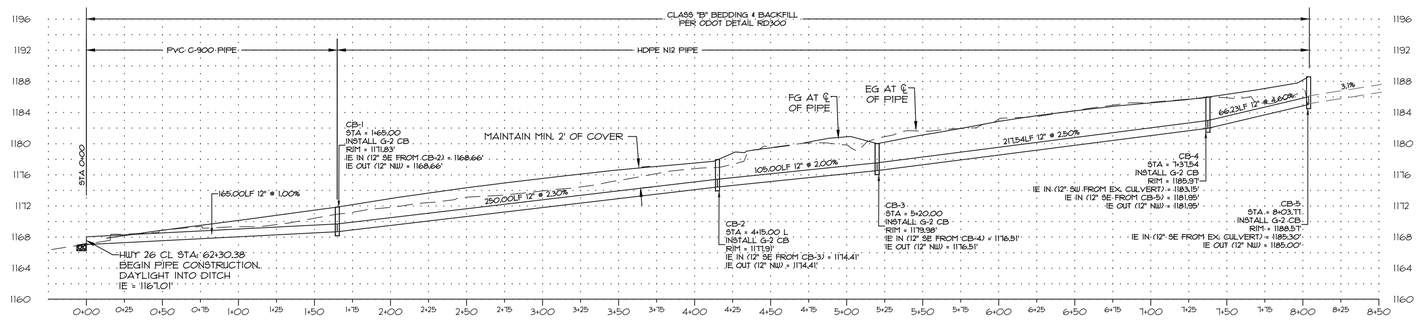


SCALE: 1" = 40'
0' 20' 40' 80'

NOTES:

1. PIPE LENGTHS SHOWN ON PIPES FROM CATCH BASIN TO CATCH BASIN ARE FROM CENTER OF STRUCTURE TO CENTER OF STRUCTURE.

2. CONNECTIONS FROM EXISTING CULVERTS TO NEW INLETS SHALL BE THE SAME MATERIAL AS THE EXISTING CULVERT.



STORM PROFILE

HORIZ: 1" = 40'
VERT: 1" = 8'

INLET TABLE

STRUCTURE	STATION	OFFSET
CB-1	63+94.74	43.58L
CB-2	66+44.15	45.43L
CB-3	67+49.04	50.00L
CB-4	69+64.90	42.39L
CB-5	70+32.67	42.00L

SHEET C8 OF 18

NO.	DATE	REVISION	BY
–	–	–	–

DESIGNED: CTH
DRAWN: CTH
CHECKED: RLM
APPROVED: RLM

RENEWAL DATE: 12/31/2018

SCALE: VERT: 1"=8' HORIZ: 1"=40'
DATE: 08-03-2016
FILE: 15-071-ODOT-DESIGN.dwg

LEGAL
SECTION 19 TWP. 2S RANGE 5E

PROJECT:
MT HOOD HWY AT VISTA LOOP DR EAST
STORM IMPROVEMENT PLAN

LOCATION:
EAST END OF VISTA LOOP DRIVE AND MT HOOD HWY, SANDY, OR 97055

Surveyors & Planners, Inc.
Surveying, Planning and Civil Engineering
P.O. Box 955 Sandy, OR 97055
Phone: (503) 668-3151
Fax: (503) 668-4730

DATE OF PLOT: 2/1/2017

Client: BRAD PICKING
PO BOX 463
SANDY, OR 97055
PHONE: 503-663-7414

EXHIBIT RR

January 19, 2021

Mr. Kelly O'Neill
City of Sandy
39250 Pioneer Blvd.
Sandy, OR. 97055

Subject: The Views Application - Response to 12/30/20 Email

Dear Kelly,

I am writing in response to your email dated December 30, 2020 regarding "The Views" land use application. In this email you asked our project team to provide "new/ additional submissions" to a list of items prior to the February 16, 2021 City Council hearing for this application. In consideration of your request I have prepared written responses to address each of these items as they appear in your email.

1. Apartment modifications on Lot 72 with the third story removed;
   ***Response**: During the December 16, 2020 Planning Commission hearing the applicant indicated he was willing to reduce the height of the proposed multi-family building proposed on Lot 72 from three stories to two stories. With removal of the third story of this building the applicant also proposes reducing the number of units in this building from 24 units to 15 units. Attachment A, Revised Proposal Details, confirms this change.*

2. Density analysis to confirm density bonus is no longer requested;
   ***Response**: The change in the number of units in the multi-family building on Lot 72 now reduces the proposed total project unit count to 159 units in compliance with the maximum density allowed for the site. With this revision the applicant no longer requests or needs approval to increase density as allowed by Section 17.64.40(C). Attachment B provides revised density calculations as requested.*

3. Line of sight analysis for the two story apartment on Lot 72;
   ***Response**: The applicant believes this evidence is unnecessary because the proposal to reduce the height of the building on Lot 72 from three stories to two stories was an offer of goodwill to adjacent property owners. The maximum building height allowed in the SFR zone is 35 feet and the proposed change to a two story building is expected to reduce the height of this building by approximately 12 feet. It should be noted the maximum building height allowed in this zone is 35 feet regardless of structure type. In addition, as you are aware the site does not contain a restriction or covenant requiring structures built on*

this property to be less than the maximum building height allowed by code. In considering your request we believe it is unreasonable to require the applicant to prepare a line of sight analysis for this project as there are no code criteria requiring this work. In addition, preparing an accurate sight analysis requires preparation of detailed building plans and a site grading analysis and these items won't be completed until a future design review application for this structure is submitted. The applicant requests this item be removed.

4. Additional vegetation between the sound wall and sidewalk along Highway 26;
   ***Response**: Preliminary plans show there will be about two feet from the back of the sidewalk along Highway 26 to the proposed sound wall. The applicant is not opposed to planting appropriate landscape materials in this space, to help soften the appearance of the wall, but we do not believe this plan is needed or should it be required prior to land use approval.*

5. A pedestrian path connection between Ortiz Street and the property to the north.
   ***Response**: The revised Future Street Plan submitted prior to the Planning Commission's December hearing shows a street connection between Ortiz Street and the property to the north is not needed. The owner of this property also affirmed this design in an email. The record for the project shows that neither the City Engineer or Public Works Director recommended construction of this facility and the Planning Commission concluded a street connection in this location also was not needed. Section 17.100.120(D) contains language requiring a pedestrian path to be constructed for blocks over 600 feet in length. The north side of Ortiz Street from the intersection with Vista Loop Drive to the center of the Ortiz Street cul-de-sac is 539 feet and it is 577 feet from Vista Loop to the sidewalk proposed along Highway 26. Given these facts we believe a pedestrian path connection between Ortiz Street and the property to the north is not warranted and we request this item be removed.*

Thank you for considering our responses to your December 30 email. If you should have any questions about this letter please do not hesitate contacting me or another member of the project team. We appreciate your assistance with this project and thank you again for your continued support.

Regards,

Tracy A Brown

Tracy Brown

Attachments:
A. Revised Proposal Details
B. Revised Density Calculations

EXHIBIT SS

REVISED PROPOSAL:

THE PROPOSED PD WILL CREATE A TOTAL OF 122 NEW RESIDENTIAL LOTS AND OVER 11 ACRES OF OPEN SPACE. THE PROPOSED DENSITY WILL BE 158 UNITS. THIS IS THE MAXIMUM BASE DENSITY UNDER THE CODE. THE UNITS WILL BE A MIX OF SINGLE FAMILY DETACHED LARGE AND SMALL LOTS, SINGLE FAMILY ATTACHED, AND MULTIFAMILY SEE THE FOLLOWING LOT BREAKDOWN:

SINGLE FAMILY DETACHED LOTS: 50 LOTS (3,400 SF TO 4,999 SF) 13 LOTS (5,000 SF TO 5,999 SF) 12 LOTS (6,000 SF TO 7,499 SF) 13 LOTS (7,500 SF TO 17,000 SF) TOTAL OF 88 SINGLE FAMILY DETACHED LOTS	MULTIFAMILY LOTS: THERE ARE 2 LOTS (43,003 SF AND 53,185 SF) LOT 122 WILL HAVE A 3-STORY 24-UNIT APARTMENT BUILDING. LOT 72 WILL HAVE A 2-STORY 15-UNIT APARTMENT BUILDING FOR A TOTAL OF 39 UNITS.
SINGLE FAMILY ATTACHED LOTS (ROW HOUSES) 32 LOTS (2,160 SF TO 2,695 SF)	THE PROPOSED DENSITY OF 159 UNITS FALLS BETWEEN THE MIN CALCULATED 63 UNITS AND THE MAXIMUM 159 UNITS.

EXHIBIT TT

THE VIEWS Revised Density Calculations

Date: 1/7/2021
Job no: 19-071
By: RLM

Lower Views (Picking Property)				
Total Site Area =>	1,015,748	SF	23.318	<=== Acres Total
Public ROW =>	127,049	SF	2.917	<=== Acres Total
Public Detention Pond Tracts =>	13,954	SF	0.320	<=== Acres Total
Open Space and Private Tracts =>	453,478	SF	10.410	<=== Acres Total
Total Lot Area =>	421,267	SF	9.671	<=== Acres Total
Upper Views (Knapp Property)				
Total Site Area =>	416,066	SF	9.552	<=== Acres Total
Public ROW =>	77,931	SF	1.789	<=== Acres Total
Public Detention Pond Tracts =>	16,839	SF	0.387	<=== Acres Total
Open Space and Private Tracts =>	72,595	SF	1.667	<=== Acres Total
Total Lot Area =>	248,701	SF	5.709	<=== Acres Total
AREA INFORMATION for Total Project				
Total Site Area =>	1,431,813	SF	32.870	Acres
Public ROW =>	204,980	SF	4.706	Acres
Public Detention Pond Tracts =>	30,793	SF	0.707	Acres
Net Site Area (NSA) = >	1,196,040	SF	27.457	Acres (Total Area - Public ROW/Ponds)
Restricted Development Area (RDA)=>	279,768	SF	6.423	Acres
Unrestricted Site Area (USA) =>	916,272	SF	21.035	Acres (USA = NSA-RDA)
Total Open Space and Private Tracts =>	526,073	SF		
Total Lot Area =>	669,967	SF		
Denisty Calculations (Based on SFR Zoning)				
Minimum Density =>	3	units/acre		
Max density =>	5.8	units/acre		
Minimum Required Units = USA x min density =>	63	units	<=== Minimum Density	
Maximum Allowed (the **lesser** of the two numbers)				
A. NSA x max density ==>	159.3	units		
or			159	<=== Maximum Base Density
B. USA x max density x 1.5 ==>	183.0	units		
Open Space Calculations				
Minimum 25% open space required =>	357,953	SF	8.22	Acres
Proposed private open space - Natural Area =>	359,491	SF	8.25	Acres
Proposed private open space - Active Area =>	160,161	SF	3.68	Acres
Total proposed private open space =>	519,653	SF	11.93	Acres
Total proposed private open space % =>	**36%**	**> Than 25%**	**OK**	

EXHIBIT UU

COMMENT ~~SHEET for~~ File No. 20-028 SUB/TREE/FSH/PD:

John Knapp

That was awfully nice of you, but - you didn't have to name a street "Bonnie" just because I "belly ached so much".

Thank you for 26 years of beautiful Christmas trees.

Bonnie

RECEIVED
OCT 02 2020
City of Sandy

Baba Bonnie Eisbel — 503-668-4103
Your Name — Phone Number

41515 S.E. Vista Loop Dr.
Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.20 Public Hearings; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.56 Hillside Development; 17.60 Flood and Slope Hazard Overlay; 17.64 Planned Development; 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; 17.90 Design Standards; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access Requirements; 17.100 Land Division; 17.102 Urban Forestry; 15.30 Dark Sky Ordinance

EXHIBIT VV

COMMENT SHEET for File No. 20-028 SUB/TREE/FSH/PD:

I HAVE MIXED FEELINGS ON THIS.
THE VISTA LOOP WOULD BE MY CHOICE.
THE AREA BEHIND DILUSSO RV. IS WILD AND
~~SHOULD~~ SHOULD STAY WILD- ELK AND DEER.
NEED HABITAT TO TRAVEL UNNOTICED.
HOUSES WOULD BRING TRAILS AND UN NEEDED
MOVEMENT OF PEOPLE. LEAVE THAT AREA
WILD.

RECEIVED
OCT 29 2020
City of Sandy

JERRY CARLSON 503-260-4993
Your Name Phone Number

MAIL- ~~P.O. BOX~~ PO, BOX 280
Address BRIGHTWOOD OR. 97011

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.20 Public Hearings; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.56 Hillside Development; 17.60 Flood and Slope Hazard Overlay; 17.64 Planned Development; 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; 17.90 Design Standards; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access Requirements; 17.100 Land Division; 17.102 Urban Forestry; 15.30 Dark Sky Ordinance

EXHIBIT WW

RECEIVED
OCT 29 2020
City of Sandy

NEW HOUSING PROPOSAL

20-028 SUB/TREE/FSH/PD

There have been 3 letters (9/8/2020, 9/24/2020, 10/21/2020) proposing housing development on land adjacent to Vista Loop Dr. Each has very confusing descriptions of the properties.

> "The applicant proposes constructiong 120 single family dwellings(32 attached dwellings and 88 detached dwellings) and 48 multi family dwellings on two lots."

120 single family dwellings and 48 multi family dwellings adding up to 168 dwellings, not 120!

The notices also state that the land is currently zoned "SFR, Single Family Residential" yet goes on to state that 48 units are to be "Multifamily dwellings". This is inconsistent with the zoning.

To further add to the confusion, the included map shows 122 lots. Which ones are being developed? Some, all, or are some not even on the map? The contradictory nature of these inadequate descriptions leaves me wondering about the acuracy of this entire project.

Lot 72 appears to be in the FSH zone. Is this to be developed? Will it be in the future? There are just too many unanswered, inacurate issues here.

SE Vista Loop Dr. is a narrow street without a sidewalk. It is frequented by the residents for walking dogs and for exercise as it has been for many, many years.

The addition 120+(?) homes would add well over 120 cars and would put an overwhelming demand on a street that is not designed to handle that much car traffic.

With the addition of families, school aged children are inevitable. Where is a bus stop planned? Nobody wants dozens of children in front of their homes waiting for the bus to arrive each morning.

Parking presents another problem. The apartments on the west end of Vista Loop were promised adequate parking space. This was never realized as 30 cars are parked on Vista Loop nightly. Two lane traffic is impossible. Emergency response is limited at times. How is this being addressed in the new houses. By the time you factor in multiple cars per family you are probably talking about 200+ cars.

The proposed "THE VIEW DR.", on the eastern property, is very close to neighboring houses and looks to be very narrow. It would create a stream of noise, lights, and be an eyesore to those properties. The proposed "KNAPP STREET", on the western property, looks to be aimed directly into my driveway

and front windows at 41613 SE Vista Loop Dr. This would create the same noise and lights issue, let alone the use of my driveway being used for a 'turnaround'. Both of these new streets would also produce traffic jams daily. The exit from the eastern end of Vista Loop to hwy 26 backs up as it stands today. Put 200 more cars into that equation.

The newly built Doug Fir Apts (approx 25 units) has already increased car traffic on Vista Loop. The speed limit is definitely not being inforced. Cars whip through the area well over 25mph regularly. Without a sidewalk, this certainly increases the risk of injuries and fatalities to walkers. Again I must mention, 200 more cars!

The addition of more houses invites more crime to the area. This is a reality. Is the police department ready to handle this? Are they on board with this proposal and what actions are being taken to tackle this additional burdon?

Is the fire department ready for the addition of more houses? What about emergency services?

Public utilities are another problem. Can the current water facilities handle this influx of 120+ new homes? Where is the water coming from? The official Sandy website suggests that most all of Vista Loop is "generally" not serviced by the Bullrun watershed but will that water be used to accomodate the new demand? There have been reports of cryptosporidium detected in the Bullrun watershed and the idea of a new treatment plant has been thrown around but nothing is in place.

Is the current electric grid ready to handle the new demand created by 120+ new homes? Is PGE aware?

Is the current gas supply ready for this additional demand? Is NW Natural in the loop?

Where are the new sewer lines to be run. There is a huge downslope from Vista Loop to the eastern portion of this proposed project. After talking with contractors I discovered that the pipes would have to be 20-30 feet deep. Is this even reasonable?

This proposal would completely destroy the bucolic community that has lived and enjoyed the semirural nature of our homes and views of the surrounding land for years. It puts a huge strain on utilities and public services. It dislocates wildlife and creates an ugly crowded housing tract. It also stands in stark contrast to the "Sandy Style" code that is imposed elsewhere in the town. I am not in favor of creating a town with nothing but crowded houses and gas stations. I have not heard one single resident in favor of this plan. Most are VERY angry.

Please reject this proposal. It goes beyond reasonable, responsible housing in

an area where it just doesn't fit.

John and Linda Barmettler
41613 SE Vista Loop Dr.
Sandy, OR 97055
(503)800-8555

EXHIBIT XX

October 29, 2020

RECEIVED
NOV 03 2020
City of Sandy

To whom it may concern,

The astonishing number of housing that has been proposed to place on our quarter mile small stretch of Vista loop drive comes as a big surprise. The number of housing units will not fit our street load. We already have people speeding on our street since the build of the apartments. It has changed the formality of the neighborhood and continuing to add more to it will increasingly separate our neighbors. We are completely against more housing/apartments being put on vista loop drive especially a whole 120 units!

We know that Sandy is a funnel and we have seen increasing traffic especially on the weekends backing up all the way to Calamity Janes and sometimes further East in the last few years. As well as many fatalities in this area of 26 getting off and on the highway. This traffic last for hours and makes it hard for families who have lived on this street, some for decades, to get in and out of our street. As well as making it dangerous. Adding more cars to this problem by 240 (estimating 2 per family) will make it an even greater risk and congestion in this area.

This area was dedicated farmland since the beginning, and it is sad how Sandy is getting overcrowded and now it is continuing to spread. We highly recommend you rethink this project and not settle for the Dollar. Don't let the dollar overpower the quality of life!

Sincerely,

Dustin and Bonnie Bettencourt
41460 SE VISTA LOOP DR.
SANDY, OR 97055

EXHIBIT YY

Housing Proposal on Vista Loop Drive

RECEIVED
NOV 03 2020
City of Sandy

COMMENT SHEET for File No. 20-028 SUB/TREE/FSH/PD:

We do not want to have a city on our route.

-I am in agreement with my neighbor concerning the amount of housing and the direction of the area.

1. The road is too narrow -
2. No sidewalks
3. Land is currently zoned Single Family Residential -
4. No parking on Vista Lp Dr. or on my private lawn.
5. Do you have a large playground for children – far off Vista Lp Dr.?
6. Knapp Dr needs to go farther East so that no car lights overpower front windows or run into our driveways.
7. Before you start a program on East Vista Loop... work should be redone on West Vista. Twenty-thirty cars "extra" evening and Sat + Sun.!! Four cars side by side doesn't work
8. John and Linda Barmettler have done much to add items that I am in agreement with
9. Single homes 4 to 6 on each acre could be acceptable & look nice. 10 Tall highway sight on Hwy 26, East side.

Georgina M Sutherland 503-668-4875
Your Name Phone Number

41601 SE Vista Loop Dr. Sandy, OR 97055-6432
Address

my change on your map.

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.20 Public Hearings; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.56 Hillside Development; 17.60 Flood and Slope Hazard Overlay; 17.64 Planned Development; 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; 17.90 Design Standards; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access Requirements; 17.100 Land Division; 17.102 Urban Forestry; 15.30 Dark Sky Ordinance

20-028 SUB/TREE/FSH/PD: The Views

Site Plan

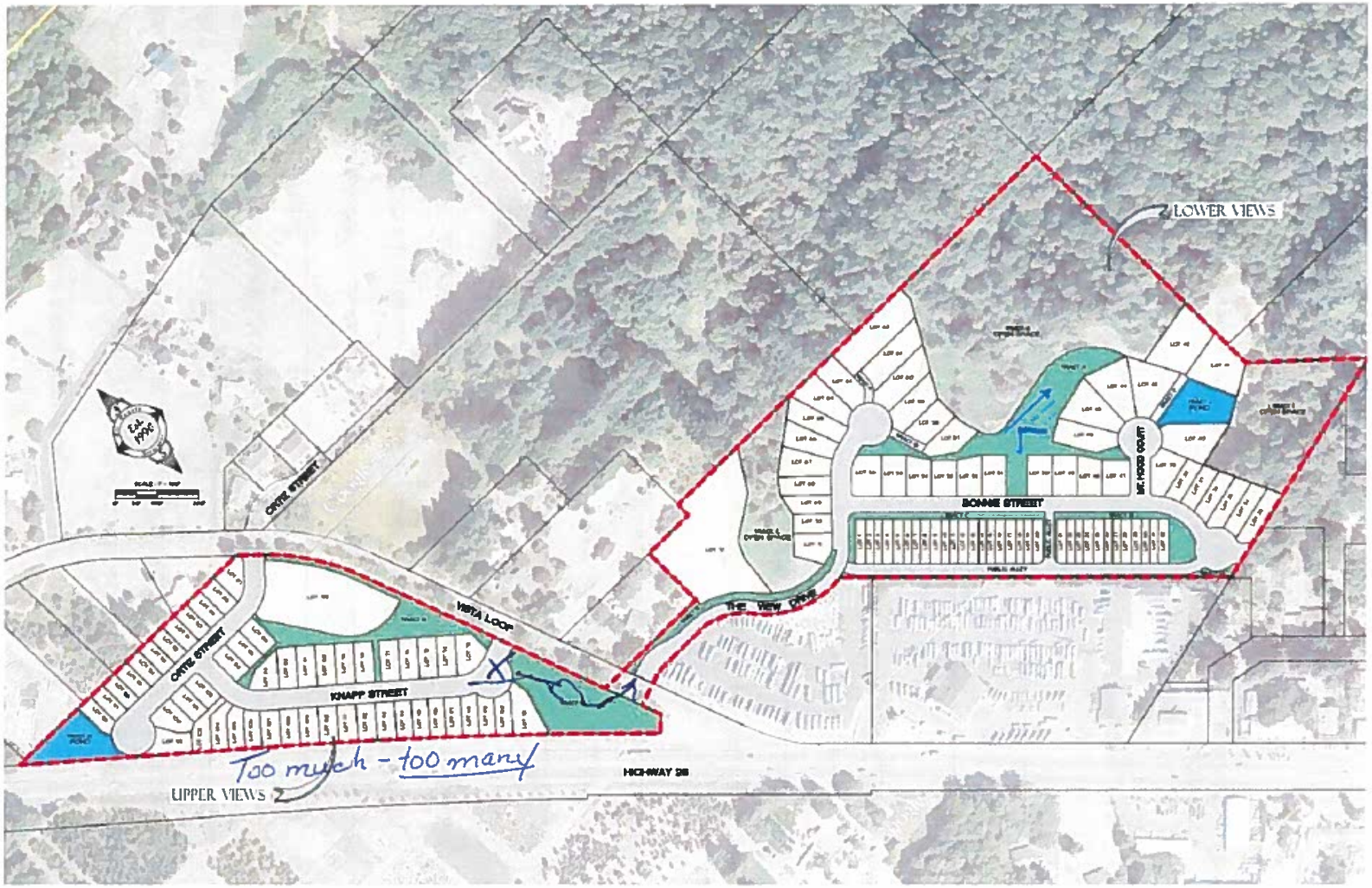


EXHIBIT ZZ

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

As a city taxpayer and resident near the proposed development on Vista Loop Drive, I/We ask that the City of Sandy, Oregon deny the proposal put forth by Even Better Homes, Inc. for a Planned Unit Development - Low Density Housing development. **File Number: 20-028 SUB/TREE/FSH/PD The Views PD.** The city should make every effort to maintain the current tax base and home investment appeal by preserving the noted and in-place zoning for SFR, Single Family Homes, while not permitting any additional dense development on Vista Loop Drive, Sandy OR. 97055.
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Please consider the overall impact to Vista Loop Drive and the current residents who have moved to this area to avoid high density growth. Thank you, City of Sandy Planning Commission for your consideration in declining this new development request from Even Better Homes, Inc. **File Number: 20-028.**

Name: Gerald and Judith Dittbenner

Address: 41545 S.E. Vista Loop Dr. Sandy, OR 97055

Contact Info:
H- 503-826-0596
C- 503-701-6234

EXHIBIT AAA

Marisol Martinez <mmartinez@ci.sandy.or.us>

File #: 20-028

1 message

Kim Turin <kimmturin@gmail.com> Fri, Nov 6, 2020 at 11:17 AM
To: planning@ci.sandy.or.us

Dear Planning Division,
We are residents and city taxpayers near the proposed development on Vista Loop Drive. We recently became aware of a proposal put forth by Even Better Homes, Inc for a Planned Unit Development-low density Housing development. Seriously? Is this actually being considered? If so, we are adamantly requesting this proposal be DENIED! It would be in the city's best interest to maintain the current tax base and home investment appeal by preserving the already in place zoning for Single Family Homes and not permitting any additional dense development on Vista Loop Drive. You already allowed for an apartment complex that ruined the nature of Vista Loop, so we are asking you don't make the same mistake again. Sandy has very few areas of higher taxed lots so why lower the area tax base with smaller lot sizes and high density cookie cutter style houses? It just doesn't make sense. Please dont allow Even Better Homes to ruin Vista Loops small town country feel and decrease the surrounding home values. Please consider the overall impact to Vista Loop Drive and the current residents who have intentionally moved to this area to avoid high density growth. You've already allowed enough with the current apartment complex. Thank you for your consideration and again, we request that you deny this new development request from Even Better Homes, Inc., File number: 20-028.
Thank you,
Tony and Kim Turin
503-544-5340
18235 SE Vista View Ct, Sandy, OR 97055

EXHIBIT BBB

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

As a city taxpayer and resident near the proposed development on Vista Loop Drive, I/We ask that the City of Sandy, Oregon deny the proposal put forth by Even Better Homes, Inc. for a Planned Unit Development - Low Density Housing development. **File Number: 20-028 SUB/TREE/FSH/PD The Views PD**.
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Please consider the overall impact to Vista Loop Drive and the current residents who have moved to this area to avoid high density growth. Thank you, City of Sandy Planning Commission for your consideration in declining this new development request from Even Better Homes, Inc. **File Number: 20-028**.

Name: John & Christine Andrade

_____ Date 11/7/2020 _____ Date 11-7-2020

Address: 18509 Ortiz Street, Sandy, OR 97055
Contact Info: johnnyco82@yahoo.com – 503-516-7629

EXHIBIT CCC

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

As a LONG TIME city taxpayer and resident near the proposed development on Vista Loop Drive, I/We ask that the City of Sandy, Oregon deny the proposal put forth by Even Better Homes, Inc. for a Planned Unit Development - Low Density Housing development. **File Number: 20-028 SUB/TREE/FSH/PD The Views PD**.

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Name:

Todd Springer Date 11-08-2020 Date 11/8/20

Address: 18519 Ortiz St. Sandy, OR 97055

Contact Info: Todd Springer 971-409-1356 toddlisa33@gmail.com

Lisa Springer

EXHIBIT DDD

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: comments: File No. 20-028 SUB/TREE/FSH/PD The Views PD

Shelley Denison <sdenison@ci.sandy.or.us> Thu, Nov 12, 2020 at 7:46 AM
To: Planning <planning@ci.sandy.or.us>

Marisol,

Here's a comment for 20-028. Thanks!

---------- Forwarded message ---------
From: **Rick** <mtn_hiker@hotmail.com>
Date: Mon, Nov 9, 2020 at 1:43 PM
Subject: comments: File No. 20-028 SUB/TREE/FSH/PD The Views PD
To: <sdenison@ci.sandy.or.us>

City of Sandy, Planning Dept:

I am a Civil Engineer (ret) and I have lived on SE Vista View Court (which is north of Vista Loop Drive and west of The Views planned development) for 22 years.

My comments on The Views development:

Vista Loop has no sidewalks or street lights and is very narrow. My neighbors and I, including residents of 54 unit Sandy Vista and 24 unit Doug Fir apartments enjoy walking on the road, no doubt future residents of The Views would do the same - adding to a safety issue that already exists. The primary access to Hwy 26 will likely be the east-end of Vista Loop, however some residents of The Views are bound to use the west entrance/exit, as do residents of the existing Ortiz St. This will increase traffic at the congested west-end where it is already less than full width due overflow parking on both sides from the Sandy Vista apartments. Vista Loop is poorly maintained and has several sink holes in the traveled portion of the street - likely caused by previous sewer construction. It is reasonable to expect that added traffic will worsen its condition. Paying for any upgrades or improvements to Vista Loop, necessary to support this subdivision, should not fall on the citizens of Sandy.

Access onto Hwy 26 to the east is problematic. The speed limit is 55, but in reality vehicles are traveling much faster. Making turns into traffic at this point is very hazardous because of the traffic speed and limited sight distance to the east. The recent realignment of the exit off of Hwy 26 from the west bound lanes has made exiting onto Vista Loop hazardous; requiring drivers to slow for the turn while still in fast moving traffic - there is no deceleration lane any more. The addition of 168 families will create ample opportunity for high speed accidents at this intersection. As noted, the intersection at the west of Vista Loop is already very congested. High speeds on Hwy 26 here also create a dangerous situation which adding additional cars will exacerbate.

It is 0.7 miles from the end of sidewalks at Ten Eyck to the west end of Vista Loop. Due to the narrow shoulder, walking east puts one just two to three feet from Hwy 26 traffic

traveling at highway speed. I have personally walked this in the rain on dark nights and it is truly frightening. The City has announced planned sidewalks and traffic calming over the years. Neither has happened, and is one reason I strongly oppose the addition of an approximately 600 people and 300 cars onto Vista Loop (my estimate). The infrastructure to connect so many more families to the rest of the City does not exist.

Creating housing for over 600 people on tiny lots on land presently in the Comprehensive Plan as "Low Density Residential" will blight a very livable part of the City. It is appropriately designated low density and in planning for development here regulatory requirements should be observed and maintained. This part of the City is far away from city core services and resources, has no safe pedestrian access and lacks the public amenities that will be desired by the new 168 families. The small green spaces and trails proposed within The Views are not adequate for such a large number of families. In my estimation this will result in a large number of under-served citizens that will detract from the livability in this part of Sandy and who will, rightly, lobby the City to provide the infrastructure they should have. Estimates of the cost of sidewalks and traffic calming has been reported and are substantial and beyond what the City has been able to fund. This is not a cost that the existing citizens of Sandy should be expected to pay for without developers paying an allocatable share. It does not appear that this is part of the development plan. In fact the developer proposes not to build any sidewalks exterior to the project.

In my opinion, this development is poorly conceived and will have impacts that have not been thought through, nor mitigations proposed. This project has far too many people to be viable for its location. Therefore, I recommend that the City deny all zoning variances and reject the proposed project as being negatively impactful on several levels and not meeting Sandy's standards for livability.

John R Eskridge, PE (retired)

18265 SE Vista View Ct.

971-940-4787

--
Shelley Denison
Associate Planner

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 97055
503-783-2587
sdenison@ci.sandy.or.us

EXHIBIT EEE

Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

As a long time city taxpayer and resident near the proposed development on Vista Loop Drive, I/We ask that the City of Sandy, Oregon deny the proposal put forth by Even Better Homes, Inc. for a Planned Unit Development - Low Density Housing development. **File Number: 20-028 SUB/TREE/FSH/PD The Views PD.**
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Please consider the overall impact to Vista Loop Drive and the current residents who have moved to this area to avoid high density growth. Thank you, City of Sandy Planning Commission for your consideration in declining this new development request from Even Better Homes, Inc. **File Number: 20-028.**

Name:

Daniel M. Walton Date 11/19/20 Janine M. Walton Date 11/19/20

Address: 18245 SE. Vista View Ct.
Contact Info: Sandy, OR 97055
503-563-7668

EXHIBIT FFF

RECEIVED
NOV 20 2020
City of Sandy

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

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Name:

_____ Date_____ _____ Date_____

Address: 18260 Vista View Dr.
Contact Info: Sandy, Oregon 97055
Ed Dewart (ED DEWART) 11-16-20

EXHIBIT GGG

RECEIVED
NOV 20 2020
City of Sandy

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

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Name: G. Manley

Address: 41361 SE Vista Loop DR

Contact Info:

RECEIVED
NOV 20 2020
City of Sandy

EXHIBIT HHH

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

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Name: Robert Eichel
Bonnie Eichel

11/16/2020

Address: 41515 SE Vista Loop Dr.

Contact Info:

RECEIVED
NOV 20 2020
City of Sandy

EXHIBIT III

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

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Name: Georgina G Sutherland

Address: 41601 SE Vista Loop Dr.
Sandy. OR. 97055.

Contact Info: I wrote a long letter, in late October, giving my personal insight for this property. I consider this area Even Better Homes, on Vista Loop Drive to close this development for housing. GS.

EXHIBIT JJJ

RECEIVED
NOV 24 2020
City of Sandy

November 19, 2020

To: City of Sandy Planning Commission

RE: FILE NO.: 20-028 SUB/TREE/FSH/PD: The Views PD

We are in complete and total opposition to the Planned Development Application submitted by Even Better Homes.

We purchased our home at 41625 SE Vista Loop in August of this year. We share 2 property lines with the proposed development referred to as "Lower Views".

According to the plans, there will be a 24 unit apartment complex built right at the property line – right at the edge of our back yard and the road into the development will run directly alongside our property. There does not appear to be any space between the property line and where the apartment building parking lot will be. If the Planned Development is approved, our back deck will have a lovely view of the back of an apartment complex, whereas now, we look at Mt. Hood. We were aware of a proposal to build 120 single family homes. We were unable to locate any information regarding an apartment complex or mixed housing units until after the purchase was completed.

We will lose any view we have of the mountain and our property value will most certainly decrease as a result of butting up against a 24 unit complex and parking lot.

We don't believe that the plans adhere to the Planned Development regulations in the following ways:

- **Conservation of Natural Features** - It does not encourage the conservation of natural features. The removal of trees, the building of apartment complexes and parking lots and multi-family dwellings will dramatically change the skyline and the beautiful view for the 3 existing homes nearest to the development. Those of us whose property was grandfathered in as outside of the city limits will lose everything we moved here for.

- **Open Space and Parkland** - It does not provide usable and suitable recreation facilities. One area of "Open Space and Parkland" is a large "hole". It is a steep ravine that couldn't possibly be accessible to varied ability levels and thus should not be considered as usable and suitable. A hole is not "open space and/or parkland".

- **Traffic** – I read the traffic impact analysis. I have worked at Johnson RV for 4 years and am well aware of the traffic issues that we face here, especially on weekends and around the holidays. The report does not take into account the fact that when turning right onto SE Vista Loop Dr from the North, you have to slow down, considerably

(almost to a crawl), in order to make the turn without encroaching upon or entering into the outgoing lane on Vista Loop Dr. I have personally been in a situation where I narrowly escaped an accident due to the combination of needing to slow down to make the turn during a high traffic time. This intersection is not much different than that of Shorty's Corner or SE Kelso Rd. on HWY 26. There have been multiple accidents at both locations this year alone, resulting in serious injuries and fatalities (one just last night where a longtime Sandy resident lost her life). Creating more traffic coming in and out of this SE Vista Loop will be hazardous.

- **Parking** – We already have a major parking issue at the other end of Vista Loop Dr. due to overflow parking from the apartments at that end. The same thing will happen here. I worry that overflow parking will filter out onto SE Vista Loop Dr.
  Our house is the first house that will be affected, as there is grass between our barrier trees and the street. WE DO NOT want our beautiful home and the area in front of it to become overflow parking so that a developer and land owner can make money.

Please, we urge you to keep the zoning in this area to single family homes only!

We should not have to lose our version of the American Dream, so that a developer can further his. There has to be a compromise.

Regards,

Jason & Mary Dyami

Jason & Mary Dyami
41625 SE Vista Loop Dr.
Sandy, OR 97055

EXHIBIT KKK

December 7th, 2020

TO: Sandy City Council

FROM: Chris Anderson and Jason Shuler
Owners of The Shuler Building and John L. Scott Sandy

SUBJECT: The Views, File #20-028

Dear Sandy City Council,

As business owners and long-time Realtors of the City of Sandy, we are writing to you in support of the future development, The Views (File #20-028). We have been Realtors in the Sandy/Portland Metro area for over 30 years and understand the benefit that this development could bring to the affordable housing sector in the City of Sandy. As you may know, there is a housing shortage in the Portland Metro area, primarily in the affordable housing sector. The Views project will add all housing types, including apartments, townhomes, smaller lots, and larger lots.

In an article by The Oregonian, Whitney Minnich of John L. Scott in Oregon City made the point, "At the end of the day, Oregon can't build homes fast enough to accommodate our growing population. Before the pandemic, one permit to build a new home was issues for every three new jobs in our area, and the historical average is one for every two jobs." (The Oregonian, 3). The inability for property development has led to a minimal market for affordable homes, in which low inventory is forcing home buyers to either put off their home buying decision, or make hasty decisions on a home that may not be right for them. The Views would be in an optimal area to bring growth and new opportunity for home buyers looking to relocate to Sandy.

Owning The Shuler Building and other real estate in Sandy offers us a unique perspective on the discussion of new developments in the City of Sandy. In our building alone, we have tenants that include Avant Property Management, John L. Scott Sandy, and American Pacific Mortgage. Collectively, we have seen how the housing shortage has affected the City of Sandy, and the growth that has come to this city in the last several years. The low inventory of homes in this area has notably increased the median cost to purchase a home, making it difficult for many groups to make the home purchase they were anticipating. According to The Oregonian, "The median cost to buy a Portland metro home jumped 5.7%, to $433,500, when comparing the first nine months in 2020 to 2019, according to Regional Multiple Listing Service (RMLS)." (The Oregonian, 2). The Views development will give opportunity to those who are looking for homes in the affordable housing sector, small and large homes alike.

As long time community members of the City of Sandy, we fully support the development opportunity for The Views, and hope you will as well. With the growing population in Sandy, this development is much needed to increase the affordable housing sector in our area and allow greater opportunity for a diverse group of home buyers looking to live in our community.

Sincerely,

Chris Anderson and Jason Shuler
Owners
The Shuler Building and John L. Scott Sandy

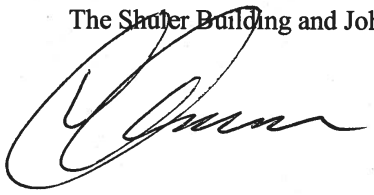

EXHIBIT LLL

My name is Kristina Molina and I live at

40304 Therese St

Sandy OR 97055

I have lived in this community and the City for over 40 years and have watched it grow. I went to school out here, raised my family and work in the community. I am writing to you in regards to the subdivision on Vista Loop, The Views and why I am for it.

New homes not only benefit the existing residents but, it also benefits the City and its businesses and creates a ripple effect in the Community where businesses benefit from increased patronage. Revenues of the state, local and federal governments can increase as the result of a housing development by the way of building fees, taxes on workers wages, property taxes and more. In turn, more money can be reinvested into our city and community. This and other properties will be developed in this City, the question is do you want to have a smaller local developer who cares about what he builds or do you want a larger company like a DR Horton to come in and not care much of what they build and allow only the minimal green space they have to. Growth is inevitable and I would rather see a smaller local builder than a giant builder who will pack as many homes in as the code allows. As you are aware, Even Better Homes is building less homes than the code would allow and giving up more land for greenspace than he needed to.

Thank you,

Kristina Molina

SANDY OREGON **EXHIBIT MMM**

Marisol Martinez <mmartinez@ci.sandy.or.us>

Re: File Number: 20-028 SUB/TREE/FSH/PD The Views PD

Kelly O'Neill Jr. <koneill@ci.sandy.or.us> Thu, Dec 10, 2020 at 7:14 PM
To: Chris Mayton <cmayton@ci.sandy.or.us>
Cc: Jerry Crosby <jcrosby@ci.sandy.or.us>, Chris Crean <Chris@gov-law.com>, Shelley Denison <sdenison@ci.sandy.or.us>, Marisol Martinez <mmartinez@ci.sandy.or.us>

Chris - I did not receive a copy of this. Shelley or Marisol, did you receive a copy? If the person doesn't submit it to Planning Staff I am not sure it is even part of the record. I have CC'D Chris Crean to get his input. Mr. Crean what do you think?

You are okay to read this so long as you acknowledge it as ex parte at the beginning of the next meeting. Not really a huge deal.

On Thu, Dec 10, 2020, 7:03 PM Chris Mayton <cmayton@ci.sandy.or.us> wrote:

> Hi all,
>
> I started to read this and stopped three sentences in. Did you both receive something like this? Should I read it, delete it, or wait for it to be on the record?
>
> Stay Healthy!
>
> Chris
>
> **Chris Mayton**
> Planning Commissioner
> *City of Sandy*
>
> Begin forwarded message:
>
> **From:** JVA <johnnyco82@yahoo.com>
> **Date:** December 10, 2020 at 6:25:31 PM PST
> **To:** cmayton@ci.sandy.or.us
> **Subject: File Number: 20-028 SUB/TREE/FSH/PD The Views PD**
>
> Hello Chris,
>
> Thank you for volunteering your personal time to serve as a member of the City of Sandy Planning Committee.
>
> I am writing you with regards to the proposed Planned Unit Development **File Number: 20-028 SUB/TREE/FSH/PD The Views PD** on Vista Loop Drive.
> Considering the recent findings and information provided during the November 23, 2020 Planning Commission meeting, the level of neighbor-taxpayer concerns has increased. There is a clear attempt on behalf of the developer to slide in Lot 122 (Upper Views) and Lot 72 (Lower Views) under the umbrella of this zoning change request. Lot 122 and its proposed 24-unit apartment building would run the narrow length east of Vista Loop Drive and dramatically change the current homeowner property values. Lot 72 clearly eliminates the view for the current residents and there are no current developer renderings for these barely mentioned apartment buildings “to be built at a later date”.

Everyone deserves an opportunity to purchase a nice home in appropriately zoned areas, with the hope and trust that our city planning and council members will make every attempt to maintain and consider the surrounding area when approving such large developments in which they encompass. Planned Unit Development Parks eventually turned over to the City as noted in the 11/23 meeting, recent crime and gun activity reported at the current apartments west on Vista Loop Drive, accidents plus recurring traffic issues east of Vista Loop and Hwy 26 and lost taxable dollars are just a few of the overall concerns. Please consider the long-term liabilities for the city and risk to this neighborhood.

Thank you Chris for your time and please feel free to reach out to me with any questions you may have.

Best regards,

John Andrade

18509 Ortiz Street
Sandy, OR 97055
503-516-7629

EXHIBIT NNN

RECEIVED
DEC 14 2020
City of Sandy

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

To the Sandy Planning Commission,

We would like to thank the Commission members for volunteering their time in effort to provide guidance and representation on behalf of the Sandy taxpayers, and residents on and near the proposed development on Vista Loop Drive. Although growth within the city limits is inevitable, taxpayers continue to feel concerned regarding quick turn-around developments and potential legal precedence the City of Sandy sets by approving unwarranted zoning changes to meet developer needs, and not the needs or concerns of your fellow neighbors.
I/We ask that the Sandy Planning Commission Members and City Planning Division consider the risk and additional cost burdens associated with such rapid growth and the impact to the surrounding areas. Void of commitment and zero HOA obligation terms regarding on-site recreational parks, including dog parks, trails, and large amounts of additional street parking up and down such a small street like Vista Loop will add liabilities that eventually get passed on to the city and its taxpayers. Thank you for your time and service to our wonderful city.

20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:

Pamela Kim York Date 12-9-2020

PO Box 836
Sandy OR 97055

pky55@yahoo.com ~~Date~~

Address:
Contact Info:

My mother always said "Give an inch they'll take a mile." Where does this end? How far will developers push us? I have owned a home on Vista Loop for 42 years (41151 SE Vista Loop Drive). This "dream design" sounds like a nightmare for the residents of Vista Loop most who have lived here for decades. Single family development would be appropriate at current density. Any approval for high density is caving in to developers greed, (who are not even from around here). This risks quality of life and the ability of schools, police and fire to serve our community. Just say NO! Everyone will end up paying for this with higher taxes, except the developers

EXHIBIT OOO

City of Sandy
Atten: Kelly O'Neill Jr., Development Services Director
39250 Pioneer Blvd
Sandy, OR 97055

RE: The Views PD, Sandy Project Number 20-028

Dear Mr. O'Neill:

The purpose of this letter is to convey to Planning Staff, Planning Commission, and City Council my thoughts on this project. I have been in the development community for 37 years and have been serving on the Gresham Design Commission for the past 12 years.

I am impressed with the developers desire to create a project that would appeal to multiple income levels and housing needs in Sandy. It appears they are generous with open spaces, play areas and enhanced walkways as well. The variety of homes styles is also very intriguing, all maintained by CC&R's and an HOA. This is what planners and cities hope for, isn't it? Coincidentally, the City of Gresham has an area in their code just for this type of project. It allows some flexibility in the code when there is creativity. It's called "Innovative Housing".

This development will also "pay its way" with regards to the installation of utilities and roads as well as pay in excess of $700,000 in sanitary sewer fees which I believe will go a long way in helping the City's current sewer problem.

The Views is a chance to see something refreshing and opens up the possibility of more creative solutions in future housing. I support this project and I encourage yours as well.

Sincerely,

Tom Orth, President
Tom Orth Construction, Inc.
26951 SE Forrester Road
Boring, Oregon 97009
Phone: 503-519-4444

tomorth@cascadeaccess.com

"Fine homes since 1983"

EXHIBIT PPP

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

To the Sandy Planning Commission,

We would like to thank the Commission members for volunteering their time in effort to provide guidance and representation on behalf of the Sandy taxpayers, and residents on and near the proposed development on Vista Loop Drive. Although growth within the city limits is inevitable, taxpayers continue to feel concerned regarding quick turn-around developments and potential legal precedence the City of Sandy sets by approving unwarranted zoning changes to meet developer needs, and not the needs or concerns of your fellow neighbors.
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20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:

Gerald R. Dittbenner Date 12/14/20

_____ Date_____

Address:
Contact Info:

EXHIBIT QQQ

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

RECEIVED
DEC 14 2020
City of Sandy

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

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20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:

Date 12/9/2020

Date 12-9-20

Address: 18509 ORTIZ ST. Sandy, OR 97055
Contact Info: Johnnyco82@yahoo.com - 503-516-7629

EXHIBIT RRR

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

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20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:

Robert Eichel Date 12/9/2020

Bonnie Eichel Date 12/9/20

Address: 41515 SE Vista Loop Dr. Sandy Oregon 97055
Contact Info:

RECEIVED
DEC 14 2020
City of Sandy

EXHIBIT SSS

Brad Picking

P O Box 632

Sandy, OR 97055

December 14, 2020

City of Sandy

Atten: Kelly O'Neill Jr., Development Services Director

39250 Pioneer Blvd.

Sandy, OR 97055

RE: The Views PD, Sandy Project Number 20-028

Dear Mr. O'Neill:

The purpose of this letter is to inform Planning Staff, Planning Commission and City Council of our thoughts on this project.

A little background information. I moved to Sandy in March of 1973. Certainly, I have observed many changes over 47 years. In that time, I've served on the Planning Commission, City Council and the 2040 Committee. We've been quite involved with the community and want to see it thrive.

My wife and I purchased the subject property in 1985. We've always recognized that this is a special property. The views it allows of Mt. Hood are very special. Over the years it always amazed us how many people would stop on Vista Loop to take pictures of the Mountain.

With that being said, we feel Mr. Even and All County Surveyors have put together a respectful and creative plan to develop this property. By proposing a Planned Development they're

bringing a more diverse mixture of housing types while preserving the view for all to enjoy. They've been quite respectful of the FSH overlay.

We hope you'll agree with us and support this project.

Respectfully,

Brad & Vicki Picking

41525 SE Vista Loop Drive
Sandy OR 97055

December 14, 2020

EXHIBIT TTT

By Email and Mail

TO: City of Sandy Planning Division
39250 Pioneer Boulevard
Sandy OR 97055

RE: Even Better Homes Proposed Home Development

I'm writing to lend my support to the proposed The Views Subdivision on Vista Loop Drive.

I myself have been involved in local development for 30 plus years. This design not only has many creative amenities for future homeowners (just the additional sidewalks alone will have a huge safety impact) but also for the general public.

The proposed subdivision seems to provide a variety of homes blended together and because they would be maintained by an HOA – the hope is they would remain an asset to our community. I understand the plan is for this local builder to own the future multi-family buildings – which will also be an asset.

One of the biggest assets to allowing this development to proceed would be the improvement of Vista Loop Road. As you know, Vista Loop Road is in poor condition. The City will not improve this road; the only way it will be improved is with development. Vista Loop Road is just over 1/2 mile long. It looks like The Views development will be rebuilding approximately 1/4 mile of the road. The road improvement includes pavement widening, curb, sidewalk and storm drainage. The sidewalk proposed is 6' wide and meanders within a green belt. These improvements will make it much safer for pedestrians. It is also my understanding that no parking will be allowed along the Vista Loop frontage.

As a neighbor myself to this development, I believe the design of this development would fit in well to the existing neighborhood, and I welcome additional diversity with multifamily homes and the additional amenities it will provide. I urge the Planning Commission and City Council to approve this development.

Regards,

Buzz Ortiz

EXHIBIT UUU

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

To the Sandy Planning Commission,

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20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:

Dustin Bettencourt Date 12/9/2020

Bernie [illegible] Date 12/9/2020

Address:
Contact Info:

RECEIVED
DEC 14 2020
City of Sandy

EXHIBIT VVV

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

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20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:

John R Eskridge Date 12/11/2020
John R Eskridge

Lisa L. Hull Date 12/11/20
Lisa L. Hull

Address: 18265 SE Vista View Ct.
Contact Info: 503-260-3981

RECEIVED
DEC 15 2020
City of Sandy
MAIL

EXHIBIT WWW

Marisol Martinez <mmartinez@ci.sandy.or.us>

Planned Unit Development File Number: 20-028 SUB/TREE/FSH/PD The Views PD on Vista Loop Drive.

Bart <bart9@comcast.net> Tue, Dec 15, 2020 at 7:43 PM
To: "planning@ci.sandy.or.us" <planning@ci.sandy.or.us>

Thank you for volunteering your personal time to serve as a members of the City of Sandy Planning Committee. I am writing you with regards to the proposed Planned Unit Development File Number: 20-028 SUB/TREE/FSH/PD The Views PD on Vista Loop Drive.

Considering the recent findings and information provided during the November 23, 2020 Planning Commission meeting, the level of neighbor-taxpayer concerns has increased. There is a clear attempt on behalf of the developer to slide in Lot 122 (Upper Views) and Lot 72 (Lower Views) under the umbrella of this zoning change request. Lot 122 and its proposed 24-unit apartment building would run the narrow length east of Vista Loop Drive and dramatically change the current homeowner property values. Lot 72 clearly eliminates the view for the current residents and there are no current developer renderings for these barely mentioned apartment buildings “to be built at a later date”

As a homeowner of 41613 SE Vista Loop Dr I am truly disappointed with an attempt to slide in an apartment building almost directly behind my property (lot 122). I have seen mention of a 25' wall to separate our properties which would be an eyesore, to put it mildly. I have also heard that the apartments are to be 3 stories in height. The fact that an apartment building is even considered in this location is very disturbing. Would anyone of you offer up a 3 story apartment building to be built adjacent to your own homes?

I find it even more appalling that the city would even consider this in a location dead in the middle of a FSH zone. It is just an example that a wealthy builder can come in and bend the rules to maximize every single penny in the name of a Planned Development. The row houses proposed are unappealing and create the same issues as an apartment building; more noise, more traffic, more crime, and a less desirable community. I also find it laughable that someone would move into the apartments, get a better paying job, move into the row houses, and in time move into one of the detached homes as was suggested in the last meeting. Seriously, do you really believe that will happen?

Last meeting there was mention that the council had been working with the developer for 2 years on this project and that I should have looked into what might occur in the surrounding parcels. I actually went to City Hall a year ago and asked about any known building plans in the adjoining areas. NONE...ABSOLUTELY NOT A SINGLE MENTION OF ANYTHING. My suspicions were aroused when I saw surveys being done on the land in question, and here we are now.

It is also unfortunate that the follow on meeting for 12/16 was never put on the Sandy Website until one day before the meeting. No new mail has been sent to inform anyone about it. The only people that would know are those that attended the last meeting.

I also called Sandy Denison soon after getting the notice of the proposed housing. My concern was with the map of the lots and the wording of the number of units being built. I was also very concerned about lots 122 and 72. Sandy told me "They are NOT developing those lots". So you tell me, what sneaky business is going on here?

I also have concerns about the East Vista Loop/Hwy 26 intersection. I have to carefully plan and maneuver that turn onto and off of Hwy 26. Regardless of what any road organization says, that turn is a problem that will create wrecks. Go drive it around 5 pm on a weekday. Weekend traffic can be even worse because of the recreation opportunities on Mt. Hood, and believe me, that traffic is going much faster than 55 mph.

I want to believe that the Planning Commission is receptive to comments but then after the last meeting it made it sound like: Thank you for your comments, now we are going to approve this regardless. It was also mentioned that the additions being made to the PD would have to outweigh the negative effects of breaking the zoning code. What improvements are going to be a boon to other than that one community? A couple of half court basketball areas a few narrow walkways, labelled 'open space', sure doesn't add up to much more than a developers pipe dream that this will be approved without resistance. Please prove me wrong and reject this PD as it stands today.

I moved to Sandy because it was a smaller town that seemed to want to keep that small town feel. The 'Sandy Style' of downtown was a nice look but I have discovered that Sandy is pushing to be the new Gresham. Dubarko Rd is an example of the debacle these types of homes create. A community built in a Single Family lot plan with 'like type' houses that exist today would be much more desirable and would draw more tax dollars than the lower rent, smaller lot, PD being suggested.

Everyone deserves an opportunity to purchase a nice home in appropriately zoned areas, with the hope and trust that our city planning and council members will make every attempt to maintain and consider the surrounding area when approving such large developments in which they encompass. Planned Unit Development Parks eventually turned over to the City as noted in the 11/23 meeting, recent crime and gun activity reported at the current apartments west on Vista Loop Drive, accidents plus recurring traffic issues east of Vista Loop and Hwy 26 and lost taxable dollars are just a few of the overall concerns. Please consider the long-term liabilities for the city and risk to this neighborhood.

Thank you for your time and please feel free to reach out to me with any questions you may have.

Best regards,

John Barmettler

41613 SE Vista Loop Dr

Sandy, OR 97055

503-800-8555

EXHIBIT XXX

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

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20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:

Valerie L-Walberg Date 12-9-2020

_____ Date_____

Address: 41188 SE Vista Loop Dr
Contact Info:
503-668-6951

RECEIVED
DEC 15 2020
City of Sandy

EXHIBIT YYY

Marisol Martinez <mmartinez@ci.sandy.or.us>

"The Views" - Proposed Development - My Concerns

Lisa Hull <llhull1024@gmail.com> Tue, Dec 15, 2020 at 3:47 PM
To: planning@ci.sandy.or.us, jcrosby@ci.sandy.or.us, dcarlton@ci.sandy.or.us, rlewowski@ci.sandy.or.us, cmayton@ci.sandy.or.us, tmobley@ci.sandy.or.us, jlogan@ci.sandy.or.us, hmacleanwenzel@ci.sandy.or.us, spulliam@cityofsandy.com, jpietzold@cityofsandy.com, lsmallwood@ci.sandy.or.us, rsheldon@ci.sandy.or.us, kwalker@ci.sandy.or.us, cexner@ci.sandy.or.us, dhokanson@ci.sandy.or.us

Hello, my name is Lisa Hull and I have lived on Vista View Court for 5 years; my husband, John "Rick" Eskridge for 20+ years. Below I have outlined my greatest concerns related to the proposed "The Views" housing development. I hope you will take my concerns into consideration as you work through this housing development application process.

- Regarding Hwy. 26 access to and from my home; I cringe every time I sit in the center turn lane upon entering or exiting Hwy. 26 as traffic speeds by at 55mph ***or greater on both sides of the car*** while I await a break in traffic to safely merge into traffic or make a left turn onto Vista Loop Dr. ***I question the 55 mph speed limit on Hwy. 26 on the East end of Sandy given the side traffic related to 8 to 10 businesses and now increased residents with the proposed "The Views" developments. With an influx of 168 new households, imagine the increased safety issue of multiple cars lined up in the center turn lane with through traffic whizzing by at 55+ mph.*** In light of all the local traffic on Hwy. 26, why not ***increase safety by dropping the speed limit from 55 to 45*** much like the recent speed drop on Hwy. 26 on the West end of Sandy? Why wait for people to suffer injury or die first? I realize ODOT would likely have to make this decision. Seems like an easy way to increase safety.

- Exhibit W - ODOT Response - ODOT points out a safety concern for vehicles turning right onto Vista Loop Drive from the highway. ODOT said, "*the highway speed is 55 and vehicles making this turning movement must slow down significantly to safely make the turn. Due to the high speed of through traffic, increasing the number of vehicles turning from the through lane onto Vista Loop Drive* ***is a safety concern****. In order to separate the right turning vehicles from the through movement,* ***ODOT recommends that the city require the applicant to provide space for right turning vehicles to utilize while turning right onto Vista Loop Drive***." Please recognize the letter dated 11/30/20 from John Replinger, PE which is a review of the ODOT and Ard Engineering response. Ard Engineering found that "through traffic and right turn volumes are below the threshold that would warrant installation of a right-turn lane." Anyone who lives in the Sandy area experiences the high volume of ***through traffic*** as Hwy. 26 is a primary state recreation route year around. Again, I cringe when towing our camp trailer slowing down enough without a sufficient right turn lane to safely make a right turn off Hwy. 26 onto Vista Loop Dr. hoping not to be rear-ended by ***through traffic.*** Additionally, the 11/30/20 letter from John Replinger, PE says, "*Ard Engineering reviewed crash history, but does not find a significant history of crashes that suggest a right-turn lane is an appropriate countermeasure based on crash history*." I don't doubt there wasn't a significant history of crashes over the last 5 years because the slip lane (basically a highway off-ramp) recently removed, allowed a right exit at a high enough speed to remove the danger that now exists. The removal of the slip lane is a "recent improvement" that was "intended to support residential development". I think the "*recent improvement*" made to a right-hand turn onto Vista Loop Dr. puts motorists at great risk which concurs with ODOTs assessment. I believe a second round of intersection review/improvements may indeed be appropriate and proportional. If ODOT needs to provide justification/documentation in support of their safety concern, I hope that will happen to protect innocent motorists.

- Exhibit W - ODOT Response - ODOT also said, "**The city's Transportation System Plan (TSP)** cross section for highway includes a planter strip and a sidewalk. ***We recommend the city require frontage improvements along the "Upper Views" highway frontage*** *consistent with the All alterations within the State highway right of way are subject to the ODOT Highway Design Manual (HDM) standards." A sidewalk on Hwy. 26 would provide safe pedestrian access to the proposed development as residents may need/want to walk to and from city resources.*
- *Exhibit Z - Parking Analysis - The analysis states, "no on-street parking will be permitted on Vista Loop Drive." What steps will be taken to enforce this requirement?*

Thanks again for considering my input above,

Lisa Hull
18265 SE Vista View Ct
(503) 260-3981

EXHIBIT ZZZ

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

To the Sandy Planning Commission,

We would like to thank the Commission members for volunteering their time in effort to provide guidance and representation on behalf of the Sandy taxpayers, and residents on and near the proposed development on Vista Loop Drive. Although growth within the city limits is inevitable, taxpayers continue to feel concerned regarding quick turn-around developments and potential legal precedence the City of Sandy sets by approving unwarranted zoning changes to meet developer needs, and not the needs or concerns of your fellow neighbors.
I/We ask that the Sandy Planning Commission Members and City Planning Division consider the risk and additional cost burdens associated with such rapid growth and the impact to the surrounding areas. Void of commitment and zero HOA obligation terms regarding on-site recreational parks, including dog parks, trails, and large amounts of additional street parking up and down such a small street like Vista Loop will add liabilities that eventually get passed on to the city and its taxpayers. Thank you for your time and service to our wonderful city.

20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:

_____ Date 12-13-20

RECEIVED
DEC 17 2020
City of Sandy

_____ Date_____

Address:
Contact Info:

EXHIBIT AAAA

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

Fwd: Vista loop planned development

Marisol Martinez <mmartinez@ci.sandy.or.us> Tue, Feb 9, 2021 at 12:39 PM
To: Jeff Aprati <japrati@ci.sandy.or.us>

Here's an additional comment we received today.

---------- Forwarded message ---------
From: **robert eichel** <bobeichel31@gmail.com>
Date: Tue, Feb 9, 2021 at 11:39 AM
Subject: Fwd: Vista loop planned development
To: <planning@ci.sandy.or.us>

-
s>

I don't know how can turn property zoned as SFR into a high density housing. That was not the intent when it was originally zoned. Wouldn't it would be better to have some nice homes similar to the homes om Ortez way, with yards with green grass for children to play on, rather than huge apartments and cramped townhouses with there huge paved parking lots. I doubt if many people would use the basketball courts. I think the owners would still make plenty of money by developing something nice instead of a ghetto.
I also question if the sewer line can handle that amount of people without making it larger.
Someone in the city said there would be no street parking because Vista Loop is a collector street. If that is true take a look at the west end of Vista Loop
where on any given day as many as 100 cars are parked. there.

Robert Eichel
41515 Vista Loop DR

--
Marisol Martinez
Permit Technician I
Development Services Department
City of Sandy
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2173
mmartinez@ci.sandy.or.us
Tue - Fri: 800 - 400

EXHIBIT BBBB

COMMENT SHEET for File No. 20-028 SUB/TREE/FSH/PD:

I DO NOT LIKE THE PLAN.
I think SFR. is the WAY TO GO.
I ALSO DO NOT LIKE THE PROPTY
BEHIND Johns RV TO BE DEVELOPED.
IT SHOULD STAY AS IT IS. WE NEED
All the PLACE RESERVED FOR All
the ANIMALS WHO LIVE ON THAT LAND

RECEIVED
FEB 09 2021
City of Sandy

JERRY CARLSON 503-260-4993
Your Name Phone Number

PO, BOX 280 BRIGHTWOOD OR, 97011
Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.20 Public Hearings; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.56 Hillside Development; 17.60 Flood and Slope Hazard Overlay; 17.64 Planned Development; 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; 17.90 Design Standards; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access Requirements; 17.100 Land Division; 17.102 Urban Forestry; 15.30 Dark Sky Ordinance

EXHIBIT CCCC

COMMENT SHEET for File No. 20-028 SUB/TREE/FSH/PD: No-No-No . . .

I do not agree on the progress you are giving us. I wrote two letters - Oct & Nov - giving feelings & understanding of the plan to Planning Division. Your numbers moved from 48-39 even it is not directed to mine.

Yes, you will get road improvement, sidewalk, park - that is not the point. The outcome is too many people, cars, etc. Knapp car lights come into neighbors front windows, home & apartments back yards will have extra cars, bikes, boats, garbage, dogs etc as I look through my front yard. Also goes increase in water, gas, electricity costs. Noise & more noise!

Seven or eight nice homes on Vista Lp. property is one thing, not homes like a match-box like Portland. It could be enjoyable homes & yards for all.

Sandy just looking for more money? You ask plenty as is!

My home is 100 yrs old & rural area. Lets keep it this way!!

your friends my friends,

Georgina Sutherland — Your Name

503-668-4875 — Phone Number

41601 SE Vista Lp. Dr. — Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.20 Public Hearings; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.56 Hillside Development; 17.60 Flood and Slope Hazard Overlay; 17.64 Planned Development; 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; 17.90 Design Standards; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access Requirements; 17.100 Land Division; 17.102 Urban Forestry; 15.30 Dark Sky Ordinance

City of Sandy
RECEIVED
FEB 09 2021

EXHIBIT DDDD

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

Fwd: File Number 20-028 SUB/TREE/FSH/PD The Views PD

Kelly O'Neill Jr. <koneill@ci.sandy.or.us> Sat, Feb 13, 2021 at 1:43 PM
To: Jeff Aprati <japrati@ci.sandy.or.us>

FYI

---------- Forwarded message ---------
From: **dan & janine walton** <waltondj1@gmail.com>
Date: Sat, Feb 13, 2021, 1:33 PM
Subject: File Number 20-028 SUB/TREE/FSH/PD The Views PD
To: <planning@ci.sandy.or.us>

City of Sandy

Planning Division & City Council Members

39250 Pioneer Boulevard

Sandy, OR 97055 E-mail comments to planning@sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD THE Views PD

City Council Members,

As long- time city taxpayers and residents near the proposed development on SE Vista Loop Drive, we ask that the City of Sandy, Oregon deny the proposal put forth by Even Better Homes, Inc. for a Planned Unit Development- Low Density Housing development. File Number:20-028 SUB/TREE/FSH/PD The Views PD.

Although growth within the city limits is inevitable, taxpayers continue to feel concerned regarding quick turn-around developments and the potential legal precedence that the City of Sandy sets by approving unwarranted zoning changes to meet developer needs, and not the needs and concerns of their own fellow neighbors. This development will decrease surrounding home values with its extremely small lot sizes and tall apartment buildings. Many people in Sandy prefer larger lots, including the people who have already made investments in this neighborhood. This development plan will also take away many of the rural and mountain views on SE Vista Loop Drive.

With no legal recourse and zero HOA obligation terms of the new residents plus the proposed dog parks, public recreational parks and trails, an increased amount of traffic flow on the small street of Vista Loop Drive will present a traffic problem. We already have a traffic problem on the end of SE Vista Loop Drive with the present apartments and the overflow street parking making it dangerous to maneuver through the compact street safely, especially in inclement weather. The long-term impact and additional liabilities will eventually get passed on to the city, its taxpayers, and unfortunately, its residents.

Because of such a large development project, waiting times to get onto HWY 26 will also increase tremendously as long and unsafe waiting lines increase on SE Vista Loop Drive which are dangerous for both cars and foot traffic on the already crowded street. Safety, time, and beauty are our concern with such a major increase in traffic.

Thank you for your guidance and representation on behalf of the Sandy taxpayers and residents on and near the proposed development on SE Vista Loop Drive. We greatly appreciate your time and service to our unique and beautiful city of Sandy.

20-028 SUB/TREE/FSH/PD The Views PD

Janine Walton 2/13/21

Daniel Walton 2/13/21

18245 SE Vista View Ct.

Sandy, OR 97055

EXHIBIT EEEE

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

Fwd: File Number: 20-028 SUB/TREE/FSH/PD The Views PD

Kelly O'Neill Jr. <koneill@ci.sandy.or.us> Sun, Feb 14, 2021 at 6:37 PM
To: Jeff Aprati <japrati@ci.sandy.or.us>

Fyi..

---------- Forwarded message ---------
From: **'JVA' via Planning** <planning@ci.sandy.or.us>
Date: Sun, Feb 14, 2021, 5:29 PM
Subject: File Number: 20-028 SUB/TREE/FSH/PD The Views PD
To: planning@ci.sandy.or.us <planning@ci.sandy.or.us>

City of Sandy
Planning Division & City Council Members
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

City Council Members,

As a long time city taxpayer and resident near the proposed development on Vista Loop Drive, I/We ask that the City of Sandy, Oregon deny the proposal put forth by Even Better Homes, Inc. for a Planned Unit Development - Low Density Housing development. **File Number: 20-028 SUB/TREE/FSH/PD The Views PD**.

Although growth within the city limits is inevitable, taxpayers continue to feel concerned regarding quick turn-around developments and potential legal precedence the City of Sandy sets by approving unwarranted zoning changes to meet developer needs, and not the needs or concerns of your fellow neighbors. This development will decrease surrounding home values with these extremely small lot sizes and unwarranted apartment buildings. There is a desperate need for larger lots sizes in Sandy not smaller ones.

With no legal recourse and zero HOA obligation terms, which include on-site dog parks, public recreational parks, and trails, this will add an increased amount of traffic flow on a small street like Vista Loop. The long-term impact and additional liabilities will eventually get passed on to the city, its taxpayers, and unfortunately the residents on Vista Loop Drive.
Thank you for your guidance and representation on behalf of the Sandy taxpayers, and residents on and near the proposed development on Vista Loop Drive. Your time and service to our wonderful city is greatly apricated.

20-028 SUB/TREE/FSH/PD The Views PD

John & Christine Andrade Date: 02-13-2021
Address:

18509 Ortiz Street
Sandy, Oregon 97055

Contact Info:
PO Box 326
Sandy, OR 97055
503-516-7629

johnnyco82@yahoo.com

Additional Comments:
Please don't allow developers to turn highway 26 into a mirror image of when entering Gresham. Not very appealing to families looking for an alternative place to live with nice size lots. Entering Sandy from Shorty's corner should draw people in, not make them glad to be "just passing through".

File_20-028_Andrade.pdf
1434K

EXHIBIT FFFF

City of Sandy
Planning Division & City Council Members
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

City Council Members,

As a long time city taxpayer and resident near the proposed development on Vista Loop Drive, I/We ask that the City of Sandy, Oregon deny the proposal put forth by Even Better Homes, Inc. for a Planned Unit Development - Low Density Housing development. **File Number: 20-028 SUB/TREE/FSH/PD The Views PD**.

Although growth within the city limits is inevitable, taxpayers continue to feel concerned regarding quick turn-around developments and potential legal precedence the City of Sandy sets by approving unwarranted zoning changes to meet developer needs, and not the needs or concerns of your fellow neighbors. This development will decrease surrounding home values with these extremely small lot sizes and unwarranted apartment buildings. There is a desperate need for larger lots sizes in Sandy not smaller ones.

With no legal recourse and zero HOA obligation terms, which include on-site dog parks, public recreational parks, and trails, this will add an increased amount of traffic flow on a small street like Vista Loop. The long-term impact and additional liabilities will eventually get passed on to the city, its taxpayers, and unfortunately the residents on Vista Loop Drive.
Thank you for your guidance and representation on behalf of the Sandy taxpayers, and residents on and near the proposed development on Vista Loop Drive. Your time and service to our wonderful city is greatly apricated.

20-028 SUB/TREE/FSH/PD The Views PD

Gerald R. and Judith A. Dittbenner

Gerald and Judy Dittbenner
41545 SE Vista Loop Dr.
Sandy, OR 97055

Date 2/15/2021

PS: I was born and raised in Hood River Valley and lived in California for forty years. I certainly do not want to see Sandy become another unplanned town with row houses, small apartments mixed in with nice homes. "Sandy should consider hiring a new City Planner".

EXHIBIT GGGG

Marisol Martinez <mmartinez@ci.sandy.or.us>

Feedback on proposed "The Views" development

sos.gabriel@frontier.com <sos.gabriel@frontier.com> Tue, Feb 16, 2021 at 10:16 AM
To: "planning@cityofsandy.com" <planning@cityofsandy.com>, "sos.gabriel@frontier.com" <sos.gabriel@frontier.com>

All,

I am writing to you in strong opposition of the proposed “The Views” Planned Development.

As a property owner of over 40 years at the above address, I own a nearly 7 acre parcel of land at the SE tip of the proposed Lower Views development. This land was purchased from Norma Lauzon Fleishman in 1980 as the last piece of the small Luzon Ln. community. We built a house on the property a year later. I also have quite a bit of familiarity about the Vista Loop neighborhood as my father-in-law purchased a 5 acre parcel on Vista View Court in 1989 and built a house on it in 1990.

I have attended the last two planning commission meetings and listened to the presentations and discussions from the developer, the city, and public testimony. As the Sandy City Council is now prepared to make a decision, I want to share my concerns on the record based on consideration of facts presented, the concerns raised by residents, and my personal observations.

Please consider the following feedback when making a decision about "The Views" planned development.

Thanks,
Sue Gabriel

TheViews Feedback.docx
19K

From: Sue Gabriel
19300 SE Longstreet Ln.
Sandy, OR 97055
503 668-9351

February 12, 2021

To: City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055
planning@cityofsandy.com

Re: Proposed "The Views Planned Development (PD)"

I am writing to you in strong opposition of the proposed "The Views" Planned Development.

As a property owner of over 40 years at the above address, I own a nearly 7 acre parcel of land at the SE tip of the proposed Lower Views development. This land was purchased from Norma Lauzon Fleishman in 1980 as the last piece of the small Luzon Ln. community. We built a house on the property a year later. I also have quite a bit of familiarity about the Vista Loop neighborhood as my father-in-law purchased a 5 acre parcel on Vista View Court in 1989 and built a house on it in 1990.

I have attended the last two planning commission meetings and listened to the presentations and discussions from the developer, the city, and public testimony. As the Sandy City Council is now prepared to make a decision, I want to share my concerns on the record based on consideration of facts presented, the concerns raised by residents, and my personal observations.

Concerns

1) **Traffic Safety** due to additional traffic on Vista Loop and coming on/off Hwy 26.
   a) There have been a significant number of traffic accidents, including fatalities, between Sandy and Shorty's corner. This was one of the reason this section of Hwy 26 was part of the recently expired safety corridor. Vehicles typically travel 60+ mpg as they pass Vista Loop. It is very risky to have to turn without a right-turn lane, as planning commissioner Lesowski, who he passes by that intersection regularly, noted in a previous meeting.

   b) As was also noted, there used to be a slip lane from the highway to Vista Loop that came to an instant stop sign. It was not safe, so ODOT replaced it with a tee intersection several years ago. When safety concerns were raised in the previous meeting, the developer did not feel they should be responsible since they had invested in the previous upgrade from a slip lane to a hard-right with no right turn lane.

   c) One way or another, whether ODOT funded or developer funded, a traffic study should be performed based on the density changes and appropriate corrective action taken.

   d) Vista loop has been in bad shape for decades and is already oversaturated with traffic. The west end already has dozens of cars parked on the side of the road. The developer plans to fix only a

small portion of Vista Loop as part of the development. If this development is approved, there needs to be a stipulation that all of Vista Loop be re-paved to support additional traffic.

e) The amount of traffic on Hwy 26 continues to increase due to population increases and mountain recreation. Bringing in additional traffic between Shorty's Corner and Sandy will only increase the risk of an accident and provide further deterioration of Vista Loop.

2) **Pedestrian Safety**

a) There is no sidewalk along Vista Loop. Additional vehicle traffic adds risk to pedestrians.

b) There is no sidewalk from the west end of Vista Loop to the city of Sandy. This concern was raised back when the agricultural housing was built. As we foresaw, it would be common for folks living in that development to walk into Sandy. It continues to concern me when I see mothers and children try to navigate that by foot. I have both walked and biked to Sandy and never felt safe.

c) With additional apartments included in part of the PD, we should expect that many will need to walk or bike to Sandy to connect with SAM. To safely support this, a sidewalk needs to be constructed.

3) **Planned Development (PD) designation**

a) Code 17.64.40 – C specifically says PDs should be targeted to properties with Village designation. This property is designated SFR. When Chairman Crosby inquired about this, the city Attorney cited another statute that he feels allows it. Why not honor the original intent put forth in a recent comprehensive plan. There was probably a good reason this property was not given a Village designation.

b) The original plan presented by the developer was to require zoning change from SFR to PD designation. The morning of the second planning commission meeting, Mac Even from Even Better Homes met with some neighboring property owners and offered to change the apartments from 3 stories to 2 stories in order to reduce concern of some neighbors. That action changed the overall density request and thereby nullified the need to meet an "outstanding" designation.

c) This may not be relevant now given some proposed changes that have been suggested; either way, I don't think this merits an "outstanding" designation nor does it justify a zoning changes to allow for smaller lot sizes.

d) Existing neighbors who understood that the proposed development property is designated SFR need to be heavily considered. Their quality of life, safety and property values may be negatively impacted by such a large development in a bucolic neighborhood.

e) There are several other sites deemed Village or high density that are available for development that don't require any code exceptions or traffic concerns and have access to public transportation.

4) Ingress/Egress

a) In addition to the traffic concerns specified for the general public, I have come to learn there is a new concern that the current plan does not include both an ingress/egress. This provides a significant concern that in case of a fire or other emergency, there would only no way for the fire department to safely get in / out.

b) I understand there has been some consideration of providing another egress by connecting to Longstreet Ln. / Luzon Ln. This does not seem like a viable option, would require and easement through my neighbor's property, and require paving and tree removal on Longstreet and Lauzon Ln.

5) **Wildlife / Environmental Concerns**

a) Wildlife (deer, bears, cougars, coyotes) and native plants are prevalent in the proposed area. This development would further encroach on their habitat.

b) Concerns have been expressed to DEQ that land adjacent to the development was used for years as a private dump and includes several tanks that might be leaking. This needs to be considered to make sure there isn't any hazardous waste that provides a safety concern.

6) Community Feedback

a) The overwhelming majority of feedback from residents on Vista Loop is that this is not an appropriate development for their neighborhood. I agree whole heartedly that despite some of the proposed amenities, that this would negatively impact their quality of life. They do understand that some development is inevitable, but this high density proposal does not make sense for all the reasons that have been cited.

Questions

1) What is the city's position on whether a right-turn lane is required for this development to proceed?
2) What is current state of ODOT traffic study?
3) What is plan to ensure required ingress / egress to The Views?
4) Would you consider putting in a sidewalk from Vista Loop to the highway?
5) Why do you feel it's appropriate to approve zoning changes (e.g. reduced lot sizes)?
6) Wouldn't it be more prudent to have a PD like this on land that does not pose the same safety concerns and does not negatively impact the current residents in that neighborhood?
7) Several concerns have been surfaced about the HOA. What risk is in place with the current proposal from the city's perspective?
8) There have been mixed messages about whether the general public would be welcomed to join in "The Views" amenities (viewing area, dog park). What is the position of city / developer on this?

Conclusion

Based on the points listed herein, I strongly oppose the Views planned development. I do appreciate the concept of a planned development, but don't feel this site is appropriate.

Thanks for your consideration. I trust that you'll consider all the facts presented along with the public testimony in making your decision.

Regards,

Sue Gabriel

EXHIBIT HHHH

City of Sandy
Planning Division & City Council Members
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

City Council Members,

As a long time city taxpayer and resident near the proposed development on Vista Loop Drive, I/We ask that the City of Sandy, Oregon deny the proposal put forth by Even Better Homes, Inc. for a Planned Unit Development - Low Density Housing development. **File Number: 20-028 SUB/TREE/FSH/PD The Views PD**.

Although growth within the city limits is inevitable, taxpayers continue to feel concerned regarding quick turn-around developments and potential legal precedence the City of Sandy sets by approving unwarranted zoning changes to meet developer needs, and not the needs or concerns of your fellow neighbors. This development will decrease surrounding home values with these extremely small lot sizes and unwarranted apartment buildings. There is a desperate need for larger lots sizes in Sandy not smaller ones.

With no legal recourse and zero HOA obligation terms, which include on-site dog parks, public recreational parks, and trails, this will add an increased amount of traffic flow on a small street like Vista Loop. The long-term impact and additional liabilities will eventually get passed on to the city, its taxpayers, and unfortunately the residents on Vista Loop Drive.
Thank you for your guidance and representation on behalf of the Sandy taxpayers, and residents on and near the proposed development on Vista Loop Drive. Your time and service to our wonderful city is greatly apricated.

20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:

Valerie L. Walberg Date 2-8-2021

_____ Date_____

Address: 41188 SE VISTA LOOP DR
Contact Info: SANDY, OR 97055

RECEIVED
FEB 16 2021
City of Sandy

EXHIBIT IIII

City of Sandy
Planning Division & City Council Members
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

City Council Members,

As a long time city taxpayer and resident near the proposed development on Vista Loop Drive, I/We ask that the City of Sandy, Oregon deny the proposal put forth by Even Better Homes, Inc. for a Planned Unit Development - Low Density Housing development. **File Number: 20-028 SUB/TREE/FSH/PD The Views PD.**

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20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:
Barbara Bonnie Eichel Date 2/8/21

RECEIVED
FEB 16 2021
City of Sandy

Ph. 503-668-4103

_____ Date_____

Address: 41515 S.E. Vista Loop Dr.
Contact Info: Sandy, Oregon 97055

EXHIBIT JJJ

COMMENT SHEET for File No. 20-028 SUB/TREE/FSH/PD:

We would like to know, how on earth everybody is going to get out of Vista Lp. onto highway 26. Even with a light, it will be a long back up. Please, no more houses or apartments. We love our vista loop the way it is.

Bonnie Eichel

- cars parked in the road - NO
- what about the sewers, can the sewers take all those toilets and washer + dryers, dishwashers. I don't think they were made for that many residence.

Bonnie Eichel

Your Name Bonnie Eichel

Phone Number 503-668-4103

Address 41515 S.E. Vista Lp. Dr.

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.20 Public Hearings; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.56 Hillside Development; 17.60 Flood and Slope Hazard Overlay; 17.64 Planned Development; 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; 17.90 Design Standards; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access Requirements; 17.100 Land Division; 17.102 Urban Forestry; 15.30 Dark Sky Ordinance

RECEIVED
FEB 16 2021
City of Sandy

EXHIBIT KKKK

COMMENT SHEET for File No. 20-028 SUB/TREE/FSH/PD:

I have concerns about the environmental impact of th commercial oil & gas tanks from gas stations that were left in ravines that may be on the property; or at the very least were rolled off the property on to lands NE & E.

And the pit of appliances that were burned on the Property. Waters from that land runoff feed cedar creek; and the fish hatchery

I would appreciate advance notice by City officials when they want to come on to my Property. Current recorded appearances are at the least rude & inconsiderate.

Steve Flowra — 503 668 4477

Your Name — Phone Number

42055 SE Luzon Ln Sandy, OR 97055

Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.20 Public Hearings; 17.22 Notices; 17.30 Zoning Districts; 17.34 Single Family Residential (SFR); 17.56 Hillside Development; 17.60 Flood and Slope Hazard Overlay; 17.64 Planned Development; 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; 17.90 Design Standards; 17.92 Landscaping and Screening; 17.98 Parking, Loading, and Access Requirements; 17.100 Land Division; 17.102 Urban Forestry; 15.30 Dark Sky Ordinance

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City of Sandy

EXHIBIT LLLL

City of Sandy
Planning Division & City Council Members
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

City Council Members,

As a long time city taxpayer and resident near the proposed development on Vista Loop Drive, I/We ask that the City of Sandy, Oregon deny the proposal put forth by Even Better Homes, Inc. for a Planned Unit Development - Low Density Housing development. **File Number: 20-028 SUB/TREE/FSH/PD The Views PD.**

Although growth within the city limits is inevitable, taxpayers continue to feel concerned regarding quick turn-around developments and potential legal precedence the City of Sandy sets by approving unwarranted zoning changes to meet developer needs, and not the needs or concerns of your fellow neighbors. This development will decrease surrounding home values with these extremely small lot sizes and unwarranted apartment buildings. There is a desperate need for larger lots sizes in Sandy not smaller ones.

With no legal recourse and zero HOA obligation terms, which include on-site dog parks, public recreational parks, and trails, this will add an increased amount of traffic flow on a small street like Vista Loop. The long-term impact and additional liabilities will eventually get passed on to the city, its taxpayers, and unfortunately the residents on Vista Loop Drive.
Thank you for your guidance and representation on behalf of the Sandy taxpayers, and residents on and near the proposed development on Vista Loop Drive. Your time and service to our wonderful city is greatly apricated.

20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:

[signature] Date 2-8-21

18260 SE VISTA VIEW CT. SANDY
503. 953. 6103

_____ Date_____

Address:
Contact Info:

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FEB 16 2021
City of Sandy

EXHIBIT MMMM

City of Sandy
Planning Division & City Council Members
39250 Pioneer Boulevard
Sandy, OR 97055

Email comments to: planning@ci.sandy.or.us

File Number: 20-028 SUB/TREE/FSH/PD The Views PD

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20-028 SUB/TREE/FSH/PD The Views PD

Name or Names:
Christie Andrade Date 2-14-21
Date 2/14/21
Address: 18509 ORTIZ ST. Sandy, OR 97055

Contact Info: PO Box 326, Sandy, OR 97055
503-516-7629 Johnnyco82@yahoo.com
Additional Comments:

EXHIBIT NNNN

MINUTES
Parks & Trails Advisory Board Meeting
Wednesday, September 23, 2020 Virtual
Zoom Meeting 3:00 PM

BOARD MEMBERS PRESENT: Kathleen Walker, Board Member, Don Robertson, Board Member, Michael Weinberg, Board Member, Susan Drew, Board Member, and Sam Schroyer, Board Member

BOARD MEMBERS ABSENT: Makoto Lane, Board Member

STAFF PRESENT: Sarah Richardson, Community Services

MEDIA PRESENT:

1. **Roll Call**

2. **Meeting Format Notice**
Meeting Format Notice:

The Parks and Trails Advisory Board 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:
- **Note a passcode is required: 931304**
- If you would rather access the meeting via telephone, dial 1-669-900-6833. When prompted, enter the following meeting number: 817 6994 4265
- If you do not have access to a computer or telephone and would like to take part in the meeting, please contact the Sandy Community Center (503-668-5569) by Tuesday, September 8th before 2:00pm, and arrangements will be made to facilitate your participation.

3. **Public Comment**

4. **Consent Agenda**

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4.1. Meeting Minutes

5. Changes to the Agenda

6. New Business

6.1. The Views - Planned Development

Shelley Denison from the Planning Dept. shared an overview for The Views development. As of this morning the Planning Director and applicants Lawyer removed the development from the Planning Commission agenda until November. Need a future street plan etc. That gives the board some time to continue to look over the application.

Don Robertson, Board Chair, noted they are planning to form an HOA and paying a fee in lieu. Asked how long the fee can be deferred. Shelley noted they can defer until they apply for a building permit. They are asking to split the fee between single family and multi family units. Requesting to pay the Single Family fee up front and to defer the Multi family unit fee. Ultimately the city will receive more money.

Don Robertson clarified that they are not proposing to give the city any of the undeveloped or open space area to the city (active and passive spaces). Shelly Denison confirmed this. Don Robertson asked if they are proposing any amenities for the space. Shelley Denison said yes and they include play structure, basketball court, gazebo viewpoint, and trails. Not considered above and beyond. Don Robertson asks if they are proposing to restrict public access. Don Robertson has had experience with both scenarios (restriction and easement). Don Robertson said it is their choice but can say from experience that unless it is gated the public will likely access it. Inevitably, the HOA may get tired of managing and providing secure access and they will ask to turn it over to the city. City needs to be sure that whatever they build is up to code and can sustain public use. Planning is also concerned that might happen.

Kathleen Walker asked if they are townhomes and yes they are townhomes or row houses. Are all the other lots meeting the criteria for meeting single family residential? Shelley noted they are allowed within a Planned Development to deviate from the quantitative development standards. Some of the lots are smaller and some are larger than normally allowed. Part of the Planned Development process is making sure the applicant makes a good case for deviating from those standards and why deviating is warranted given other design elements. Code describes them as "outstanding design". One of the reasons the application is being deferred to the November meeting.

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Kathleen Walker asked if parkland dedication is based on Single Family Residential. Sarah Richardson noted she can forward the full narrative to the board. Kathleen Walker asking about methodology to determine park acreage etc. Noted it is originally zoned as SFR but the density they are getting with townhomes should have a factor for parkland development. Shelley Denison wondering if this might be an issue with the code. Noted that they use the underlying zoning district to calculate parkland dedication but with the Planned Development the underlying zoning district doesn't matter as much when it comes to density. The logic behind using the underlying zoning district is about how many people are in the neighborhood who will be using the parks. With a Planned Development there would be more people than with a SFR development so that is a good point. Don Robertson feels it is important to use the proposed density.

Don Robertson recommends that the city put in writing that if the developer determines they ultimately want to give the land to the city, or if later the HOA asks to transfer the property, that this is at the cities discretion. The city does not want to automatically accept the property and maybe it should not be considered for at least 10 years.

Kathleen Walker noted there is a park in the current Master Plan to the west of this property and the money received from this development could help to build that park. So the city would not want to take on the responsibility and costs for the property in this development. Don Robertson clarified that this would not be the first choice of location or configuration for a park in this area.

Kathleen Walker asking about plans for changes in the PD code language. Are there plans to clarify and
write more measurable criteria. Shelley Denison noted there is some inherent subjectivity to Planned Developments. Shelley agrees this is a good opportunity to look at this chapter in the code and see what is working and what isn't working.

Don Robertson would like to schedule this again for the October meeting. Asked Shelley to update the board on any changes with the proposal so they can have a substantive discussion and be able to provide a recommendation. Thank you to Shelley for joining the meeting and they look forward to working with her in the future.

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6.2. Herbicide Use in City Parks - Draft Policy

Sarah Richardson, staff liaison, reviewed the draft policy for pesticide use in city parks. Worked with the Park Superintendent to create a more formal policy. Looking for feedback to help create a final policy that the board would consider forwarding to council for approval.

Michael Weinberg - noted it needs to read "pesticide" not just "herbicide". Susan Drew - would like to change "should" to "shall" or "will". Uncomfortable with some words that leave a lot of slip and slide instead of defining it as "do this, don't do that". Good that noted spot spray treatment but how big is a spot? Also "where possible" would just like it to be more definitive. With regard to signage, say signage will be used rather than "should" be used. Define length of posting etc.

Kathleen Walker agreed with Susan Drew's comments and noted that with the Forest guidelines there is a big difference between should and shall. Agree with consistency with regard to wind speed and other clarifications. Also wanted to be sure this is implemented with contractors as well as city staff. Communication is key.

Don Robertson thanks Joe Preston and Mike Walker for working with the board. Appreciates their willingness to put it down in writing. Agrees that it needs to be strengthened. Appreciate that it states distance from Community Garden and playgrounds and would like to more clearly define the perimeter of the playground. Addressed the sprayer type - add backpack sprayer or smaller. Caution not to eliminate all insecticides because may be needed for hornets etc. The use of insecticide should not be a common practice but an exception. At some point would like to see additional strengthening for alternative practices to reduce the need for pesticides. Eventually would like to see no pesticides in the dog park itself. Again, thank you to the staff for working on this policy. Looking forward to the day that council adopts this policy.

Michael Weinberg agrees with the comments by the rest of the board. Thank you for bringing it this far but would like to keep moving forward. Language does need to be tightened up a bit. Michael noted that he objects to the use of Glyphosate in general but not sure if he is in the minority. Don Robertson understands the hesitance and reluctance but not sure there are satisfactory

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replacements yet. Respects the opinion but doesn't necessarily share it. Susan Drew agrees with moving away from Glyphosates. Don Robertson feels there will be more evolution as we move forward in the next couple of years.

Susan Drew would like to add a beginning statement that sets the stage as to why going this direction. Susan forwarded it in the chat session.

Kathleen Walker noted that with regard to pesticide free we want to capture this in our Parks Master Plan so that future design can support desire to be pesticide free.

6.3. Park System Development Charges - Half Street Improvements

Sarah Richardson, staff Liaison, reviewed the question about half street improvements and who pays for them. Park SDC's currently pay for half street improvements.
Don Robertson noted in his experience (Gresham, Ashland, Oregon City), this is standard practice.
Kathleen Walker noted that this is partly due to the code requiring homes to face the park. Believes this is good, but questions why parks pay for this because the road does not necessarily directly benefit the park. Wonders if there is a chance to change this in the future. Doesn't agree with the rationale.
Noted that SDC's will be reviewed once the Master Plan is finalized. There seems to be broad agreement that they need to be increased.

7. Old Business

7.1. Master Plan Update

Sarah Richardson noted the virtual open house will go live this evening and we want to do everything we can to encourage the community to participate in the Open House. Taking flyers around to specific neighborhoods that have conceptual plans for those parks. They are up on the list of parks to be developed.
Kathleen Walker offered to take flyers and attach them to mailboxes.
Kathleen Walker noted that a lot of folks are not on Facebook.
Kathleen Walker noted that there will be a Spanish version as well.

8. STAFF UPDATES

8.1. Community Garden Repairs

Neal is no longer at the Ant Farm but we are in contact with the new person and will meet them soon to look at the garden boxes. Don Robertson asked for

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the garden hoses to be accessible again.

8.2. New Outdoor Recreation Guidance - Playgrounds

The state guidelines now allow playgrounds to open. Ordered new signs with recommendations and reminders about public health guidelines. Kathleen Walker suggested it be posted in Facebook.

Sam Schroyer asked about the basketball courts. It is believed that Sport/basketball courts are still closed.

Michael Weinberg shared with the board that he will not be reapplying for reappointment. Board members thanked him for his service.

Kathleen Walker asked about Bull Run Terrace and if there has been anything new. The board is waiting on more specifics on what is planned before making any recommendations.

Susan Drew asked if we will be getting back to our 2nd Wednesday meeting date. Yes, October 14th is the next scheduled meeting.

9. Adjourn

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MINUTES
Parks & Trails Advisory Board Meeting
Wednesday, October 14, 2020 Virtual Meeting 7:00 PM

BOARD MEMBERS PRESENT: Kathleen Walker, Board Member, Don Robertson, Board Member, Michael Weinberg, Board Member, Susan Drew, Board Member, Makoto Lane, Board Member, and Sam Schroyer, Board Member

BOARD MEMBERS ABSENT:

STAFF PRESENT: Laurie Smallwood, Councilor and Sarah Richardson, Community Services

MEDIA PRESENT:

1. Roll Call

2. Public Comment

Meeting Format Notice:

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3. Consent Agenda

3.1. Meeting Minutes

Moved by Michael Weinberg, seconded by Kathleen Walker

Motion to approve the minutes.

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CARRIED. 5-0

4. Changes to the Agenda

5. New Business

5.1. The Views Development

Sarah Richardson reached out to Shelley Denison about the proposal and there are no additional updates. Board had requested it be on the agenda.

Don Robertson intent was to chat more about it. Comfortable waiting until November since there are no changes.

Kathleen Walker had a question about lot 71 or 72. Appears it is going to be a big apartment building. Sarah Richardson will follow up.
Location for the development was reviewed.
Don Robertson noted one of the questions was how the SDC's and Fee in Lieu would be addressed. Wanted to pay upfront for the SFR, but delay the payment for the multifamily units.
Sarah Richardson reminded the board they had a question about how the parkland dedication was going to be calculated. Kathleen Walker, yes the density will determine what the calculations will be.

Don Robertson concerned because they are going to have their own HOA and keeping parks and open spaces private or semi-private wants to be sure they are still required to pay the Fee in Lieu and SDCS.
Kathleen Walker - Lot 72 and lot 122 - two large lots that are proposed as apartments? Would like clarification on what is proposed and how many units are proposed.

Makoto Lane asked if this was a Planned Development, and yes, it is.

Discussion about Planned Developments and what the somewhat subjective criteria for "Outstanding" features means. Specificity is important to be able to understand what is being proposed and whether it meets the outstanding criteria for a Planned Development.

Don Robertson noted we need some answers before recommendations can be forwarded.

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5.2. Location Discussion - Dog Park

Kathleen Walker suggested a dog park might fit well with the additional site for the Sewer Treatment Plant that is off of Sunset/University. There is a big parcel that used to be the old Public Works Shop. That parcel is proposed to have a supplemental sewer treatment plant. About a 4.3 parcel plus another one off of Sunset that the city owns. A resident said we should do a walking trail dog park. One option might be this as part of the supplemental treatment plant site. Might have some acreage around the rest of the site to create some sort of walking trails. Laurie Small noted it is a brown site. Don't know what the land use laws are for brown sites. Might need to be investigated. Brown properties can only be used for certain things. Need to sit for a period of time etc. Might be a good location but we need to be aware of the brown site.

Don Robertson noted it doesn't mean it is disqualified for use. All depends on what types of pollution, quantities etc. Example, splash pad in Gresham was a brown site. Laurie Smallwood noted it might be a good location but something to be aware of.

Kathleen Walker noted the parcel is already fenced.

5.3. Code of Conduct for Boards and Commissions

Laurie Smallwood reviewed the Code of Conduct Council passed for Boards and Commissions.
Don Robertson asked is this a first time policy for the city?
Laurie Smallwood yes, came to Councils attention with regard to some things that have been put out on social media over the last few months. Ways people have been treated online and in person and there was no Code of Conduct for Commissions or Advisory Boards and wanted to get something in place. Recognizing that everyone is a volunteer, including council and trying to do the best they can. Important that we need to treat each other with respect, fairness and a little bit of grace sometimes.

Don Robertson asked if it goes for both elected officials and board members?
Laurie Smallwood, yes correct. Council intends to sign it as well. Does not

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pertain to employees who have their own Code of Conduct and ORS. Council is also bound by ORS.

Don Robertson noted that when he was with the City of Ashland they had annual training. City Recorder would come around to every board and elected body that dealt with ethics and conduct and everyone was certified as receiving the training. Don also sits on the Local Government Grants Program and they have requirements as well. What is being asked is not foreign and is surprised that this hasn't happened already. Standard Operating Procedure for many communities throughout Oregon.

Don Robertson asked if there are questions about the Code of Conduct.

Makoto Lane feels there is subjectivity and wording that is open to interpretation. Would be better if it was more tightly worded. Discussion about the wording and a variety of examples shared.
Laurie Smallwood asked for specifics to be sent to her so she could look at it.

Makoto Lane asked where he would go to get an issue resolved. Laurie Smallwood noted there is a chain of command. Laurie Smallwood offered to help if needed.

Michael Weinberg clarified about signing and where to send it. Yes, send a signed copy to Sarah Richardson.

Sam Schroyer asked if this COC is the final version. Suggested could add what steps to take if needing resolution.Susan Drew asked if it could go back to Council. Sarah Richardson noted it has been formally adopted. This is specifically for Boards and Commissions.

Kathleen Walker asked for clarification about discussing differences of opinion/disagreements. Concern expressed about interpretation. Laurie Smallwood's interpretation is that everyone has a responsibility to speak truthfully. Feels there have been things out on social media that misrepresented information. More discussion about interpretation. Discussion about representing the councils position but disagreeing. Laurie noted this is not what the Code of Conduct is about. Everyone is entitled to their opinion and no one has to agree. What we do have to do is represent each other factually.

Makoto Lane referenced page 3. Asked if it was retroactive. Asked what is the process of removing board members. Laurie Smallwood noted council does

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not have to renew a position. Laurie Smallwood noted if you don't follow the Code of Conduct council would have the option to ask a member to step down. Don Robertson noted that in all his years of service this has never occurred. Laurie Smallwood added she hoped that would not be the case. Everyone is here volunteering and trying to do the best job they can.

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6. Old Business

6.1. Parks and Trails Master Plan Update - Virtual Open House Response Extended Deadline

Deadline extended to October 25th but so far few people have participated. Hope all board members will visit the Virtual Open House. As of a few days ago there were 54 completed visits. Discussion about ways to get the word out, including Instagram. Discussion about finding the link.

7. STAFF UPDATES

7.1. Community Garden Update

Sarah Richardson discussed the garden beds at the Community Garden, and the need for repairs. Did receive a proposal from the Ant Farm but far above our budget. Nunpa is taking a look at it and will see what else they can come up with.

7.2. Pesticide Policy Update

Working to make the changes the board requested and will bring the 2nd draft back to the board at a future meeting. Don Robertson noted that the plan is to approve a final version to forward as a recommendation to Council.

7.3. Oregon Community Paths Program

Sarah Richardson discussed the grant opportunity and asked the board if they had any projects in mind. Grant is available every two years and a good idea to keep it on our radar.

7.4. Meeting Guests/Board Applicants

Don Robertson thanked guests Mary Casey and Rachel Stephens for attending and their interest in board positions.

8. Adjourn

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EXHIBIT OOOO

Staff Report

Meeting Date:	February 16, 2021
From	Shelley Denison, Associate Planner
SUBJECT:	20-028 The Views SUB TREE FSH PD

BACKGROUND:
This application is for a 122 lot Planned Development (PD) to the north of Highway 26 at the east end of Vista Loop Drive. Of the 122 lots, 88 lots are proposed to be single family detached homes, 32 lots are proposed to be single family attached homes (i.e. row homes), and 2 lots are proposed to include multi-family housing. The multi-family lot in the Upper Views will contain 24 dwelling units while the multi-family lot in the Lower Views will contain 15 dwelling units. This comes to a total of 159 proposed dwelling units. The applicant is also proposing a number of recreational amenities, including a dog park, basketball courts, playgrounds, and a Mt. Hood viewing plaza. The applicant is requesting a Type IV Planned Development which will include the subdivision of land into smaller parcels, two Type III Special Variances, an FSH overlay review, and tree removal.

Planned Developments
A Planned Development is a specific kind of development which allows for integrating different kinds of land uses. In this case, the applicant is proposing using mixed housing types with recreational amenities. Additionally, in a PD application, the applicant can request that certain *quantitative* code requirements be waived in order to provide outstanding design elements while still meeting the intent of the code. In this case, the applicant is requesting the following code deviations: smaller lot size, smaller minimum average lot width, smaller interior side yard setbacks, smaller rear yard setbacks, and longer block lengths. In addition, the applicant is request row homes and multi-family housing which are not typically permitted outright in the subject zoning district, but are permitted uses in a PD.

Special Variances
As part of this application, the applicant is requesting two special variances. These are variances for *qualitative* code requirements and unlike quantitative code deviations they are not allowed within the context of the PD request. The applicant is requesting that the homes which abut Highway 26 are allowed to face interior streets rather than the Highway and that sidewalks not be required along specific street frontages.

Open Space
As discussed on pages 24 and 25 of the staff report, the applicant is requesting that all private open space and recreational amenities are the responsibility of a Home Owners

Association (HOA). Staff is recommending that in the event of the HOA dissolving, open space, sidewalks, and recreational amenities shall be the responsibility of adjacent property owners, instead of the City of Sandy. Additionally, the applicant is requesting they pay a fee-in-lieu of public dedication of parkland.

History
The history of this application is outlined as follows:

- January 2019 – Applicant begins discussion with City staff
- May 29, 2019 – Pre-application conference
- June/July 2020 – Application is received and deemed complete
- September 2020 – Parks and Trails Advisory Board meeting
- November 23, 2020 – First Planning Commission hearing; continuance granted
- December 16, 2020 – Second Planning Commission hearing

RECOMMENDATION:

POSSIBLE MOTIONS

Motion Option A: Approve the requested application with conditions and findings as recommended by the Planning Commission. If you select this option, please also make a motion to either have Mayor Pulliam review the final order as drafted by staff or have the final order with the full conditions list come back before the City Council for consideration.

Motion Option B: Approve the application with conditions and findings determined by the City Council. If you select this option, staff recommends to have the final order with the full conditions list come back before the City Council for consideration.

Motion Option C: Deny the application based on code criteria that you find are not satisfied.

Motion Option D: Ask the applicant to revise the proposal, extend the 120-day clock, and come back before the City Council at a future date with a revised proposal. If you select this option, staff prefers not to determine the continuance date at this time.

Motion Option E: Continue the hearing to a future City Council date to continue Council dialogue prior to issuing a decision. If you select this option, staff prefers you choose a date for the continuance on February 16, 2021 so that additional public notice and legal notice is not required.

LIST OF ATTACHMENTS/EXHIBITS:
Attachment 1: Staff Report
Attachment 2: Exhibits

39250 Pioneer Blvd
Sandy, OR 97055
503-668-5533

CITY COUNCIL STAFF REPORT

TYPE IV DECISION

DATE: February 8, 2021

FILE NO.: 20-028 SUB/VAR/TREE/FSH/PD/ZC

PROJECT NAME: The Views PD

APPLICANT: Mac Even, Even Better Homes

OWNERS: Brad Picking, John Knapp

LEGAL DESCRIPTION: 25E 19, Tax Lots 200 and 500

The above-referenced proposal was reviewed concurrently as a Type IV planned development, subdivision, zoning map amendment, special variance, Flood and Slope Hazard (FSH) overlay review, and tree removal permit. The following Findings of Fact are adopted supporting approval of the plan in accordance with Chapter 17 of the Sandy Municipal Code.

EXHIBITS:

Applicant's Submittals:

A. Land Use Application
B. Project Narrative
C. Supplemental Narrative for Special Variance
D. Civil Plan Set
   - Sheet 1 – Cover Sheet and Preliminary Plat Map
   - Sheet 2 – Preliminary Plat Map: The Lower Views
   - Sheet 3 – Preliminary Plat Map: The Upper Views
   - Sheet 4 – Topographic Survey
   - Sheet 5 – Topographic Survey: The Upper Views
   - Sheet 6 – Tree Retention and Protection Plan
   - Sheet 7 – Tree Inventory List
   - Sheet 8 – Building Setbacks: The Lower Views
   - Sheet 9 – Building Setbacks: The Upper Views
   - Sheet 10 – Parking Analysis and Future Street Plan
   - Sheet 11 – Block and Street Dimensions
   - Sheet 12 – Street and Utility Plan: The Lower Views
   - Sheet 13 – Street and Utility Plan: The Upper Views
   - Sheet 14 – Grading and Erosion Control Plan: The Lower Views
   - Sheet 15 – Grading and Erosion Control Plan: The Upper Views

- Sheet 16 – Sanitary Sewer Plan and Profile of Site
- Sheet 17 – Sanitary Sewer Plan and Profile of Site: The Lower Views
- Sheet 18 – Sanitary Sewer Plan and Profile of Site: The Upper Views

E. Preliminary Storm Drainage Report
F. Traffic Impact Study
G. Arborist Report
H. Wetland Determination Report
I. Geotechnical Report
J. Architectural Plans Booklet
K. The Views Proposed Homes
L. The Views Concept Plan
M. Lower Views Concept Plan
N. Upper Views Concept Plan
O. Plant Key
P. Plant Palette
Q. DSL Wetland Concurrence
R. Sound Wall Plans

Agency Comments:

S. John Replinger, Traffic Engineer (September 14, 2020)
T. Hassan Ibrahim, City Engineer (September 14, 2020)
U. Sandy Fire Marshall (September 15, 2020)
V. SandyNet (September 16, 2020)
W. ODOT (September 17, 2020)
X. Sandy Area Metro (September 21, 2020)
Y. Public Works Director (November 6, 2020)
Z. Parks & Trail Advisory Board (November 19, 2020)
AA. John Replinger, Traffic Engineer (November 30, 2020)

Additional Documents from Staff:

BB. Pre-application Notes from May 29, 2019
CC. Staff Report from November 23, 2020 PC Meeting
DD. PowerPoint Presentation from November 23, 2020 PC Meeting
EE. Minutes from November 23, 2020 PC Meeting
FF. Staff Report from December 16, 2020 PC Meeting
GG. PowerPoint Presentation from December 16, 2020 PC Meeting
HH. Minutes from December 16, 2020 PC Meeting

Additional Submission Items from the Applicant:

II. Email from Michael Robinson (September 23, 2020)
JJ. Memo from Tracy Brown (November 22, 2020)
KK. Email from Michael Robinson (November 28, 2020)
LL. Supplemental Memo (December 9, 2020)
MM. Responses to Staff Report Questions (December 9, 2020)
NN. Sewer Capacity Letter from Ray Moore, PE (December 9, 2020)
OO. Sewer Capacity Letter from Michael Pinney, PE (December 9, 2020)
PP. Right Turn Lane Memo from Michael Ard, PE (December 9, 2020)

QQ. ODOT Slip Lane Removal Plans (December 9, 2020)
RR. Revised Materials Response from Tracy Brown (January 19, 2021)
SS. Revised Proposal (January 19, 2021)
TT. Revised Density Calcs (January 19, 2021)

Public Comments:
UU. Bonnie Eichel (October 2, 2020)
VV. Jerry Carlson (October 29, 2020)
WW. John and Linda Bartmettler (October 29, 2020)
XX. Dustin and Bonnie Bettencourt (November 3, 2020)
YY. Georgina Sutherland (November 3, 2020)
ZZ. Gerald and Judith Dittbenner (November 5, 2020)
AAA. Tony and Kim Turin (November 6, 2020)
BBB. John and Christine Andrade (November 7, 2020)
CCC. Todd Springer (November 8, 2020)
DDD. John Eskridge (November 9, 2020)
EEE. Dan and Janine Walton (November 19, 2020)
FFF. Ed Dewart (November 20, 2020)
GGG. G. Manley (November 20, 2020)
HHH. Bonnie and Robert Eichel (November 20, 2020)
III. Georgina Sutherland (November 20, 2020)
JJJ. Jason and Mary Dyami (November 24, 2020)
KKK. Chris Anderson and Jason Shuler (December 7, 2020)
LLL. Kristina Molina (December 9, 2020)
MMM. John Andrade (December 10, 2020)
NNN. Pamela Kim York (December 14, 2020)
OOO. Tom Orth (December 14, 2020)
PPP. Gerald Dittbenner (December 14, 2020)
QQQ. John and Christin Andrade (December 14, 2020)
RRR. Robert and Bonnie Eichel (December 14, 2020)
SSS. Brad Picking (December 14, 2020)
TTT. Buzz Ortiz (December 14, 2020)
UUU. Dustin and Bonnie Bettencourt (December 14, 2020)
VVV. John R Eskridge and Lisa Hull (December 15, 2020)
WWW. John Bartmettler (December 15, 2020)
XXX. Valerie Walberg (December 15, 2020)
YYY. Lisa Hull (December 15, 2020)
ZZZ. Ed Elm (December 17, 2020)

FINDINGS OF FACT

General Overview

1. These findings are based on the applicant's submittals received on June 26, 2020, July 29, 2020, October 28, 2020, November 22, 2020, and December 9, 2020. Staff deemed the application incomplete on July 24, 2020. The applicant submitted additional materials on July 29, 2020. The application was deemed complete on August 5, 2020 and initially a 120-

day deadline of December 3, 2020 was established. However, it was later determined this application included a comprehensive plan map amendment and therefore the 120-day deadline was determined to not apply. The applicant extended the 120-day deadline by 56 days (the time between September 28 and November 23). With the new applicant submissions received on October 28, 2020 it was determined a comprehensive plan map amendment is no longer needed. The revised 120-day deadline for this application was January 28, 2021, but as explained in this document the applicant has extended the 120-day clock to March 1, 2021 (Exhibit GG).

2. This report is based upon the exhibits listed in this document, as well as agency comments and public testimony. This code analysis is based on the code that was in effect at the time of the application submission on June 26, 2020 and therefore the code modifications with File No. 20-023 DCA do not apply.

3. The subject site is approximately 32.87 acres. The site is located east and west of the eastern end of Vista Loop Drive, east of Highway 26.

4. The parcel has a Comprehensive Plan Map designation of Low Density Residential and a Zoning Map designation of SFR, Single Family Residential.

5. The applicant, Even Better Homes, requests a Type IV combined planned development review to include both conceptual and development plan reviews. A planned development is a specific kind of development which allows for integrating different kinds of land uses. In this case, the applicant is proposing using mixed housing types along with recreational amenities. Additionally, in a planned development application, the applicant can request that certain code requirements be waived in order to provide outstanding design elements while still meeting the intent of the code. The site is divided into two sections: the "Lower Views" on the east side of the site and the "Upper Views" on the west side of the site.

6. The applicant is proposing a 122 lot development with 120 single family home lots and 2 multi-family home lots to accommodate a total of 39 multi-family units. Additionally, the applicant is proposing open space and stormwater detention tracts. The detailed acreage with associated tract letters is as follows:

Tract Letter	Purpose	Acres
Lower Views		
A	Private active open space	1.10
B	Private active open space	0.25
C	Private active open space	0.23
D	Private open space	0.13
E	Private active open space	0.28
F	Private drive	0.06
G	Private drive	0.04
H	Private drive	0.04
I	Private open space	1.66
J	Public stormwater detention pond	0.32

K	Private open space	5.56
L	Private open space	1.03
P	Private open space	0.03
Upper Views		
M	Private active open space	0.92
N	Private active open space	0.75
O	Public stormwater detention pond	0.39

7. Notification of the proposed application was originally mailed to affected agencies on September 8, 2020 and to affected property owners within 500 feet of the subject property on September 8, 2020 for the originally scheduled public hearing on September 28, 2020. A legal notice was submitted to the Sandy Post on September 8, 2020 to be published on September 16, 2020 informing residents of the public hearings.

8. On September 23, 2020 the applicant's attorney, Michael Robinson with Schwabe Williamson and Wyatt, requested The Views PD agenda item to be removed from the September 28 Planning Commission meeting and instead included on the November 23 Planning Commission meeting agenda. The request was largely made so the applicant could revise some of their proposal as reflected in the exhibits.

9. On September 24, 2020 staff mailed a notice to affected property owners within 500 of the subject property stating that the public hearing scheduled for September 28, 2020 was postponed to November 23, 2020.

10. On October 21, 2020 staff mailed a notice to affected property owners within 500 of the subject sites reminding people of the November 23, 2020 public hearing. On November 2, 2020 staff submitted a legal notice to the Sandy Post to be published on November 11, 2020 informing residents of the Planning Commission public hearing.

11. On November 2, 2020 staff provided DLCD with a revised Plan Amendment (PAPA) notice.

12. Agency comments were received from the City Transportation Engineer, City Engineer, Public Works, SandyNet, Public Works, ODOT, the Parks and Trails Advisory Board, Fire District No. 72, and Sandy Area Metro.

13. At publication of the Planning Commission staff report on February 8, 2021 there were 32 written comments from the public that were entered into the record. These can be found in Exhibits UU through ZZZ.

14. Public comments against the proposed development included the following themes:

    I. Development encroaching into the Flood Slope Hazard (FSH) overlay
    II. Concerns for capacity of fire, police, and public utilities
    III. Increased traffic on already busy streets
    IV. Removal of wild animal habitat

V. Significant increase in housing density
VI. Changing the character of the area
VII. Lowering the value of the land for existing property owners
VIII. Lack of amenities for future residents
IX. Safety walking along streets

15. Public comments for the proposed development included the following themes:

I. Increased public revenue
II. The proposed development is by a local developer rather than an "outside" developer

16. This application was reviewed by the Planning Commission on November 23, 2020. At that meeting, the Commission granted a continuance as requested by a resident. This application was again reviewed by the Planning Commission on December 16, 2020.

17. On November 28, 2020, the applicant granted an extension of the 120-day application review period (clock) by 32 days. This 120-day clock extension modified the 120-day deadline from January 28, 2021 to March 1, 2021. This clock extension was to accommodate the City Council hearing for this application on February 16, 2021.

18. On December 9, 2020, the applicant submitted additional information related specifically to the following: Applicant responses to staff questions (Exhibit MM); Engineering memos related to sanitary sewer capacity (Exhibits NN and OO); and an Engineering memo related to the ODOT-requested right turn lane from Highway 26 onto Vista Loop Drive (Exhibit PP). The applicant also provided an explanatory cover memo (Exhibit LL) and an ODOT document related to the closure of the slip lane from Highway 26 to Vista Loop Drive (Exhibit QQ).

Planning Commission Recommendation

19. On December 16, 2020 the Planning Commission reconvened to continue the public hearing for The Views PD. After hearing additional input from staff, the applicant, and the public, the Planning Commission made the following motion:

Motion: Motion to recommend that the City Council approve or deny the application after full consideration of the Planning Commission's issues, concerns, and recommendations below.
Moved By: Commissioner Mayton
Seconded By: Commissioner Maclean-Wenzel
Yes votes: All Ayes
No votes: None
Abstentions: None

The Planning Commission was asked a series of questions in order to provide recommendations on specific requests included in this application. The questions and their votes are in the following table.

Question for PC Review	Yes	No
Does the Planning Commission recommend exceeding the maximum density for the base zone by six (6) percent? To allow this density increase the Planning Commission, and ultimately the City Council, needs to find that the Planned Development is outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning.	N/A as density increase is no longer being requested.	
Does the Planning Commission recommend permitting row houses in the SFR zoning district?	5	2
Does the Planning Commission recommend permitting multi-family housing in the SFR zoning district?	4	3
Does the Planning Commission recommend allowing lot sizes less than 7,500 square feet?	3	4
Does the Planning Commission recommend allowing a minimum average lot width less than 60 feet?	3	4
Does the Planning Commission recommend allowing interior side yard setbacks at 5 feet, when the typical standard is 7.5 feet?	3	4
Does the Planning Commission recommend reducing the rear yard setbacks from 20 feet to 10 feet for lots 47-56 in the Lower Views and 20 feet to 15 feet for lots 84-86 and 88-102 in the Upper Views?	3	4
Does the Planning Commission recommend allowing block lengths at 691 feet on The Views Drive from Vista Loop Drive to Bonnie Street; at 665 feet on the north side of Bonnie Street; and at 805 feet on Knapp Street from Vista Loop Drive to Ortiz Street?	7	0
Does the Planning Commission recommend approval of the request to provide meandering walkways within private open space tracts rather than a traditional sidewalk/planter strip in the public right-of-way with the condition that the tracts maintain a minimum width of 15 feet to accommodate a 5 foot wide walkway with an average of 5 foot wide planter strips on either side?	7	0
Does the Planning Commission recommend approval of the request to not provide a sidewalk on the south side of The Views Drive with the condition that Tract E on the north side of The Views Drive be designed as proposed (i.e. approximately 19 feet wide with 5 feet wide of planting space on either side of the meandering walkway to accommodate street trees on both sides of the walkway)?	7	0
Does the Planning Commission recommend approval of the request to not provide front doors facing Highway 26 and instead allow the lot line abutting Highway 26 to be considered the rear yard so the sound wall can be 6 feet in height?	7	0
Does the Planning Commission recommend phasing this development in two distinct phases as proposed by the applicant?	7	0
Does the Planning Commission recommend to not require a right turn lane at the intersection of Vista Loop Drive and Highway 26, consistent with the City's traffic engineer and staff's recommendation?	6	1
Does the Planning Commission recommend the proposed future street layout north of Ortiz Street as proposed by the applicant?	0	7

Question for PC Review	Yes	No
Does the Planning Commission recommend a pedestrian connection to the north in the vicinity of where Knapp Street intersects with Ortiz Street?	7	0
Does the Planning Commission recommend that additional vegetation is planted between the sound wall and the sidewalk along Highway 26 to make it more pedestrian friendly and to soften the large concrete wall?	6	1
Does the Planning Commission have any additional recommendations related to maintenance of the open space owned by a proposed Homeowner's Association (HOA)?	6	1

Other comments and possible conditions recommended by the Planning Commission included the following:

- Right turn lane from Highway 26 to Vista Loop Drive should be installed by ODOT.
- Research a maintenance agreement option in lieu of the proposed Homeowners Association (HOA).
- Require a sight line analysis to determine if the apartments proposed in the Lower Views (Lot 72) will obstruct any views of Mt. Hood for existing residents in the area.

20. At the Planning Commission meeting, Tracy Brown and Mac Even gave applicant testimony. Chris Anderson, Cassidy Moore, Buzz Ortiz, and Lindsey Sawyer gave proponent testimony. Jason Dyami, Lisa Hull, John Barmettler, and Todd Springer gave opponent testimony. John Andrade gave neutral testimony. A summary of their testimony is included in the Planning Commission meeting minutes (Exhibits EE and HH).

17.26 – Zoning District Amendments

21. This chapter outlines the requirements for zoning district amendments. In accordance with Section 17.64.70, "When a Planned Development project has been approved, the official Zoning Map shall be amended by ordinance to denote the new 'PD' Planned Development overlay designation. Such an amendment is a ministerial act, and Chapter 17.26, Zoning District Amendments, shall not apply when the map is amended to denote a PD overlay."

17.30 – Zoning Districts

22. The subject site is zoned SFR, single family residential.

23. The total gross acreage for the entire property is 32.87 acres. After removal of the right-of-way and proposed stormwater tracts, the net site area (NSA) for the subject property is reduced to 27.475 net acres. Additionally, the site also contains a restricted development area of 279,768 square feet. When this is subtracted from the net site area, the resulting unrestricted site area (USA) is 21.03 acres.

24. The underlying zoning district allows a minimum of 3 and a maximum of 5.8 dwelling units per net acre of unrestricted site area. Minimum density = 21.03 x 3 = 63.03, rounded down to 63 units. Maximum density is the lesser of the two following formulas: NSA x 5.8 or USA x 5.8 x 1.5 (maximum allowable density transfer based on Chapter 17.60).

    I. 27.475 x 5.8 = 159.11, rounded to 159 units

II. 21.03 x 5.8 x 1.5 = 182.787, rounded to 183 units

25. As a result of these calculations, the density range for the subject property is a minimum of 63 units and a maximum of 159 units.

26. It is important to note that density bonuses are allowed in Planned Developments. This means that the applicant could apply for more than 159 dwelling units even given the underlying zoning designation of Single Family Residential. However, the applicant is not applying for such a density bonus.

17.34– Single Family Residential (SFR)

27. Section 17.34.30 contains the development standards for this zone. The applicant is requesting multiple modifications to these development standards as part of the PD process. The applicant is also requesting uses that are not traditionally allowed in the subject zoning district. The requested modifications are outlined in the review of Chapter 17.64 below.

28. Section 17.34.40(A) requires that water service be connected to all dwellings in the proposed subdivision. Section 17.34.40(B) requires that all proposed dwelling units be connected to sanitary sewer service. Section 17.34.40(C) requires that the location of any real improvements to the property must provide for a future street network to be developed. Section 17.34.40(D) requires that all dwelling units must have frontage or approved access to public streets. The applicant proposes to meet all of these requirements. Each new residence constructed in the subdivision will gain access from a public street. However, six lots are proposed to gain access from three separate private drives connected to a public street.

29. Section 17.34.50(B) requires that lots with 40 feet or less of street frontage shall be accessed by a rear alley or shared private driveway. All of the attached single family homes have less than 40 feet of street frontage but are accessed by a rear alley. Many of the detached single family home lots do not have 40 feet of street frontage, but this is a modification being requested by the applicant as part of the PD process as reviewed in Chapter 17.64 below.

17.56 – Hillside Development

30. The applicant submitted a Geotechnical Report (Exhibit I) showing that the subject site contains a small area of slope in the Lower Views exceeding 25 percent. **All recommendations in the conclusions and recommendations section of the Geotechnical Report (Exhibit I) shall be conditions for development.**

17.60 – Flood and Slope Hazard (FSH) Overlay District

31. Section 17.60.00 specifies the intent of the Flood and Slope Hazard (FSH) Overlay District, which is to promote the public health, safety and general welfare by minimizing public and private adverse impacts from flooding, erosion, landslides or degradation of water quality consistent with Statewide Planning Goal 6 (Air, Land and Water Resources Quality) and Goal 7 (Areas Subject to Natural Disasters and Hazards) and the Sandy Comprehensive Plan (SCP). **A violation of the provisions set forth in Chapter 17.60, FSH, (e.g. tree removal without permit authorization or native vegetation removal) may result in a fine as specified in Section 17.06.80.**

32. Section 17.60.20 contains permitted uses in the FSH overlay district and Section 17.60.40 contains the FSH review procedures. The applicant is not proposing any development within the FSH overlay district. **Any future development within the FSH overlay district shall require separate permit review. The applicant shall install tree protection fencing at the outer edge of the FSH overlay district prior to grading to ensure no development occurs within the FSH overlay area.** The submitted Tree Plan (Exhibit D, Sheet C6) states: "All dead or dying trees or vegetation that is hazardous to the public may be removed in accordance with Section 17.60.20." However, the applicant did not provide any additional information regarding the potential location of dead or dying trees or vegetation that is hazardous to the public. Staff does not find how any vegetation would be hazardous to the public considering the area is not open to the public. **The applicant shall not remove any living or dead trees or vegetation that is hazardous to the public from the FSH area without applying for an FSH review for their removal.** The grading plan does not indicate any grading will take place in the FSH overlay area, so staff assumes the applicant is not proposing to grade within the FSH. **The applicant shall not perform any grading activities or cut or fill in the FSH overlay area without applying for an FSH review for the grading/cut and fill.** The code does not allow removal of native vegetation from the FSH overlay nor does it allow planting non-native vegetation in the FSH overlay. **The applicant shall not remove any native vegetation from the FSH overlay area. The applicant shall not plant any non-native vegetation in the FSH overlay area.**

33. Section 17.60.30 outlines required setbacks for development around FSH areas. According to the topographic survey submitted with the application dated June 24, 2020 (Exhibit D, Sheets C4 and C5), no development is proposed within any of the required setback areas.

34. Section 17.60.50 contains requirements for special reports, including a hydrology and soils report, a grading plan, and a native vegetation report. The applicant submitted a Grading Plan (Exhibit D, Sheets C14 and C15) and a Wetland Delineation Report by Schott and Associates, LLC dated February 17, 2020 (Exhibit H) as well as DSL concurrence for the wetland report (Exhibit Q). The applicant did not submit a native vegetation report. The Director may exempt Type II permit applications from one of more of these reports where impacts are minimal, and the exemption is consistent with the purpose of the FSH overlay zone as stated in Section 17.60.00.

35. Section 17.60.60 contains approval standards and conditions for development in the restricted development areas of the FSH overlay district. The applicant's narrative (Exhibit B) did not address any of the criteria in Section 17.60.60.

36. Section 17.60.60(A.1) pertains to cumulative impacts and states "Limited development within the FSH overlay district, including planned vegetation removal, grading, construction, utilities, roads and the proposed use(s) of the site will not measurably decrease water quantity or quality in affected streams or wetlands below conditions existing at the time the development application was submitted." The applicant submitted a wetland delineation report along with concurrence from DSL (Exhibits H and Q) for tax lot 200. The wetland report identifies two wetlands and two streams on tax lot 200; one wetland and one stream are located in proposed Tract K and one wetland and one stream are located in proposed Tract L.

37. Section 17.60.60(A.2) pertains to impervious surface area and states, "Impervious surface area within restricted development areas shall be the minimum necessary to achieve development objectives consistent with the purposes of this chapter." **No impervious surfaces shall be located within the restricted development area.**

38. Section 17.60.60(A.3) pertains to construction materials and methods and states, "Construction materials and methods shall be consistent with the recommendations of special reports, or third-party review of special reports." **Future construction or development within the FSH overlay district shall require separate FSH review.**

39. Section 17.60.60(A.4) pertains to cuts and fills and states "Cuts and fills shall be the minimum necessary to ensure slope stability, consistent with the recommendations of special reports, or third-party review of special reports." The grading plan does not show any proposed grading within the FSH overlay area. **Future grading or other development activity within the FSH overlay district shall require separate FSH review.**

40. Section 17.60.60(A.5) pertains to minimizing wetland and stream impacts and states "Development on the site shall maintain the quantity and quality of surface and groundwater flows to locally significant wetlands or streams regulated by the FSH Overlay District." The applicant is proposing to add additional stormwater to the outflow in Tract L. **The applicant shall update the Geotech Report or submit an addendum to the Geotech Report that provides analysis of the new stormwater discharge.**

41. Section 17.60.60(A.6) pertains to minimizing loss of native vegetation and states "Development on the site shall minimize the loss of native vegetation. Where such vegetation is lost as a result of development within restricted development areas, it shall be replaced on-site on a 2:1 basis according to type and area. Two native trees of at least 1.5-inch caliper shall replace each tree removed. Disturbed understory and groundcover shall be replaced by native understory and groundcover species that effectively covers the disturbed area." The applicant is not proposing to remove any trees from the FSH overlay area nor is the applicant proposing to remove any native vegetation from the FSH overlay area. To better protect the vegetation within the FSH overlay area, **the applicant shall install tree protection fencing at the outer edge of the FSH overlay district**. **The applicant shall not damage or remove any native vegetation within the FSH overlay district. The applicant shall replace any disturbed understory or groundcover with native understory or groundcover species that effectively cover the disturbed area. The applicant shall retain a qualified arborist on-site for any work done within the critical root zone (1 foot per 1 inch DBH) of retention trees including those within the FSH area to ensure minimum impact to trees and native vegetation.**

42. Section 17.60.90 discusses water quality treatment facilities. The proposed detention ponds (Tracts J and O) are not located within the mapped FSH overlay area.

43. Section 17.60.100 contains density transfer provisions. Due to the density calculation from Chapter 17.30, this site does not qualify for density transfer under Chapter 17.60.

17.64 – Planned Developments

44. Chapter 17.64 contains regulations related to Planned Developments.

45. In accordance with Section 17.64.70, "When a Planned Development project has been approved, the official Zoning Map shall be amended by ordinance to denote the new 'PD' Planned Development overlay designation. Such an amendment is a ministerial act, and Chapter 17.26, Zoning District Amendments, shall not apply when the map is amended to denote a PD overlay."

46. Section 17.64.10 allows for combined review of a Conceptual Development Plan and a Detailed Development Plan. This section requires city approval of both conceptual and detailed development plans and allows for "combined review" of both types of plans. This application is for both conceptual and detailed development plan approval as provided in Section 17.64.10(A). The applicant has met all application requirements for concept and detailed development plan review, as evidenced by the finding that the application was deemed complete on August 5, 2020.

47. The Sandy Development Code does not contain specific language identifying the process for completing a combined review, but rather details the specifics of individual conceptual and detailed reviews.

48. Section 17.64.30(A) states that dimensional and/or quantitative standards of the Sandy Development Code may be varied through the PD review process. The Development Services Director advised the applicant to prepare a detailed list of "modifications" to SDC standards. The applicant believes that the unique nature of the site and amenities offered as part of the PD application warrant this flexibility. The applicant is requesting the following modifications to the development code:

    a. Section 17.34.10 lists permitted uses in the Single Family Residential zoning district. The applicant is proposing row houses and multi-family dwellings which are not listed as permitted outright uses. However, these uses are allowed in an approved PD.

    b. Section 17.34.30 requires lot sizes in the Single Family Residential zoning district to be at least 7,500 square feet. The applicant is proposing a variety of lot sizes: Of the single family detached lots, the applicant is proposing 50 lots between 3,400 and 4,999 square feet; 13 lots between 5,000 and 5,999 square feet; 12 lots between 6,000 and 7,499 square feet, and 13 lots greater than 7,500 square feet. Of the lots greater than 7,500 square feet, one is greater than 15,000 square feet, which is the maximum lot size allowed under Section 17.100.220(B) without needing to arrange lots to allow further subdivision. The single family attached lots range in size from 2,160 to 2,695 square feet.

    c. Section 17.34.30 requires a minimum average lot width to be 60 ft. The applicant is requesting a waiver to this requirement. Given that many lots do not meet the 7,500 square foot requirement, the applicant argues that this requirement is not possible to meet.

d. Section 17.34.30 requires interior yard setbacks of 7.5 feet. The applicant is requesting that this be reduced to five (5) feet on all lots.

e. Section 17.34.30 requires that rear yard setbacks be 20 feet. The applicant is requesting that this be reduced to 10 feet for lots 47-56 in the Lower Views and 15 feet for lots 84-86 and 88-102 in the Upper Views.

f. Section 17.100.120 requires a 400 foot maximum block length. The applicant is requesting three variances to this: a 691 foot block length on The Views Drive from Vista Loop Drive to Bonnie Street; a 665 foot block length on the north side of Bonnie Street; and an 805 foot block length on Knapp Street from Vista Loop Drive to Ortiz Street. According to the applicant, these block lengths are necessary to accommodate for the site layout.

49. Section 17.64.30(B) allows for a planned development to be established on any parcel of land, or on more than one parcel of land if those parcels are abutting. The subject property contains two abutting parcels. Per the definition of abutting in Chapter 17.10 of the Development Code: "Two or more lots joined by a common boundary line or point. For the purposes of this definition, no boundary line shall be deemed interrupted by a road, street, alley or public way, it being the intent of this definition to treat property lying on the opposite sides of a road, street, alley or public way as having a common boundary line or point."

50. Section 17.64.50, Open Space, requires that a minimum of 25 percent of the site be used as open space. The site is 32.87 acres; thus, the minimum open space dedication is 25 percent of 32.87 acres, or 8.25 acres. The applicant proposes 11.92 acres of total open space, including 8.25 acres of natural area open space and 3.68 acres of active recreation area. Rather than dedicating the open space to the City, the applicant proposes establishing a homeowner's association to own and maintain the open space areas as permitted by Section 17.86.50. **All private open space tracts shall have a note on the plat that states these tracts cannot be developed. The natural area open space tracts (Tracts I, K, and L) shall also be protected by a conservation easement or similar method.**

51. Section 17.64.60 describes allowed uses through the PD process. These uses include uses permitted in the underlying zoning district, as well as single-family detached, single-family attached dwellings (i.e. row houses), and multi-family dwellings, as proposed by the applicant.

52. Sections 17.64.70-90 are procedural in nature. Approval of The Views PD would result in an amendment to the Sandy Zoning Map, indicating that a PD has been approved on this SFR zoned land. The applicant and City have complied with all procedural requirements for conceptual PD approval, as discussed under Section 17.64.10, above.

53. The proposed public utility layout is provided solely to comply with the planned development submission requirements in Section 17.64.90(B)2. of the Sandy Municipal Code (SMC). **Approval of the land use application does not connote approval of the public improvement plans (which may be submitted and reviewed later) and shall not be considered as such.**

54. Section 17.64.100 sets forth Planned Development approval criteria. There are two relevant criteria: (a) consistency with the intent of the PD Chapter, as found in Section 17.64.00; and (b) compliance with the general provisions, development standards and application provisions of Chapter 17.64, Planned Developments.

    The "Intent" of the PD chapter is described in nine purpose statements. Staff does not interpret each of these statements as individual standards that must be met; rather, staff views these statements as goals that should be achieved through the PD review process. The purpose statements are as follows:

    I. Refine and implement village development patterns designated "V" on the Comprehensive Plan Map.
    II. Allow the relocation of zones within designated villages, provided that the overall intent of the village designation is maintained.
    III. Allow a mixture of densities between base zones within the planned development.
    IV. Promote flexibility in site planning and architectural design, placement, and clustering of structures.
    V. Provide for efficient use of public facilities and energy.
    VI. Encourage the conservation of natural features.
    VII. Provide usable and suitable recreation facilities and public or common facilities.
    VIII. Allow coordination of architectural styles, building forms and relationships.
    IX. Promote attractive and functional business environments in non-residential zones, which are compatible with surrounding development.

    The proposal includes a mix of densities in the form of single family detached residences, row homes, and multi-family housing. In addition, the proposal includes three open space natural areas in the lower views, as well as multiple recreational areas in the form of private park-like spaces and wider pedestrian areas. As indicated by the proposed homes (Exhibit K), the project includes two different townhome designs and 10 different single family home designs.

55. Sections 17.64.110-120(A) specifies graphic and narrative requirements and procedures for review of detailed development plans. All graphic requirements are met in the maps, figures, tables, and appendices provided with this application. Staff found the application complete on August 5, 2020. The applicant has elected to submit a combined conceptual and detailed planned development application, thus providing the public, Planning Commission, and the City Council with a complete understanding of exactly what is proposed in this application.

56. Section 17.64.120(B) specifies additional items that must be addressed in the detailed development plan. In addition to the narrative requirements specified for a Conceptual Development Plan, the Detailed Development Plan narrative shall also include:

    Proposals for setbacks or building envelopes, lot areas where land division is anticipated, and number of parking spaces to be provided (in ratio to gross floor area or number of units).

g. All of the items required by this section are included with the application package as shown on the Preliminary Plats and Building Setbacks and Parking Analysis sheets (Exhibit D).

Detailed statement outlining timing, responsibilities, and assurances for all public and non-public improvements such as irrigation, private roads and drives, landscape, and maintenance.

h. All open space and landscape areas will be commonly owned and maintained by a Homeowner's Association. Individual homeowners will be responsible for the lot area abutting adjacent public streets.

Statement addressing compatibility of proposed development to adjacent land uses relating to such items as architectural character, building type, and height of proposed structures.

i. The Lower Views shares a common boundary with a commercial business (Johnson RV), a large lot residential property in the city limits, and vacant properties outside the UGB. The Upper Views shares a common boundary with large lot residential and vacant properties and a multi-family development all within the city limits.

Statement describing project phasing, if proposed. Phases shall be:

- *Substantially and functionally self-contained and self-sustaining with regard to access, parking, utilities, open spaces, and similar physical features; capable of substantial occupancy, operation, and maintenance upon completion of construction and development.*
- *Properly related to other services of the community as a whole and to those facilities and services yet to be provided.*
- *Provided with such temporary or permanent transitional features, buffers, or protective areas as may be required to prevent damage or detriment to any completed phases and to adjoining properties not in the Planned Development.*

j. The applicant is proposing two phases. The Lower Views would be phase one and the Upper Views would be phase two. Each development site is generally independent of the other. The proposed phasing of The Views PD is discussed in further detail in Chapter 17.100 of this document.

17.66 – Adjustments & Variances

57. The applicant is requesting the following two Type III Special Variances:
    - Special Variance to Section 17.84.30(A) to not provide a sidewalk on multiple street frontages.
    - Special Variance to Section 17.82.20(A and B) to not have the front doors of the proposed lots adjacent to Highway 26 face Highway 26 with direct pedestrian connection from the front doors to the Highway 26 sidewalk.

58. To be granted a Type III Special Variance, the applicant must meet one of the flowing criteria in Section 17.66.80:

A. The unique nature of the proposed development is such that:
   1. The intent and purpose of the regulations and of the provisions to be waived will not be violated; and
   2. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.

B. The variance approved is the minimum variance needed to permit practical compliance with a requirement of another law or regulation.

C. When restoration or replacement of a nonconforming development is necessary due to damage by fire, flood, or other casual or natural disaster, the restoration or replacement will decrease the degree of the previous noncompliance to the greatest extent possible.

59. SIDEWALK ELIMINATION

Chapter 17.84 requires sidewalk and planter strips to be included with development. The applicant is requesting that this requirement be eliminated on the south side of The Views Drive from Vista Loop Drive to the alley and on the majority of the Highway 26 frontage. In addition, the applicant is proposing pedestrian walkways within private open space tracts rather than a traditional sidewalk in the public right-of-way along the south side of Vista Loop Drive, the north side of The Views Drive, and the south side of Bonnie Street.

South side of The Views Drive

Section 17.84.30(A) requires sidewalks to be provided on both sides of the street. On a local street, such as The Views Drive, the sidewalk is required to be a minimum of 5 feet in width separated from the curb by a minimum 5 foot wide planter strip. The requested variance to not provide a sidewalk on the south side of The View Drive does not meet the intent and purpose of this regulation. However, the applicant is proposing a wider pedestrian zone along the north side of The Views Drive, which includes a meandering walkway within an approximately 19-foot wide private open space tract (Tract E). This allows for trees to be planted on both sides of the path, creating an allée-like feel and enhancing the pedestrian environment and contributing to a more outstanding design than would be included in a typical subdivision. Thus, **Planning Commission recommends City Council approve the Special Variance request to not provide a sidewalk on the south side of The Views Drive with the condition that Tract E be designed as proposed (i.e. approximately 19 feet wide with sufficient planting space of at least 5 feet on either side of the meandering walkway to accommodate street trees on both sides of the walkway) and add a note to the plat indicating that Tract E cannot be developed.**

Walkways in private tracts along The Views Drive, Vista Loop Drive, and Bonnie Street

The applicant is proposing to include pedestrian amenities in the form of a meandering walkway located within a private open space tract rather than the traditional sidewalk in a public right-of-way on the following street frontages: the south side of Vista Loop Drive, the north side of The Views Drive, and the south side of Bonnie Street. The meandering walkways meet the intent of having a sidewalk and planter strip, provided sufficient space is provided for planting and the walkways are covered by a pedestrian easement. **Planning Commission recommends the City Council approve the requested special variance to provide meandering walkways within private open space tracts rather than a**

traditional sidewalk/planter strip in the public right-of-way with the condition that the tracts maintain a minimum width of 15 feet to accommodate a 5 foot wide walkway with an average of 5 foot wide planter strips on either side as well as a minimum width of 16 feet on Vista Loop Drive for a 6 foot sidewalk and 5 foot planter strips as Vista Loop Drive is a collector. The applicant shall include a pedestrian easement and a note on the final plat indicating that the meandering walkway tracts are not developable. Staff also recommends a condition that the meandering walkways in the open space tracts remain the responsibility of the homeowner's association. Consistent with sidewalks along street frontages, Planning Commission recommends a plat note or restrictive covenant be recorded that if the homeowner's association dissolves the responsibility to maintain and repair the meandering walkways and associated landscaping including street trees and groundcover shall shift to the adjacent property owners.

60. FRONT DOORS NOT FACING AND CONNECTED TO A TRANSIT STREET
The requirement of building entrances oriented to transit streets, such as Highway 26, is to provide a pleasant and enjoyable pedestrian experience by connecting activities within a structure to the adjacent sidewalk where transit amenities are located. The applicant requests a special variance to Chapter 17.82.20 to allow the front door of the future homes constructed on Lots 99 and 103-121 to face the internal local street network instead of Highway 26, a designated transit street. The applicant is also proposing a sound wall along Highway 26. This variance request is essentially asking that the front lot line be along the internal street network rather than Highway 26 and that the proposed sound wall can be 6 feet in height, which would be allowed if the Highway 26 lot line is the rear lot line. Though the section of Highway 26 along the subject property is currently in a 65 mph speed zone, it will eventually become urbanized and the speed limit will be reduced. Staff recognizes that proposed Lots 99 and 103-121 will not be allowed to take access from the highway and thus, that all garages and street parking will be located in the internal local street network. While the applicant could design the houses to have two front doors, staff recognizes that the front doors facing Highway 26 would essentially be false front doors, which is not the intent of the code. Thus, **Planning Commission recommends that the City Council approve the applicant's requested variance to not provide front doors facing Highway 26 with direct pedestrian connection from the front door to Highway 26 as required by Chapter 17.82. If approved, this variance request would establish Knapp Street as the front lot line for Lots 103-121 and Ortiz Street as the front lot line for Lot 99. Planning Commission recommends condition additional architectural, landscaping, and/or design features to enhance the appearance of the proposed sound wall from the Highway 26 right-of-way.**

61. Approval of a variance shall be effective for a 2-year period from the date of approval, unless substantial construction has taken place. The Planning Commission (Type III) may grant a 1-year extension if the applicant requests such an extension prior to expiration of the initial time limit. The variance approvals shall be consistent with the approved timelines for the subdivision phases.

17.74 – Accessory Development

62. Section 17.74.40 specifies, among other things, fence and wall height in front, side and rear yards. Walls in residential zones shall not exceed 4 feet in height in the front yard, 8 feet in

height in rear and side yards abutting other lots, and 6 feet in height in side and rear yards abutting a street. The proposal includes a sound wall along Highway 26, a retaining wall along the south side of The Views Drive, and a retaining wall along the north side of Lot 72. The sound wall along Highway 26 is proposed to be a 6 foot tall wall. The applicant is requesting a Special Variance to allow the front lot line for Lots 103-121 to be on Knapp Street and the front lot line for Lot 99 to be on Ortiz Street rather than Highway 26, which is reviewed in Chapter 17.66 of this document. If approved, the property line along Highway 26 would be the rear property line for Lots 103-121 and the side property line for Lot 99, both of which would permit a 6 foot tall wall.

63. The applicant proposes using a Verti-Crete wall system for the sound wall along Highway 26 in the Upper Views (Exhibit R). The wall panels have a ledge stone finish on both sides and the posts are Ashlar finished. The applicant proposes installing a six-foot tall wall. The posts are 20 inches by 20 inches. The posts and panels come to the site in a concrete gray color and are stained in the field after the wall is installed. The applicant proposes staining the wall "Nutmeg," which is a warm-toned brown. **Planning Commission recommends that additional vegetation is planted between the sound wall and the sidewalk to make it more pedestrian friendly and to soften the large concrete wall.**

17.80 – Additional Setbacks on Collector and Arterial Streets

64. Chapter 17.80 requires all residential structures to be setback at least 20 feet on collector and arterial streets. This applies to front, rear, and side yards. Vista Loop Drive is identified in the City's Transportation System Plan as a collector street. Highway 26 is a major arterial. As shown on the Block and Street Dimensions plan (Exhibit D, Sheets C8 and C9), it appears that all setbacks on lots adjacent to Vista Loop Drive and Highway 26 meet this requirement.

17.82 – Special Setbacks on Transit Streets

64. Section 17.82.20(A) requires that all residential dwellings shall have their primary entrances oriented toward a transit street rather than a parking area, or if not adjacent to a transit street, toward a public right-of-way or private walkway which leads to a transit street. A transit street is defined as a street designated as a collector or arterial. The Upper Views is located adjacent to Highway 26, a major arterial, and Vista Loop Drive, a collector. The lot for the multi-family structure in the Upper Views is proposed to be located adjacent to Vista Loop Drive. **Adherence to this code section for the future multi-family units will be determined in a future design review process.**

65. Twenty (20) single family homes (lots 99 and 103-121) are proposed adjacent to Highway 26. Because a substantial grade separation exists between the subject property and Highway 26 over a majority of the property, the applicant does not propose orienting these structures toward the highway but rather orienting these homes toward the internal street. The applicant is requesting a special variance to not have the front doors of the proposed houses along Highway 26 face Highway 26 with a direct pedestrian connection to the highway. The variance request is reviewed in Chapter 17.66 of this document.

66. Section 17.82.20(B) requires that dwellings shall have a primary entrance connecting directly between the transit street and building interior and outlines requirements for the pedestrian route. The applicant is requesting a special variance to not have the front doors of the

proposed houses along Highway 26 face Highway 26 with a direct pedestrian connection to the highway. The variance request is reviewed in Chapter 17.66 of this document. **Adherence to this code section for the future multi-family units will be determined in a future design review process.**

67. Section 17.82.20(C) requires that primary dwelling entrances shall be architecturally emphasized and visible from the transit street and shall include a covered porch at least 5 feet in depth. **The adherence to this code section for the future multi-family units will be determined in a future design review process.**

17.84 – Improvements Required with Development

68. Section17.84.20(A)(1) requires that all improvements shall be installed concurrently with development or be financially guaranteed. **All lots in the proposed subdivision will be required to install public and franchise utility improvements or financially guarantee these improvements prior to final plat approval. All ADA ramps shall be designed and inspected by the design engineer and constructed by the applicant to meet the most current PROWAG requirements.**

69. Section 17.84.30(A)(1) requires that all proposed sidewalks on the local streets will be five feet wide as required by the development code and separated from curbs by a tree planting area that is a minimum of five feet in width. All sidewalks on the internal streets in the Upper Views are proposed to be five feet wide separated from curbs by a landscape strip as required. All sidewalks in the Lower Views are also proposed to be five feet wide with the exception of a six-foot sidewalk proposed on the north side of The Views Drive entrance road from Vista Loop Drive to the proposed alley. The sidewalk is designed to connect to a six-foot meandering sidewalk constructed in front of the proposed row houses. A planned development modification as discussed in Section 17.64.30 has been proposed to modify the typical street section by shifting the road alignment to the southern edge of the right-of-way in order to allow for the construction of a meandering six-foot walkway in this location. The applicant is requesting a special variance to not provide sidewalks on some local street frontages. The special variance request is discussed in Chapter 17.66 of this document. **Planning Commission recommends a condition that the meandering walkways in the open space tracts remain the responsibility of the homeowner's association. Consistent with sidewalks along street frontages, Planning Commission recommends a plat note or restrictive covenant be recorded that if the homeowner's association dissolves the responsibility to maintain and repair the meandering walkways and associated landscaping including street trees and groundcover shall shift to the adjacent property owners.**

70. As required by Section 17.84.30(A)(2), six-foot sidewalks are proposed to be constructed along arterial and collector streets. As shown on the submitted plans (Exhibit D) all sidewalks adjacent to Vista Loop Drive, a collector street, are proposed to be six-feet wide. Unlike a typical street section, the sidewalk/walkway along Vista Loop Drive is proposed to meander along the road rather than be parallel to this road. Rather than provide sidewalks in the public right-of-way, the applicant is proposing six-foot-wide walkways in Tracts M and N adjacent to Vista Loop Drive. The applicant's request to not provide sidewalks on the

Vista Loop Drive frontage is a special variance. The special variance request is discussed in Chapter 17.66 of this document.

71. The applicant proposes a six foot wide sidewalk along the Highway 26 frontage of the site. The proposed sidewalk will be located adjacent to the proposed sound wall at the top of the slope.

72. In relation to Sections 17.84.30(B), 17.84.30(C), 17.84.30(D), and 17.84.30(E), the applicant is proposing sidewalk alternatives in multiple locations in the form of meandering pathways in private tracts.

73. Per the Public Works Director, **the applicant shall improve all public street frontages (including the Highway 26 right-of-way, and the street frontage of all tracts) in conformance with the requirements of 17.84.30 and 17.84.50**. The subject property contains frontage along Highway 26. The applicant's plan set shows a six-foot sidewalk is proposed to be constructed at the top of the bank along the site's entire highway frontage. The applicant's Engineer corresponded by email with the City's Public Works Director and an ODOT representative regarding if a curb will be required along the highway frontage. The Public Works Director indicated the decision on a curb is up to ODOT as they have authority over Highway 26. The ODOT representative stated that construction of a curb is not required along Highway 26 and construction of a sidewalk at the top of the bank is acceptable. With this, staff recommends the following condition: **Improvements adjacent to the site's Highway 26 frontage shall consist of a six-foot wide sidewalk constructed at the top of the bank, lighting, and street trees only as approved and permitted by ODOT.** The applicant requested Special Variance approval to only construct a curb on the south side of The Views Drive from the intersection of The Views Drive with Vista Loop Drive to the alley in the Lower Views.

74. Section 17.84.40(A) requires that the developer construct adequate public transit facilities. Per Exhibit X, **the proposed development will require a concrete bus shelter pad and a green bench (Fairweather model PL-3, powder-coated RAL6028). The required pad size is 7' x 9.5' and should be located at the northernmost corner of The View Drive and Vista Loop Drive. Engineering specifications are available from the Transit Department.**

75. Section 17.84.50 outlines the requirements for providing a traffic study. The applicant included a Traffic Impact Study (TIS) with the application (Exhibit F). The study did not identify any required mitigation. According to the traffic study, the proposed development would produce 109 peak AM trips, 136 peak PM trips, and 1,564 total daily trips. The findings from the City Transportation Engineer (Exhibit S) are expressly incorporated by reference into this document.

76. According to the TIS, the study intersections currently operate acceptably and are projected to continue to operate acceptably under year 2022 traffic conditions either with or without the addition of site trips from the proposed development. No queuing-related mitigations are necessary or recommended in conjunction with the proposed development. Based on the crash data, the study intersections are currently operating acceptably with respect to safety.

Based on the warrant analysis, no new traffic signals or turn lanes are recommended. ODOT states (Exhibit W) that the applicant shall provide additional space on Highway 26 to accommodate westbound right turning movements from Highway 26 onto Vista Loop Drive. Ard Engineering explains in the letter from October 27, 2020 the following:

> "In addition to the lack of a clear standard used to justify a request for improvements on Highway 26, it should be noted that a recent improvement has already been undertaken at the request of the Oregon Department of Transportation in anticipation of supporting residential development within the subject property. The prior configuration of the intersection of Highway 26 at Vista Loop Drive included a westbound slip lane which allowed vehicles to turn onto Vista Loop Drive at high speeds. At the request of ODOT, this slip lane was removed and the then-existing shoulder was widened by 6.75 feet immediately east of Vista Loop Drive (Exhibit QQ).
>
> This improvement project was required as part of a lot partition and residential development. The condition of approval carried onto both the approval for the Timber Valley Subdivision, and the Johnson RV expansion that occurred on another piece of the partitioned property. Since the condition was applied to both the residential development and the Johnson RV property, the first one to develop ultimately had to make the improvements. When Johnson RV constructed their parking lot expansion, they were required to bond for the street improvements and were required to complete the improvements by October 31, 2018. As a result, the conditioned improvements for Highway 26 at Vista Loop Drive were completed approximately 2 years ago. Notably, the Timber Valley Subdivision was approved on property that is now The Views. Accordingly, the completed mitigation was specifically intended to support residential development on the subject property.
>
> Since warrants are not met for intersection improvements at Highway 26 and Vista Loop Drive in conjunction with the proposed development and recent improvements at the intersection were specifically intended to support both development of the Johnson RV parking lot expansion and the residential development within what is now The Views property, it does not appear to be either appropriate or proportional to request a second round of intersection improvements in association with the current residential development proposal. Accordingly, we request that there be no condition of approval requiring further widening or improvements on Highway 26 at Vista Loop Drive."

Additionally, the City's traffic engineer provided further comment on November 30, 2020 (Exhibit AA) reiterating the lack of data required to warrant a dedicated right turn lane. Ard Engineering provided an additional memo on December 9, 2020 reiterating that traffic data does not show a need for a right turn lane (Exhibit PP). Staff and the City's traffic engineer agree with this analysis completed by Ard Engineering and do not recommend a condition associated with the right turning movement as requested by ODOT.

77. Intersection sight distance was evaluated for the proposed points of access along SE Vista Loop Drive. Based on the analysis it is projected that adequate site distance can be achieved for all access locations with clearing of vegetation from the roadside. No other sight distance mitigations are necessary or recommended.

78. The proposed development does not include any long straight street segments and is thus not required to follow the standards in Sections 17.84.50(C)(1) or (2).

79. Section 17.84.50(C)(3) requires that cul-de-sacs should generally not exceed 400 feet in length nor serve more than 20 dwelling units. Two cul-de-sacs are proposed in the Lower Views and a single cul-de-sac is proposed in the Upper Views. All three proposed cul-de-sacs are less than 400 feet in length. Additionally, none of the cul-de-sacs will serve more than 12 lots.

80. Section 17.84.50(D) requires that development sites shall be provided with access from a public street improved to City standards. All homes will gain access from a public street or a public alley improved to city standards or a private drive accessed from a public street. No off-site improvements have been identified or are warranted with the construction of this subdivision.

81. Section 17.84.50(E) requires that public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property. Temporary dead-ends created by this requirement to extend street improvements to the edge of the adjacent properties may be installed without turn-arounds, subject to the approval of the Fire Marshal. The proposed street layout results in one temporary dead-end street at the East end of the Lower Views. This street end includes sufficient room to accommodate fire equipment to turn around. The only existing street to be extended is Ortiz Street in the Upper Views, which is proposed to be located directly across Vista Loop Drive from the existing street. The applicant submitted a future street plan (Exhibit D, Sheet C10); however, it details the area north of Ortiz Street as future apartments and does not consider this area to lend itself to a traditional subdivision.

82. Section 17.84.50(F) requires that no street names shall be used that will duplicate or be confused with names of existing streets. The application includes proposed street names as shown on submitted plans (Exhibit D). **The applicant shall clarify if the street is intended to be named "The View Drive" or "The Views Drive" as both of these names are used on the application materials. All street names are subject to change prior to recording of the plat.**

83. Proposed streets meet the requirements of 17.84.50(H). The future street plan (Exhibit D, Sheet 1) shows that the proposed development will facilitate and not preclude development on adjacent properties, except with the possibility of the property north of Ortiz Street (i.e. Tax Map 25E18DC, Tax Lots 1000 and 1100). This is discussed in more detail in the subdivision approval criteria in Chapter 17.100 of this document. All proposed streets comply with the grade standards, centerline radii standards, and TSP-based right-of-way improvement widths with the exception of the portion of The Views Drive from the intersection with Vista Loop Drive to approximately the public alley which is proposed to be 31 feet wide. The applicant is requesting a reduction of the right-of-way in this location in order to shift the road to the south to construct a wider sidewalk on the north side of this street within a private landscaped tract. All proposed streets are designed to intersect at right angles with the intersecting street and comply with the requirements of Section

17.94.50.(H)(5). No private streets, with the exception of private drives, are proposed in the development.

84. The applicant has submitted a turning diagram demonstrating that there should be sufficient room for a 22 foot long vehicle to back out of a driveway (with an adjacent parked car in the driveway) and into the public alley with cars parked on the opposite side of the alley in a single motion without any conflict. **The garage face setback from the alley shall meet or exceed that shown in the turning diagram.**

85. **The various streets and public alleys shall include a minimum four-foot wide utility and sign easement on both sides to provide enough room for street name, traffic control and regulatory signage and utility pedestals, fire hydrants, water meters, etc.**

86. The plans detail all street intersections provide at least 50 foot tangents as required per 17.84.50(H)(5)(C). **The vertical design grade for landing at all the Tee intersections where controlled with "Stop" signs shall be no greater than 8 percent for a minimum of 50 feet or two car lengths.**

87. Section 17.84.60 outlines the requirements of public facility extensions. The applicant submitted a utility plan (Exhibit D, Sheets 12 and 13) which shows the location of proposed public water, sanitary sewer, and stormwater drainage facilities. Broadband fiber service will be detailed with construction plans. No private utilities are proposed. **All public sanitary sewer and waterline mains are to be a minimum of 8 inches in diameter and storm drains are to be a minimum of 12 inches in diameter. These shall 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.**

88. According to the applicant's supplemental memos regarding sanitary sewer capacity dated December 9, 2020 (Exhibits NN and OO), both the applicant and the city engineer anticipate adequate sewer capacity to accommodate new development:

> "New commercial/residential loads are minor by comparison to the [infiltration and inflow] impact, and adding additional development has a nearly negligible impact on the system loading" (Exhibit NN).

Additionally, the applicant suggests that SDC credits associated with the development will assist in paying for the City's existing plans to update the sanitary sewer system.

89. Franchise utilities will be provided to all lots within the proposed subdivision as required in Section 17.84.80. The location of these utilities will be identified on construction plans and installed or guaranteed prior to final plat approval. The applicant does not anticipate extending franchise utilities beyond the site. All franchise utilities other than streetlights will be installed underground. The developer will make all necessary arrangements with franchise utility providers. The developer will install underground conduit for street lighting.

90. Section 17.84.90 outlines requirements for land for public purposes. The only public easements anticipated with this development are public pedestrian access easements located

over sidewalks not located within a public right-of-way, trails within the private open space tracts, and the recreation area tracts. Eight-foot wide public utility easements will be provided along all lots adjacent to street rights-of-way for future franchise utility installations. **All easements and dedications shall be identified on the final plat as required**.

91. Section 17.84.100 outlines the requirements for mail delivery facilities. **The location and type of mail delivery facilities shall be coordinated with the City Public Works Director and the Post Office as part of the construction plan process.**

92. **SandyNet shall receive a set of PGE utility plans to design and return a SandyNet broadband deployment plan.**

93. There are two private storm drain lines crossing the proposed right-of-way of The Views Drive. These storm lines serve private developments to the south of the site. Private utility facilities serving single sites are not permitted in public rights-of-way. When the land use application for the private development south of the site was processed the City identified that the location of these lines would present a conflict if a public right-of-way was ever dedicated across these private lines. Staff believes there are three options available: 1) relocate these lines outside the public right-of-way; 2) Replace the existing lines with materials conforming to City standards or demonstrate that the pipeline materials comply with and were installed in conformance with City standards and dedicate these improvements as public; or, 3) Have the owner of the adjacent site served by these lines apply for a revocable permit to place private drainage facilities in a public right-of-way. **Since the exact location relative to proposed improvements in the right-of-way is unknown at this time the City will determine the most suitable option during construction plan review.**

94. **The proposed public sidewalks located outside of the street right-of-way shall provide lighting levels in conformance with City standards.**

95. **An ODOT Permit to Occupy or Perform Operations Upon a State Highway shall be obtained for all work in the State highway right-of-way.** When the total value of improvements within the ODOT right-of-way is estimated to be $100,000 or more, an agreement with ODOT is required to address the ownership, maintenance, and operations of any improvements or alterations made in highway right-of-way. An Intergovernmental Agreement (IGA) is required for agreements involving local governments and a Cooperative Improvement Agreement (CIA) is required for private sector agreements. The agreement shall address the project standards that must be followed, compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements, and any other ODOT requirements for project construction, including costs for ODOT staff time for project approvals, inspection, and completion.

17.86 – Parkland and Open Space

96. The applicant intends to pay a fee in lieu of parkland dedication as outlined in the requirements of Chapter 17.86. Section 17.86.10(2) contains the calculation requirements for parkland dedication. The formula is acres = proposed units x (persons/unit) x 0.0043. For the four single family homes, acres = 120 x 3 x 0.0043 = 1.548 acres. For the proposed

development of 39 multi-family units, acres = 39 x 2 x 0.0043 = 0.3354 acres. Combined, this totals 1.89 acres.

97. The applicant proposes paying a fee in lieu of parkland dedication. Based on 1.88 acres the parks fee in-lieu shall be $455,490 based on the City's current fee schedule if this payment is not deferred and paid prior to final plat approval, and $500,850 if half of the payment is deferred. If deferred, one-half of this amount ($250,425) is required to be paid prior to final plat approval with the other half ($250,425) evenly split and paid with each building permit. Because two of the lots are proposed to contain multi-family dwellings at a later date, the applicant requests the parks fee for these units be paid with the building permit for these units rather than at the time of final plat approval. If this proposal is accepted the amount of cash-in-lieu to be paid with the final plat would be based on the area of parkland required for the single family units which is 1.55 acres. This results in the following amounts 1.55 x $241,000 = $373,550 if paid prior to Final plat approval and 1.55 x $265,000 = $410,750 if one-half of the payment is deferred. The fee associated with the multi-family units 0.34 x $265,000 = $90,100 would be paid with the building permit for these units if that is the ultimate decision of the City Council.

98. As explained in the findings for Chapter 17.64, maintenance for the dedicated open space areas will be the responsibility of a Homeowners Association. **The applicant shall submit a draft agreement between the City and the HOA detailing the minimum maintenance requirements and responsibilities including a means for the City to remedy any failure to meet the agreed-upon standards. The agreement shall be finalized and recorded prior to plat approval and referenced on the face of the plat. Consistent with sidewalks along street frontages, staff recommends a plat note or restrictive covenant be recorded that if the homeowner's association dissolves the responsibility to maintain and repair the meandering walkways and associated landscaping including street trees and groundcover shall shift to the adjacent property owners.**

99. Per Section 17.86.50(5), in the event that any private owner of open space fails to maintain it according to the standards of the Sandy Municipal Code, the City of Sandy, following reasonable notice, may demand that the deficiency of maintenance be corrected, and may enter the open space for maintenance purposes. **All costs thereby incurred by the City shall be charged to those persons having the primary responsibility for maintenance of the open space.**

17.90 – Design Standards

100. Chapter 17.90 contains design standards for development based on type and zone. **All future buildings shall adhere to the design standards in Chapter 17.90.** Single family residences and row homes will be reviewed at building permit and multi-family buildings will be reviewed with a future design review application.

17.92 – Landscaping and Screening

101. Section 17.92.10 contains general provisions for landscaping. As previously determined by the Planning Commission, the City's tree protection standards in this section do not apply to residential subdivisions. Per Section 17.92.10(L), **all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing.**

102. 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 applicant did not submit a separate street tree plan but the conceptual plan (Exhibit L) details street trees along all of the proposed streets, except Highway 26. **The applicant shall update the street tree plan to detail street trees along Highway 26.** A majority of the streets include both street trees and trees in the front yards of the private property, which creates an allée of trees. The Landscape/Conceptual Plan (Exhibits L, M, and N) identifies tree species, size, and quantities of trees. The landscape/conceptual plan does not show much variety in tree species; for example, both sides of the entire length of Bonnie Street are proposed to have Japanese styrax. 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.** In addition, the applicant is proposing red maples along The Views Drive, public alleys, and cul-de-sacs. Due to concerns with Asian Longhorn Beetle and Emerald Ash Borer, staff are not recommending maples or ashes at this time. **The applicant shall update the plant palette to detail an alternate species for the red maple that is not a maple or an ash.**

103. 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 and other areas proposed to contain trees 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.**

104. **If the plan set changes 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 and shall be removed after one growing season (or a maximum of 1 year).**

105. Section 17.92.40 specifies that landscaping shall be irrigated, either with a manual or automatic system, to sustain viable plant life. The proposal includes numerous private tracts with landscaping. The applicant did not submit an irrigation plan nor did the applicant address Section 17.92.40 in the narrative. **The applicant shall submit an irrigation plan.**

106. Section 17.92.50 contains standards related to types and sizes of plant materials. The applicant submitted a plant key (Exhibit O) and landscape plans (Exhibits L, M, and N) that detail plant sizes in compliance with this section. Section 17.92.50(B) encourages the use of native plants or plants acclimatized to the PNW. The applicant is proposing two species of *Prunus* that are nuisance species: *Prunus laurocerasus* 'Otto Luyken' and *Prunus lusitanica*. **The applicant shall update the plant palette to include two alternate species**

to replace the nuisance *Prunus* species. Chapter 17.60 requires that any plants planted in the FSH overlay area are native. **The Landscape Plan shall detail native plants for all vegetation planted in the FSH overlay area and native or PNW acclimatized pollinator friendly species for all vegetation planted in the recreation tracts and private walkway tracts.** Staff recommends the following native or PNW acclimatized pollinator species:

- Trees: *Rhamnus purshiana, Prunus virginiana, Amelanchier alnifolia, Malus floribunda*
- Shrubs: *Ceanothus spp., Berberis aquifolium, Perovskia atriplicifolia, Solidago canadensis, Helenium autumnale, Agastache foeniculum*
- Groundcover: *Eschscholzia californica, Madia elegans, Symphyotrichum subspicatum*

107. The applicant submitted a conceptual plan that details extensive landscaping in the proposed private open space tracts and stormwater tracts. The inclusion of the recreation area tracts and the wider, more pedestrian friendly walkways with an allée of trees are two elements that set this planned development apart from a typical subdivision. On the streets where the meandering walkways with allées of trees are not proposed, the applicant is detailing additional trees planted in the front yards of houses to continue the allée feel. In addition, the proposal details trees in the rear yards of Lots 103-121, which will help buffer the noise from the highway, and trees in the public alley and private drives. **The applicant shall install landscaping in the private open space tracts, front yards, rear yards, public alleys, and private drives as detailed on the submitted conceptual plan and in accordance with the requirements for the updated landscape plan.** The applicant is proposing three natural area open space tracts, one of which will have a trail, which is a permitted use in otherwise undeveloped open space. The applicant is also proposing four recreation area tracts, which are proposed to contain sports courts and/or playground equipment. **The applicant shall install the proposed sports courts and playground equipment per the conceptual plan and prior to recording the plat of the associated phase. The applicant shall submit details on the sports courts and playground equipment to staff for review and approval.**

108. 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.**

109. **Landscaping requirements for the multi-family units will be addressed with a subsequent design review application.**

17.98 – Parking, Loading, and Access Requirements

110. Section 17.98.10(M) requires that the developer provide a Residential Parking Analysis Plan. This plan identifying the location of parking is included in Exhibit D, Sheet 10.

111. Section 17.98.20(A) requires that each single family dwelling unit is required to provide at least two off-street parking spaces. **Compliance with this requirement will be evaluated during building plan review. Parking for the proposed multi-family units will be evaluated as part of a future design review application.** Section 17.98.60 has specifications for parking lot design and size of parking spaces. No lots are proposed to gain access from an arterial or collector street (Section 17.98.80).

112. Section 17.98.100 has specifications for driveways. **The minimum driveway width for a single-family dwelling shall be 10 feet and the maximum driveway approach within the public right-of-way shall be 24 feet wide measured at the bottom of the curb transition.** Shared driveway approaches may be required for adjacent lots in cul-de-sacs in order to maximize room for street trees and minimize conflicts with utility facilities (power and telecom pedestals, fire hydrants, streetlights, meter boxes, etc.). As shown on the applicant's submittal (Exhibit D), allowing each cul-de-sac lot to be accessed by a separate driveway complies with the requirements of this section. Additionally, all driveways will meet vertical clearance, slope, and vision clearance requirements. All driveways appear to meet these criteria, but this will be verified at time of building permit submission and prior to excavation for the footings. Per Section 17.98.100(G), **the sum of the width of all driveway approaches within the bulb of a cul-de-sac as measured in Section 17.98.100(B) shall not exceed fifty percent of the circumference of the cul-de-sac bulb.** The applicant submitted additional analysis (Exhibit FF) showing that cul-de-sacs in the development comply with this standard. This requirement is satisfied. Per Section 17.98.100(I), **driveways shall taper to match the driveway approach width to prevent stormwater sheet flow from traversing sidewalks.**

113. Section 17.98.110 outlines the requirements for vision clearance. **The requirements of this section will be considered in placing landscaping in these areas with construction of homes and will be evaluated with a future design review application for the multi-family units.**

114. 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.**

115. Section 17.98.200 contains requirements for providing on-street parking spaces for new residential development. Per Section 17.98.200, one on-street parking space at least 22 feet in length has been identified within 300 feet of each lot as required. Exhibit D, Sheet 10 shows that a minimum of 120 on-street parking spaces have been identified in compliance with this standard. No parking courts are proposed by the applicant.

17.100 – Land Division

116. 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.**

117. A pre-application conference was held with the City on May 29, 2019 per Section 17.100.60(A). The pre-app notes are attached as Exhibit BB.

118. As required by Section 17.100.60(E), the proposed subdivision is designed to be consistent with the density, setback, design standards, and dimensional standards in the SFR zoning district with the exception of the requests as part of the Planned Development. Dimensional and/or quantitative variations to development standards are permitted as part of the PD process per Section 17.64.30(A). See findings for Chapter 17.64 in this document.

119. Section 17.100.60(E)(2) requires subdivisions to be consistent with the design standards set forth in the 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.

120. 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. Given the requirements in Section 17.100.100(E), the site specific conditions of the subject property, particularly the location of the FSH overlay area, limits construction of an interconnected street system. The only existing street to be extended is Ortiz Street in the Upper Views, which is proposed to be located directly across Vista Loop Drive from the existing street. The applicant submitted a future street plan (Exhibit D, Sheet C10); however, it details the area north of Ortiz Street as future apartments and does not consider this area to lend itself to a traditional subdivision.

121. 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, sanitary sewer and stormwater are available or will be constructed by the applicant to serve the subdivision. As detailed on the submitted plans and because of the depth of the existing sewer line in Vista Loop, eleven lots in the Lower Views (Lots 39-46 and 61-63) and five lots (Lots 96-100) in the Upper Views will require installation of individual grinder sump systems to pump sanitary waste from these dwellings to a gravity sewer line.

122. Section 17.100.60(E)(5) requires all proposed improvements to meet City standards through the completion of conditions as listed within this document and as detailed within these findings. The detailed review of proposed improvements is contained in this document.

123. 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 proposes building The Lower Views as Phase 1 and The Upper Views as Phase 2.

124. Section 17.100.80 provides standards for denial of a development application due to physical land constraints. A significant portion of the Lower Views is affected by the FSH overlay identified by the City of Sandy. The applicant does not propose any development within this area. A Geotechnical Evaluation (Exhibit I) for the property is included with the application package. Except for the areas designated as open space, all areas of the Lower Views and all of the Upper Views property are suitable for development and do not pose any issues due to flooding.

125. The subject property abuts Highway 26 and notification of the proposal was sent to ODOT as required by Section 17.100.90. ODOT's comments are included as Exhibit W. One of ODOT's comments reads as follows: "The proposed land use notice is to construct 128 single family residential units and 48 [sic] multi-family units within the vicinity of the US 26/Vista Loop Drive intersection. The "Upper Views" site is located adjacent to the highway. ODOT has review the Traffic Impact Study prepared by Ard Engineering for the development. The development will increase the number of vehicles turning right onto Vista Loop Drive from the highway. The posted speed on the highway is 55 mph and vehicles making this turning movement must to slow down significantly to safely make the turn. Due to the high speed of through traffic, increasing the number of vehicles turning from the through lane onto Vista Loop Drive is a safety concern. In order to separate the right turning vehicles from the through movement, ODOT recommends that the city require the applicant to provide space for right turning vehicles to utilize while turning right onto Vista Loop Drive." After additional discussion with the City Transportation Engineer, prior to conditioning additional asphalt area for turning movements, he recommends the applicant's transportation engineer provides further analysis to be reviewed by ODOT and the City of Sandy. This analysis by Ard Engineering is contained in Exhibit F and explained in further detail in Chapter 17.84 of this document.

126. As required by Section 17.100.100(A), a traffic impact study prepared in compliance with the City standards was submitted with the application (Exhibit F). This study does not identify any issues requiring mitigation by the applicant. The findings from the City Transportation Engineer (Exhibit S) are expressly incorporated by reference into this document. None of the special traffic generators listed in Section 17.100.100(B) are located near the subject site.

127. While Section 17.100.100(C) calls for a rectangular grid pattern, due to topographic constraints in the Lower Views and existing infrastructure in the Upper Views (Highway 26 and Vista Loop Drive) the site does not lend itself to creating a rectangular gridded street pattern.

128. Section 17.100.100(E) requires applicants to provide a future street plan within a 400 foot radius of the subject property(ies). Given the requirements in Section 17.100.100(E), the site specific conditions of the subject property, particularly the location of the FSH overlay area, limits construction of an interconnected street system. The only existing street to be extended is Ortiz Street in the Upper Views, which is proposed to be located directly across Vista Loop Drive from the existing street. The applicant submitted a future street plan (Exhibit D, Sheet C10); however, it details the area north of Ortiz Street as future

apartments and does not consider this area to lend itself to a traditional subdivision. **The Planning Commission needs to determine if an additional street stub or pedestrian access shall be extended north (i.e. in the location of Lots 91 and 92).**

129. Section 17.100.120(A) requires blocks to 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. All blocks within the proposed subdivision have sufficient width to provide for two tiers of lots as required in Section 17.100.120(A), with the exception of blocks along Highway 26 and blocks adjacent to the FSH overlay district. The unique character of the site does not lend itself to creating blocks with two tiers due to the existing location of Highway 26 and the FSH overlay area.

130. Section 17.100.120(B) requires that blocks fronting local streets shall not exceed 400 feet in length, although blocks may exceed 400 feet if approved as part of a Planned Development. Due to site specific and topographic conditions, all streets do not comply with the 400 foot block length standard. The applicant is requesting an exception to this standard as part of the Planned Development request as identified in Chapter 17.64 of this document.

131. Section 17.100.120(D) requires that in any block 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. The applicant proposes establishing a ten foot wide sidewalk within a 15-foot wide pedestrian access easement in the middle of Knapp Street to provide a sidewalk connection from this street to Vista Loop Drive. In order to provide sufficient room for landscaping, **the walkway shall be shifted to one side of the 15 foot wide pedestrian access easement to accommodate a landscaping strip that is at least 5 feet in width with trees.**

132. As required by Section 17.100.130, eight-foot wide public utility easements will be included along all property lines abutting a public right-of-way. Eight foot wide public utility easements shall be included along all property lines abutting a public right-of-way. Only public pedestrian access easements will be needed to allow public access along some of the sidewalks located within private tracts. Staff does not believe that any other easements for public utility purposes are required but will verify this during construction plan review. **Preliminary plat approval does not connote utility or public improvement plan approval including easement locations which will be reviewed and approved separately upon submittal of public improvement construction plans.**

133. Section 17.100.140 requires that public alleys shall have a minimum width of 20 feet. A 28-foot wide paved alley within a 29-foot public right-of-way is proposed in the Lower Views. This alley is designed to provide access to the 32 single family detached dwellings abutting this right-of-way. The proposed alley width is designed to accommodate public parking on the south side of the alley. The proposed alley widths include Type C vertical curb with 7 inch exposure per the street sections diagram.

134. Section 17.100.150 outlines requirements for residential shared private drives. A shared private drive is intended to provide access to a maximum of two dwelling units. One of the following two criteria must be met: Direct access to a local street is not possible due to

physical aspects of the site including size, shape, or natural features; or the construction of a local street is determined to be unnecessary. As shown on submitted plans the Lower Views includes three private drives serving two lots each. These private drives are proposed due to the topographic constraints with the subject property. The design of the lots should be such that a shared access easement and maintenance agreement shall be established between the two units served by a shared private drive, public utility easements shall be provided where necessary in accordance with Section 17.100.130, and shared private drives shall be fully improved with an all weather surface (e.g. concrete, asphalt, permeable pavers) in conformance with city standards. The pavement width shall be 20 feet, and parking shall not be permitted along shared private drives at any time and shall be signed and identified accordingly. The proposed three private drives in the Lower Views are designed to serve only two lots each as permitted. **A shared access easement and maintenance agreement shall be established for each private drive as part of the Final Plat.** Public utility easements will be accommodated along these private drives as necessary to serve these lots. As shown on submitted plans each private drive is proposed to include a 20-foot wide all weather surface within a 21-foot wide tract and shall be posted "no parking."

135. Section 17.100.170 outlines requirements for flag lots. Lots 103 and 104 are proposed as flag lots. Both lots contain a minimum 15 feet of street frontage as required.

136. Section 17.100.180(A) requires that intersections are designed with right angles. All streets in the proposed subdivision have been designed to intersect at right angles to the opposing street as required.

137. All streets in the proposed subdivision have a minimum curve radius as required by Section 17.100.180(B).

138. **A lighting plan shall be coordinated with PGE and the City as part of the construction plan process and prior to installation of any fixtures as required by Section 17.100.210.**

139. All lots in the proposed subdivision have been designed so that no foreseeable difficulties due to topography or other conditions will exist in securing building permits on these lots as required by Section 17.100.220(A).

140. Section 17.100.220(B) requires that 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 applicant may be required to arrange such lots to allow further subdivision and the opening of future streets to serve such potential lots. As allowed by Chapter 17.64 for Planned Developments, the applicant has proposed modifications to the minimum lot size and dimension standards specified in the Single Family Residential zone. Only Lot 62 (16,694 square feet) is proposed to contain more than double the minimum lot size (7,500 square feet) in the SFR zone. Due to its location and topographic constraints no further division of this lot is possible and therefore staff supports the proposed square footage of Lot 62.

141. Section 17.100.220 states that all new lots shall have at least 20 feet of street frontage. All lots in the proposed subdivision contain at least 20 feet of frontage along a public street with

the exception of one flag lot and the six lots that are proposed to be accessed by three private drives.

142. Only Lots 99 and 103-121 are designed to have frontage on both an internal local street (Knapp Street) and Highway 26. This configuration is unavoidable because of the location of Highway 26 and limitations for access to this roadway and is thus allowed as required by Section 17.100.220(D).

143. The applicant shall install all water lines and fire hydrants in compliance with the applicable standards in Section 17.100.230, which lists requirements for water facilities.

144. The applicant intends to install sanitary sewer lines in compliance with applicable standards in Section 17.100.240. As noted above, because of the depth of the existing sanitary sewer in Vista Loop, 11 lots in the Lower Views (Lots 39-46 and 61-63) and five lots (Lots 96-100) in the Upper Views will require installation of a grinder sump system installed at each of these dwellings to pump sanitary sewer waste from these dwellings to a gravity sanitary sewer line in the development.

145. Section 17.100.250(A) details requirements for stormwater detention and treatment. A stormwater water quality and detention facility is proposed to be located in the eastern portion of the Lower Views and the western area of the Upper Views as shown on submitted plans. These facilities have been sized and located to accommodate public stormwater generated by the subdivision. A stormwater report (Exhibit E) is included with this application as required. Stormwater calculations are found to meet the water quality/quantity criteria as stated in the City of Sandy Development Code 13.18 Standards and the 2016 City of Portland Stormwater Management Manual 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**.

146. **The detention ponds shall be constructed to meet the requirements of the 2016 City of Portland Stormwater Management Manual for landscaping Section 2.4.1 and escape route Section 2.30. The access to the detention ponds shall be paved of an all-weather surface to a minimum of 12-foot in width per the 2016 City of Portland Stormwater Management Manual.**

147. 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.**

148. Section 17.100.270 requires that sidewalks shall be installed on both sides of a public street and in any special pedestrian way within the subdivision. Sidewalks will be installed on both sides of all streets with the exception that a sidewalk is proposed to be constructed on only the north side of The View Drive from its intersection with Vista Loop Drive to the proposed public alley. The applicant is proposing this design to allow the road surface to be shifted to the south side of the public right-of-way to construct a six-foot sidewalk within a widened landscaped buffer. The applicant believes this design will provide a more aesthetically pleasing and desirable environment for pedestrians walking between the upper

and lower parts of the development. The roadway width in this location will be 28 feet wide in compliance with city standards.

149. Planter strips will be provided along all frontages as required in Section 17.100.290. Street trees in accordance with City standards will be provided in these areas. **The applicant shall provide a revised street tree plan with alternative species as explained in Chapter 17.92 of this document.**

150. Grass seeding shall be completed as required by Section 17.100.300. Grass seeding will be completed as required by this section. The submitted erosion control plan (Exhibit D) provides additional details to address erosion control concerns. **A separate Grading and Erosion Control Permit will be required prior to any site grading.**

17.102 – Urban Forestry

151. Section 17.102.20 contains information on the applicability of Urban Forestry regulations. An Arborist Report by Todd Prager of Teragan & Associates (ASCA Registered Consulting Arborist #597, ISA Board Certified Master Arborist, WE-6723B, ISA Qualified Tree Risk Assessor) is included as Exhibit G. The arborist inventoried approximately 530 trees. The inventory is included in Exhibit D, Sheet 6 and the proposed retention trees are shown in Exhibit D, Sheet 7.

152. The property contains 32.87 acres requiring retention of 99 trees 11 inches and greater DBH (32.87 x 3 = 98.61). The submitted Tree Retention Plan (Exhibit D Sheets C6 and C7) identifies 219 trees that will be retained. Of the 219 trees proposed for retention, 105 are 11 inches DBH or greater and in good condition as required. Five (5) of the proposed retention trees are nuisance species: Tree #149 is an English holly and Trees #223, 224, 225, and 227 are sweet cherries. In addition, 76 of the 105 trees (72 percent) are conifer species as preferred by Section 17.102.50(4). The applicant submitted a supplemental Tree Protection Plan and Table prepared by the project arborist that details an additional seven (7) retention trees within the FSH overlay district that weren't previously inventoried that meet retention tree standards and aren't nuisance species. With these additional seven retention trees, the applicant is proposing to retain 101 trees that meet the retention standards and aren't nuisance species.

153. No trees are proposed to be removed within the FSH overlay area. **The applicant shall not remove any trees from the FSH overlay area.**

154. The Arborist Report (Exhibit G) provides recommendations for protection of retained trees including identification of the recommended tree protection zone for these trees. The requirements of Section 17.102.50(B) will be complied with prior to any grading or tree removal on the site. 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 arborist report details a root protection zone radius of 1 foot per 1 inch DBH and a minimum construction setback radius of 0.5 feet per 1 inch DBH. **The applicant shall install tree protection fencing at the critical root zone of 1 foot per 1 inch DBH to protect the 101 retention trees on the subject property as well as all trees on adjacent properties. 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. Up to 25 percent of the area between the minimum root protection zone of 0.5 feet per 1-inch DBH and the critical root zone of 1 foot per 1 inch DBH may be able to be impacted without compromising the tree, provided the work is monitored by a qualified arborist. The applicant shall retain an arborist on site to monitor any construction activity within the critical root protection zones of the retention trees or trees on adjacent properties that have critical root protection zones that would be impacted by development activity on the subject property. The applicant shall submit a post-construction report prepared by the project arborist or other TRAQ qualified arborist to ensure none of the retention trees were damaged during construction.**

To ensure protection of the required retention trees, **the applicant shall record a tree protection covenant specifying protection of all retention trees, including trees in the FSH Overlay per the recommendations of the applicant's arborist report of 1 foot per 1 inch DBH. The tree protection covenant shall specify limiting removal of the retention trees 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 consistent with the applicant's arborist report. 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.**

155. The arborist report contains additional recommendations related to tree protection, directional felling, stump removal, tree crown protection, monitoring of new grove edges, and sediment fencing. **The applicant shall follow the recommendations outlined in the arborist report related to tree protection, directional felling, stump removal, tree crown protection, monitoring of new grove edges, and sediment fencing.**

15.30 – Dark Sky

156. 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

157. The applicant submitted a Geotechnical Report (Exhibit I) prepared by Redmond Geotechnical Services dated May 15, 2020. **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.**

158. **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.**

159. 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.**

160. Development at both the 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.**

POSSIBLE MOTIONS

1) Motion Option A: Approve the requested application with conditions and findings as recommended by the Planning Commission. If you select this option, please also make a motion to either have Mayor Pulliam review the final order as drafted by staff or have the final order with the full conditions list come back before the City Council for consideration.

2) Motion Option B: Approve the application with conditions and findings determined by the City Council. If you select this option, staff recommends to have the final order with the full conditions list come back before the City Council for consideration.

3) Motion Option C: Deny the application based on code criteria that you find are not satisfied.

4) Motion Option D: Ask the applicant to revise the proposal, extend the 120-day clock, and come back before the City Council at a future date with a revised proposal. If you select this option, staff prefers not to determine the continuance date at this time.

5) Motion Option E: Continue the hearing to a future City Council date to continue Council dialogue prior to issuing a decision. If you select this option, staff prefers you choose a date for the continuance on February 16, 2021 so that additional public notice and legal notice is not required.

EXHIBIT PPPP

Schwabe
WILLIAMSON & WYATT®

February 17, 2021

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VIA E-MAIL

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

RE: City of Sandy File No. 20-28; The Views SUB/VAR/TREE/FSH/PD/ZC; Letter on Behalf of the Applicant Extending the 120-day Period in ORS 227.178(1)

Dear Mayor Pulliam and City Council Members:

This office represents Even Better Homes, LLC, the Applicant. This letter is the Applicant's extension of the 120-day period in ORS 227.178(1) by fourteen days from March 1, 2021 to March 15, 2021. The Applicant has granted this extension based on the City Council's continuance of the public hearing from February 17, 2021 to March 1, 2021 at 6:00 PM and its closure of the public hearing to persons other than the Applicant answering questions from the City Council based on the record as of February 17, 2021.

No one objected to the City Council closing the public hearing to persons other than the Applicant as described above.

Very truly yours,

Michael C. Robinson

MCR:jmhi

cc: Mr. Kelly O'Neill *(via email)*
Ms. Shelley Denison *(via email)*
Mr. Chris Crean *(via email)*
Mr. Mac Even *(via email)*
Mr. Mike Ard *(via email)*
Mr. Tracy Brown *(via email)*
Mr. Ray Moore *(via email)*

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Exhibit QQQQ - Letter extending 120-day period (February 17, 2021)

EXHIBIT QQQQ

The Views - Applicant Responses to Councilor Hokanson's and Councilor Exner's Questions	
Question/Comment	**Applicant Responses**
Paragraph 23 Please keep the units consistent. Acres and square feet were interchanged in the same paragraph and the subsequent calculations.	This question was answered by City staff.
Paragraph 26 I find this statement either irrelevant or unsubstantiated. If it is relevant, then I would like to understand what sections of the code would apply, what additional approvals would be required. In other words, if this is a real concern please state why. In fact I think that if the applicant requests more than 25% increase to the density, that additional criteria is called out in Section 17.64.40 to include " is outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning." That might have been relevant here.	This question was answered by City staff.
Paragraph 32 In regards to "Staff does not find how any vegetation would be hazardous to the public considering the area is not open to the public", areas in the FSH may not be open to the public now, but I assume they will be accessed when residents move in. Hazardous trees should be required to be removed as part of the development regardless of whether they are currently open to the public. Kids will go into the woods - let's plan on making them as safe as possible.	This question was answered by City staff.
Paragraph 35 Is this comment boilerplate or is there something I should be aware of. I thought Paragraph 33 stated there would be no development within the	This question was answered by City staff.
Paragraph 41 See paragraph 32.	This question was answered by City staff.
Paragraph 43 Not sure what this is supposed to mean when it states "does not qualify." The calculations used in 17.30 take into account the density transfer provisions specified in 17.60.100. That is where the 1.5 in the formula comes from	This question was answered by City staff.
Paragraph 48(a) If the PD were denied, would the process for the developer/landowner be to pursue a zoning change to R1 in order to allow row houses and attached/zero lot line dwellings? And to be clear, those structures are not allowed as a conditional use under SFR.	This question was answered by City staff.

Paragraph 48(b) and 48(c) How do these lot sizes and frontages compare to other (if any) PDs that were overlaid on SFR? Overlaid on other zones? What is the story of the 15,000 sq ft lot?	The majority of this question was answered by City staff. To elaborate on the question about Lot 62 containing over 16,000 square feet - As shown on submitted plans, the topography and shape of the property with the road layout resulted in a larger lot in this location. Because of these constraints further division of this lot is not possible.
Paragraph 48(d) and 48(e) Why would we allow this? Setbacks are a key element of quality of life. (I will note that in the application there is additional details stating why certain setbacks are requested - I would think these details are pertinent to the discussion and staff recommendation.) Essentially what would the development look like if these setbacks were denied? How would the quality of life for the residents be degraded?	*48(d) As detailed in the project narrative and project plans, the applicant proposes reducing the interior side yard setback on all lots to five feet and the rear yard setbacks on certain lots. These variations are requested to provide greater flexibility in building design and placement. The applicant believes the physical constraints of the siteand amenities offered as part of the PD warrant an extra degree of flexibility in placing homes on these lots and selecting home designs. These deviations are allowed by the PD because even though the density is the same as the base zone, the trade off is between flexible design through different lot dimensions and sizes and the provision of increased open space and amenities.*
Paragraph 48(f) Does the planning department have any concern with this?	This question was answered by City staff.
Paragraph 50 How is it in the city's best interest to allow private ownership of open spaces? Is this a deviation from code or up to the developer?	As permitted by Section 17.86.50 the applicant proposes a Homeowner's Association to own and maintain all open space areas. Exhibit Z of the record from the Parks Board recommends the city collect a fee in lieu of parkland dedication.

Paragraph 54 I agree with the applicant's attorney that the rule of intent sections (or recitals in a contract) are not generally binding - unless someone writes in a clause that explicitly references them (similar to how an exhibit would be referenced in a contract). Therefore I believe that the criteria are laid out in the intent section (17.64.00). If we don't want it to be interpreted this way, then planning should propose a change to the code. Regarding the specific intent statements: It would appear that only IV, VI, VII, and VIII might apply to this application? Did the applicant offer any justification or statements regarding meeting any of these intents? (Required in 17.64.90(C.1)) In regards to (IV) Promote flexibility in site planning and architectural design, placement, and clustering of structures: This intent can only be meaningful in a PD where there are multiple zones within the PD. Otherwise the applicant would not need the PD. In regards to (VII) Provide usable and suitable recreation facilities and public or common facilities: What constitutes a recreation facility? And how should "public" be interpreted? Does this mean deeded to the city or just unfenced? Is it open to all public or just homeowners? In regards to (VIII) Allow coordination of architectural styles, building forms and relationships: I see no evidence that there is any coordination above what is required by "Sandy Style." Am I missing something? So what is the compelling motivation to grant a PD and undermine the comp plan and the current zoning? Based on the Q&A responses of the Planning Commission, it would appear that they had significant reservations about many aspects of this PD.	This question was answered by City staff.
Paragraph 56(h) Please note that the paragraph number (g) and (h) appear to be random in this section. In regards to the HOA, how will the multi-family (I assume rentals?) be factored into the HOA membership? Simply identifying an HOA does not address the "detailed statement outlining… responsibilities, and assurances."	This question was answered by City staff.

Paragraph 56(i) What is the plan for long-term buffer/screening from Johnson RV?	The submitted Landscape Plan Sheet L-2 shows landscaping between these two uses.
Paragraph 57 Why grant the sidewalk variance? If this was outside of a PD, standard SFR, would we grant the variance?	This question was answered by City staff.
Paragraph 58 How/why are children safer with only one sidewalk? How would this not be materially detrimental to the public welfare? Are there other requirements/regulations driving this that have a higher priority? If not it would appear this clause has not been met.	As detailed in the narrative with this request, the applicant believes these facilities will provide a more pleasant and unique pedestrian experience for the residents and visitors of the Planned Development. The proposed amenities are more then adequate to serve pedestrian volumes anticipated to use these facilities and the needs of this neighborhood. In addition, also noted in the narrative, the applicant believes these facilities will enhance the pedestrian experience for residents and visitors of the development and will have no affect on adjoining properties. There is no evidence in the record from the City's Traffic Consultant, City Engineer and or Public Works noting any danger to pedestrians, let alone children and meandering sidewalks place pedestrians further away from busy street.
Paragraph 59 How will a meandering walkway on Vista Loop enable or hinder bike traffic? With all of the on-street parking on Vista Loop today, will bikers be inclined to hop on a sidewalk? In regards to elimination of the sidewalk on Highway 26 (Is this really eliminated or is it just a portion? Paragraph 71 identifies it as in), this seems to conflict with a number of points in the code including: 17.84.30 PEDESTRIAN AND BICYCLIST REQUIREMENTS, Paragraphs (A), (B), and (E) 17.100.280 BICYCLE ROUTES	As detailed in the narrative with this request, the intent of the proposed meandering sidewalks is to create an enhanced pedestrian environment for residents and visitors walking within and between the Upper and Lower Views portions of the development. As shown on submitted plans, a sidewalk is proposed at the top of the bank along the Highway 26 frontage. There is no evidence in the record the proposal will hinder bicyclists. The applicant can work with Public Works on the specific design of these facilities.
Paragraph 71 Help me understand where the sidewalk is being requested to be eliminated on Hwy 26.	This question was answered by City staff.
Paragraph 74 Will the streets allow Transit buses and school buses reasonable passage and turnaround areas?	This question was answered by City staff.

Paragraph 75 Was the traffic studied on winter weekends? Section 17.84.50 states "Analysis of other time periods may be required for uses that generate their highest traffic volumes at other times of the day or on weekends. I think we can all recognize that peak traffic will occur on Saturday and Sunday afternoons throughout the winter and summer months as people come down the mountain.	The peak hourly volumes of traffic generators are described by the Institute of Transportation Engineer's Trip Generation Manual. For residential uses, the peak hours of traffic generation coincide with the weekday morning and evening peak hours, which were reported and analyzed in the traffic study. Weekend volumes for residential uses do not exhibit strong hourly peaks and are therefore not reported in the ITE Trip Generation Manual. Since the land use does not generate its highest traffic volumes "at other times of the day or on weekends" (i.e. outside the periods analyzed), no change to the analysis is required per 17.84.50.It should also be noted that the traffic study used the analysis procedures required in ODOT's Analysis Procedures Manual. These procedures include a specific methodology for addressing seasonal variations in traffic. Specifically, ODOT defines the "design hour" as the "30th-highest hour" of the year. This ensures that the volumes analyzed represent conditions during the peak travel season for Highway 26. The proposed use is the relevant standard to satisfy this standard, not non-use peak traffic. The recognition of weekend traffic is not in the record and is not relevant to the proposed use under this standard.
Paragraph 96 I don't understand the formula. What is meant by the four single family homes? Is something missing? I was expecting numbers matching the type of units being proposed. Do the max units factor into this calculation? This choice to pay in lieu of dedication is at the city's discretion 17.64.50(C). Why was this selected? The staff report states that it was	This question was answered by City staff.
Paragraph 98 and 99 If the HOA fails, the residents next to the open spaces will be responsible for significant maintenance. And the two large apartment complexes will have little to no responsibility. Seems both unfair and more importantly, unlikely to be well maintained. We need a way to make sure that corporate entities owning and managing the apartments are also on the hook.	There is no substantial evidence in the record that the HOA is likely to fail. The SDC requires the use of an HOA and state law has a comprehensive set of requirements for HOAs
Paragraph 107 Will these open/park/recreation areas be public or HOA members only? (Does this matter? Is it ok to have private facilities and meet the POS requirements?) Will on street or off street parking be provided?	This question was answered by City staff.
Paragraph 128 Does this require resolution prior to approval or approval with conditions? Can one of the conditions be a future Planning Commission determination?	This question was answered by City staff.

Paragraph 153 See prior comment about danger trees in the FSH.	This question was answered by City staff.
Paragraph 156 If the meandering path is allowed, will street lights be sufficient to provide safe pedestrian passage?	This question was answered by City staff.
Section 1 General Project Description Paragraph 2 cites 122 lots and 168 total units. I thought this was updated? Was the application revised?	This question was answered by City staff.

Section 17.64.00 The applicant states: “The proposal includes a mixture of housing types and densities; a request for variations to setbacks to promote flexibility in site planning; conservation of natural features by not platting any lots within the FSH or restricted development areas and restricting development within restricted development areas to only permitted uses (trail construction, removal and planting native plants); an array of recreational amenities for the use and enjoyment of residents of The Views; and interesting and functional building designs intended to create a high quality and diverse residential neighborhood.” Specific analysis follows: “The proposal includes a mixture of housing types and densities; a request for variations to setbacks to promote flexibility in site planning; “ I find this to be irrelevant since Intent (C) and (D) only have meaning above and beyond the rest of the code if the PD contains mixed zoning. “conservation of natural features by not platting any lots within the FSH or restricted development areas and restricting development within restricted development areas to only permitted uses (trail construction, removal and planting native plants);” These restrictions and development opportunities are identical within PD or the SFR. Again, no justification for the PD. “an array of recreational amenities for the use and enjoyment of residents of The Views” I would like to have these amenities clearly articulated as I think the whole of the PD hinges on this. Has the applicant achieved something that could not have been achieved without a PD?	The submitted Landscape Plans identify the location of proposed recreational amenities. These amenities include play structures, a half-court basketball court, a viewpoint plaza, and trails within the private open spaces in the Lower Views and a half-court basketball court, play structure, tot lot, dog park, and sidewalk system in the Upper Views. As detailed in the narrative and staff report the area of open space is 36 percent of the total site area. This area exceeds Planned Development requirements (25 percent) by 11 percent. As shown on submitted architectural plans, proposed structures are designed to meeting or exceed code requirements.
The staff report identifies specific locations that the developer asks to not establish sidewalks - please locate these areas.	As shown on submitted plans and detailed in the project narrative and staff report, sidewalks are proposed along all streets except the south side of The Views Drive from the intersection of The Views Drive and Vista Loop Drive to the alley.
Is vista loop scheduled for any surfacing upgrades (without	This question was answered by City staff.

Compare the max. units in the underlying zoners to the PD densities.	159 units are allowed in the SFR district; no density bonus requested. Staff Report finding 25, page 9. The application proposes 159 units; a density bonus is not requested. Staff report 11th slide; staff report findings 16 and 26, pages 7 and 9, respectively. Staff report at page 13 omits discussion of SDC 17.64.40.C. allowing Planned Development density bonus because density bonus is not requested. The applicant deleted 9 units representing the density bonus from the application at the December 16, 2020 Planning Commission hearing; Exhibit HH, draft Planning Commission minutes at page 2.
How many lots will be smaller than the 7500 ft sq.?	75 single family detached lots are smaller than 7500sf (out of 88 single family detached lots). Staff Report finding 48, page 12.
How many lots over 10,000 ft sq.?	Submitted plans show there are 10 lots over 10,000 sq. ft. (8 lots for single family detached dwellings and 2 lots for multi-family dwellings)

EXHIBIT RRRR

Question/Comment	Staff Response
Paragraph 23 Please keep the units consistent. Acres and square feet were interchanged in the same paragraph and the subsequent calculations.	Noted
Paragraph 26 I find this statement either irrelevant or unsubstantiated. If it is relevant, then I would like to understand what sections of the code would apply, what additional approvals would be required. In other words, if this is a real concern please state why. In fact I think that if the applicant requests more than 25% increase to the density, that additional criteria is called out in Section 17.64.40 to include " is outstanding in planned land use and design, and provides exceptional advantages in living conditions and amenities not found in similar developments constructed under regular zoning." That might have been relevant here.	Finding 26 was for informational purposes, and the density bonus is not applicable to this application. You are correct that 17.64.40 would be an appropriate review criteria if an applicant is requesting a density bonus as part of a PD process.
Paragraph 32 In regards to "Staff does not find how any vegetation would be hazardous to the public considering the area is not open to the public", areas in the FSH may not be open to the public now, but I assume they will be accessed when residents move in. Hazardous trees should be required to be removed as part of the development regardless of whether they are currently open to the public. Kids will go into the woods - let's plan on making them as safe as possible.	Common areas will be owned and maintained by an HOA so the HOA is tasked with moitoring the safety of that area.
Paragraph 35 Is this comment boilerplate or is there something I should be aware of. I thought Paragraph 33 stated there would be no development within the area.	We like to be as comprehensive as possible in the staff report by acknowledging key code sections, even if the application does not require a thorough analysis of them.
Paragraph 41 See paragraph 32.	This finding is detailing the requirements for protecting vegetation and trees in the FSH.
Paragraph 43 Not sure what this is supposed to mean when it states "does not qualify." The calculations used in 17.30 take into account the density transfer provisions specified in 17.60.100. That is where the 1.5 in the formula comes from.	Agree that this is awkwardly worded. Because the net site area x 5.8 is less than the unrestricted site area x 5.8 x 1.5, the applicant doesn't qualify for a density transfer under 17.60.
Paragraph 48(a) If the PD were denied, would the process for the developer/landowner be to pursue a zoning change to R1 in order to allow row houses and attached/zero lot line dwellings? And to be clear, those structures are not allowed as a conditional use under SFR.	If they wanted to change the zoning designation to R-1, it would be processed as a Type IV Zone Change application.
Paragraph 48(b) and 48(c) How do these lot sizes and frontages compare to other (if any) PDs that were overlaid on SFR? Overlaid on other zones? What is the story of the 15,000 sq ft lot?	An answer to the first two questions would require entering new evidence into the record. It is important to note that no new PDs have been built in Sandy in about a decade. Staff is unsure what the question regarding the story of the 15,000 sq ft lot means and therefore has no response to this question.

Why would we allow this? Setbacks are a key element of quality of life. (I will note that in the application there is additional details stating why certain setbacks are requested - I would think these details are pertinent to the discussion and staff recommendation.) Essentially what would the development look like if these setbacks were denied? How would the quality of life for the residents be degraded?	The applicant needs to respond to this.
Paragraph 48(f) Does the planning department have any concern with this?	Typically, long block lengths aren't particularly pedestrian friendly, but staff recognizes that a street layout on this site necessitates a longer block length.
Paragraph 50 How is it in the city's best interest to allow private ownership of open spaces? Is this a deviation from code or up to the developer?	Completely up to the developer.

I agree with the applicant's attorney that the rule of intent sections (or recitals in a contract) are not generally binding - unless someone writes in a clause that explicitly references them (similar to how an exhibit would be referenced in a contract). Therefore I believe that the criteria are laid out in the intent section (17.64.00). If we don't want it to be interpreted this way, then planning should propose a change to the code. Regarding the specific intent statements: It would appear that only IV, VI, VII, and VIII might apply to this application? Did the applicant offer any justification or statements regarding meeting any of these intents? (Required in 17.64.90(C.1)) In regards to (IV) Promote flexibility in site planning and architectural design, placement, and clustering of structures: This intent can only be meaningful in a PD where there are multiple zones within the PD. Otherwise the applicant would not need the PD. In regards to (VII) Provide usable and suitable recreation facilities and public or common facilities: What constitutes a recreation facility? And how should "public" be interpreted? Does this mean deeded to the city or just unfenced? Is it open to all public or just homeowners? In regards to (VIII) Allow coordination of architectural styles, building forms and relationships: I see no evidence that there is any coordination above what is required by "Sandy Style." Am I missing something? So what is the compelling motivation to grant a PD and undermine the comp plan and the current zoning? Based on the Q&A responses of the Planning	Section 17.64.00 is a statement of intent that includes a list of nine goals. However, it is clear from the rest of Chapter 17.64 that a PD project is not expected to achieve all of the goals. For example, Section 19.64.00.A states that a PD is intended to "Refine and implement village development patterns designated "V" on the Comprehensive Plan Map," but Section 19.64.20 expressly states that "Planned Developments are allowed in all zones." Because not all zones are designated "V" on the comprehensive plan map, it would not be possible for a PD to comply with Section 17.64.00.A in a zone that is not designated "V." In other words, the City can give full effect to Section 17.64.020 only by interpreting Section 17.64.00 as a list of non-cumulative goals that a PD is excepted to achieve. This conclusion is reinforced by Section 17.64.060, which lists the allowed uses in all residential and commercial zones, not just those identified by a "V" on the comprehensive plan. Finally, the approval criteria in Section 17.64.100.C requires the PD to "assure consistency with the Intent of this chapter." By requiring the applicant to demonstrate that the PD meets one or more of the goals listed in the Intent section, the Council can ensure that the purposes of the PD chapter are met.
Paragraph 56(h) Please note that the paragraph number (g) and (h) appear to be random in this section. In regards to the HOA, how will the multi-family (I assume rentals?) be factored into the HOA membership? Simply identifying an HOA does not address the "detailed statement outlining… responsibilities, and assurances."	The owner of the apartment(s) will be a member of the HOA. Details of their membership percentages shall be established by the bylaws of the HOA.

Paragraph 56(I) What is the plan for long-term buffer/screening from Johnson RV?	The applicant needs to respond to this.
Paragraph 57 Why grant the sidewalk variance? If this was outside of a PD, standard SFR, would we grant the variance?	Such a variance application request would be allowable under an SFR subdivision.
Paragraph 58 How/why are children safer with only one sidewalk? How would this not be materially detrimental to the public welfare? Are there other requirements/regulations driving this that have a higher priority? If not it would appear this clause has not been met.	The applicant needs to respond to this.
Paragraph 59 How will a meandering walkway on Vista Loop enable or hinder bike traffic? With all of the on-street parking on Vista Loop today, will bikers be inclined to hop on a sidewalk? In regards to elimination of the sidewalk on Highway 26 (Is this really eliminated or is it just a portion? Paragraph 71 identifies it as in), this seems to conflict with a number of points in the code including: 17.84.30 PEDESTRIAN AND BICYCLIST REQUIREMENTS, Paragraphs (A), (B), and (E) 17.100.280 BICYCLE ROUTES	The applicant needs to respond to this.
Paragraph 71 Help me understand where the sidewalk is being requested to be eliminated on Hwy 26.	It is not. There is a sidewalk proposed at the top of slope. See plan set.
Paragraph 74 Will the streets allow Transit buses and school buses reasonable passage and turnaround areas?	The Transit Director did not provide comments to the contrary. All asphalt widths are consistent with the development code and TSP.
Paragraph 75 Was the traffic studied on winter weekends? Section 17.84.50 states “Analysis of other time periods may be required for uses that generate their highest traffic volumes at other times of the day or on weekends. I think we can all recognize that peak traffic will occur on Saturday and Sunday afternoons throughout the winter and summer months as people come down the mountain.	The applicant needs to respond to this.

Paragraph 96 I don't understand the formula. What is meant by the four single family homes? Is something missing? I was expecting numbers matching the type of units being proposed. Do the max units factor into this calculation? This choice to pay in lieu of dedication is at the city's discretion 17.64.50(C). Why was this selected? The staff report states that it was the decision of the applicant.	The "four" in the staff report is a typo. It should read "For the 120 single family homes..." Staff generally believes that a fee-in-lieu is preferable to dedication of parkland because it allows for more City discretion in park development. The fee-in-lieu was aso recommended by the Parks and Trails Advisory Board.
Paragraph 98 and 99 If the HOA fails, the residents next to the open spaces will be responsible for significant maintenance. And the two large apartment complexes will have little to no responsibility. Seems both unfair and more importantly, unlikely to be well maintained. We need a way to make sure that corporate entities owning and managing the apartments are also on the hook.	The applicant needs to respond to this.
Paragraph 107 Will these open/park/recreation areas be public or HOA members only? (Does this matter? Is it ok to have private facilities and meet the POS requirements?) Will on street or off street parking be provided?	Public per the PD code section in the municipal code. These lands will not be POS as that zoning designation is only reserved for land owned by the City of Sandy.
Paragraph 128 Does this require resolution prior to approval or approval with conditions? Can one of the conditions be a future Planning Commission determination?	This was a relic from the Planning Commission staff report. PC did recommend pedestrian access (but not a street stub) through lots 91 and 92.
Paragraph 153 See prior comment about danger trees in the FSH.	See previous response.
Paragraph 156 If the meandering path is allowed, will street lights be sufficient to provide safe pedestrian passage?	The Public Works Director will review street lighting during construction plan review which comes after Planning approval/denial.
Section 1 General Project Description Paragraph 2 cites 122 lots and 168 total units. I thought this was updated? Was the application revised?	The total being proposed is 122 lots with 159 dwelling units. If the staff report mentions 168 dwelling units, it is a typo.

The applicant states: “The proposal includes a mixture of housing types and densities; a request for variations to setbacks to promote flexibility in site planning; conservation of natural features by not platting any lots within the FSH or restricted development areas and restricting development within restricted development areas to only permitted uses (trail construction, removal and planting native plants); an array of recreational amenities for the use and enjoyment of residents of The Views; and interesting and functional building designs intended to create a high quality and diverse residential neighborhood.” Specific analysis follows: “The proposal includes a mixture of housing types and densities; a request for variations to setbacks to promote flexibility in site planning; “ I find this to be irrelevant since Intent (C) and (D) only have meaning above and beyond the rest of the code if the PD contains mixed zoning. “conservation of natural features by not platting any lots within the FSH or restricted development areas and restricting development within restricted development areas to only permitted uses (trail construction, removal and planting native plants);” These restrictions and development opportunities are identical within PD or the SFR. Again, no justification for the PD. “an array of recreational amenities for the use and enjoyment of residents of The Views”	The applicant needs to respond to this.
The staff report identifies specific locations that the developer asks to not establish sidewalks - please locate these areas.	The applicant needs to respond to this.
Is vista loop scheduled for any surfacing upgrades (without development)?	Cannot answer this as it would necessitate new evidence into the record.
Compare the max. units in the underlying zoners to the PD densities.	See findings 22 through 26 in Chapter 17.30 of the staff report.
How many lots will be smaller than the 7500 ft sq.?	In addition to the 32 attached single family homes, 75 detached single family home lots are less than 7,500 sq ft

How many lots over 10,000 ft sq.?	In addition to the 2 multi family lots, 8 detached single family home lots are greater than 10,000 sq ft
	There are 5 lots between 7,500 sq ft and 10,000 sq ft

Exhibit SSSS

Questions on The Views:

Staff Report General Findings and Staff Report #11.: Comp Plan Amendment?: The application was deemed complete on August 5th, 2020 but applicant submitted changes on October 28th, November 22nd and December 9th! Exhibit BB - The Pre App notes indicate no Comp Plan was needed. Then Exhibit CC the Staff Report prepared in November for the Planning Commission, says a Comp Plan Amendment was needed, but then the Applicant submitted something on October 28, 2020 that eliminated a need for a Comp Plan, but there is no reference to why a Comp Plan was or was not needed, or what was submitted to eliminate the need. It does reference Exhibit AA – but that has nothing to do with a Comp Plan and speaks to an ODOT recommendation. In the list of Applicant Submittals, there is nothing listed for October 28, 2020. These various mentions also speak to multiple 120 day clocks, that presumably are eliminated if this is a Comp Plan Amendment.

There were additional changes submitted on November 22 and December 9th. An email from the applicant's lawyer Mr. Robinson (**Exhibit II** – Sept 23) again mentions the possible need for a Comp Plan and also mentions 120 day clock changes. Then Mr. Robinson's memo directs our Planning Director.

> *"4. You'll issue a draft staff report for the applicant's review this week and we'll contact you to schedule a call next week to review the issues identified in the staff report. Our goal is to agree on a path to resolve the outstanding issues so that you can recommend that the Planning Commission recommend approval of the application to the Sandy City Council."*

This memo seems to imply that the Staff Report for this development is a mutually edited report prepared by our staff and the applicant with the intent of getting a pre-defined outcome (staff support and approval of the development). **Exhibit JJ** shows all the edits that the applicant wants in the staff report. My understanding is that an applicant is supposed to work out application issues between a pre-app meeting and when the application is determined by our Planning Department and the applicant to be complete starting a 120 day clock. At that point, the Planning Department should be developing a Staff Report for the public, the Planning Commission, City Council and the Applicant with a clear evaluation of the final application and whether or not it meets our development code, point by point. I assumed the everyone would get the Staff Report at the same time.

The Staff Report does not clarify the rationale for why a Comp Plan Amendment was, but is not now needed. Changing the SFR zoning to something with so much higher densities would seem to affect the balance of SFR, low, medium and high density we have, which drives the need for a Comp Plan.

Staff Report 17.30 #23: When calculating densities, the Code's definition of net site area says "*Net site area should be calculated in acres based upon a survey of the property boundaries* ***excluding areas dedicated for public use."*** The roads and the storm water tracks are subtracted out, but none of the sidewalks or the open space dedicated for "public use" are subtracted out. Why aren't these areas subtracted out as they are dedicated for public use? Making a meandering path in an open space rather than dedicating a sidewalk and planter strip R/W that

would get deducted from the NSA, would reduce the allowable max allowable densities of 159 (which is what is proposed).

#29 Street Frontage/On Street Parking: The importance of street frontage is for on street parking Are these criteria for required on street parking met if most of the lots do not meet minimum lot width.

#45: Does this mean that the underlying zoning map does not change, when the most of the development is not developed to that zone? It should not count as SFR if it is not developed that way. When we are doing our available housing inventory, we need to be able to count things based on their lot size and zoning designations – and not an amorphous "PD".

#48B In trying to calculate densities for various zoning types, the more controlling dimension is lot size. SFR zone has a minimum lot size of 7,500 ft2. Low density has a minimum lot size of 5,500ft2 when there is not zero lot lines. SFR has a minimum lot width of 60 ft. Low and Medium zones have minimum widths for lots of 50 feet. It appears that most of the proposed homes have lots that are only 40 feet or 46 feet wide putting them in the "High density" category. Based on the lot sizes and the minimum width of the lots provided, this development is proposing:

Zoning (Min lot size and min widths)	# Units	% of Total	% of Total
SFR (>7500 ft2, >50 ft wide	13	8%	21%
Low (>5500 ft2, >50 ft wide)	21	13%	
Medium (no min ft2, >50 ft wide	3	2%	2%
High (no min ft2, >40 ft wide) detached	54	32%	77%
High (no min ft2, >40 ft wide) attached	74	45%	
Total	159		

#48C: Yes, the applicant can say that given the lack of 7500 ft2 lot sizes, 60 feet is not possible. However, the staff should be responding that the 50 ft standard for low or medium density single detached lot widths are also lacking on most of the single detached homes in this proposal. What livability issues are affected when we allow less than 50 or 60 feet and allow 40-46'? Privacy? Desired boat and RV parking? On street parking? Less attractive snout houses (large garages with a front door and little home frontage)?

#48D: So just to be clear, they are asking to cut the minimum lot width on most of the development by 1/3 (from 60' to 40') and in addition, we are being asked to reduce the side yard set backs on both sides from 7.5' to 5' for a total of 5'. What are the impacts to fire spread, privacy, boat and RV parking with this change? I am assuming extra cars and RVs that folks often store in their side yard, will not fit in a 5 foot side yard.

#48F: Are bike/pedestrian passageways provided to mitigate the impacts of long blocks? This appears to be especially important along the sound wall to access the Hwy 26 sidewalk and along Ortiz to access property to the west.

#54 Review Criteria: Where is the section in the code that says the 17.64.00 Intent is to be viewed as more of a goal than a standard.

#57: Meandering Path/Sidewalks:: What is the meandering path **surface and width**?, who maintains it? What is the vegetation? Do all all other streets: Knapp, Ortiz, Bonnie, Mt. Hood Court and The View Drive north of the public alley all have sidewalks on both sides of the street? Some of the plat maps show they do and some don't.
#57 Are sidewalks present on the private drives?
#57: Is there a sidewalk along the highway and where is it located? Is it visible to traffic or at the top of the slope?

#59: Does this variance request say that the pedestrian path will be located on private open space rather than a public right of way? How does that change the public's right to walk on all these paths? Where is that codified if the other "open spaces" are labeled for private use only? Sidewalks or meandering paths need to be for public use at all times. Parts of these public sidewalk replacements access the dog park and the half basketball court etc.

#59: If the HOA dissolves, what deed restriction will be in place to ensure that the adjacent land owners are responsible for private open space that is not part of their lot of record? What is the mechanism for making adjacent landowners responsible?

#60 The designated speed limit at the east end of Vista Loop is currently 55 not 65 as stated in the staff report. As the Public Works report describes (Exhibit Y), when this parcel develops and the Dubarko intersection go in, presumably speeds will drop to 35-45mph or lower. If the idea is to slow down traffic on the east end of town as we grow, how does putting up a highway wall with no visible sidewalk help? While a wall may be desirable, a sidewalk along the highway is necessary to ensure we can reduce speeds, make it walkable and as development continues, consider a bus stop – especially when apartments are being developed.

#60 Does providing a variance for which way the front doors face affect our ability to require a sidewalk along Hwy 26?

#63: As mentioned, there should be a cutout in the sound wall to provide pedestrian access to the Hwy 26 sidewalk somewhere to the west end of the development (the storm track?) as otherwise people must completely double back.

#64: Where is the apartment layout and parking for the multi family units. Are those shown in Exhibit L accurate? Why would we not be approving plat maps for both multi-family units to ensure that there are adequate setbacks, orientation, parking, etc. It feels like once those are approved as big blanks, there is no other leverage or control on how those get developed.

#73: Why is this variance to not put a curb in along the north side of The Views not mentioned in 17.66? A curb is intended to help protect the folks on a sidewalk from vehicles. It would seem important to have a curb there.

#73: While I can understand the rationale for not putting a curb along a highway with speeds of 55mph, once the area develops and we want to slow down traffic, and make it look more urban, a curb would be a good indicator for that.

#75 Given that Vista Loop is in poor condition, are there any requirements for the developer to overlay the section of Vista Loop that the development will be using?

#**76**: Is there any concern about the proximity of the Ortiz intersection with the Knapp St intersection which is located very close to The View Drive intersection? These are three Vista Loop intersections (plus Hwy 26) located close together.

#76: The staff report confuses the intent of the Hwy 26 intersection modification. The removal of the slip lane was to reduce speeds on Vista Loop. The need for a west bound right turn lane may not have been warranted with the RV Center alone. While there may not be lots of folks accessing the subdivision from the east, the speeds are enough to warrant a right turn lane to ensure safety according to ODOT. Why should the City be paying for that down the line when we have much higher priorities?

#81: Where are all the conditions recommended to meet code from the Public Works Director in Exhibit Y? Lighting of allies and streets, curbs, storm drainage, etc. 17.84.30 and 17.84.50.

#83: Doesn't a 28 foot local street require a 50 foot R/W to allow for sidewalks and planter strips? There is no variance request for the R/W dedication. It seems like changing out public sidewalks with planter strips (that are located within the 50 foot R/W) to private space paths, with narrower streets and R/W affects density calculations as these areas are not subtracted from NSA as they would be if they were part of the 50' R/W.

#110: 17.98.100 G The dimensions shown in the drawings do not correspond with the other maps. The requirement that 50% of a cul de sac be available for on street parking, utilities and street trees is impossible to meet given the dimensions shown. Mt. Hood Court shows 16' driveways (already undersized given homes with 3 garages) so we can expect lots of requests for widening. Then there are 3 foot wings on either side of the 16' driveway, leaving TWO feet between driveways to park a car, plant a street tree, or locate needed utility boxes.

#110: The same issues apply to the town homes and many of the other very narrow lots, especially given the number of large pick up trucks.

In order to approve this proposed development plan, we have to consider:

- Why does this development ignore the stated intent that these designations were intended for Village designations that are planned for a mix of higher densities. While they may be considered elsewhere, that is the stated intent of PDs.

- Why does changing 32 acres of Single Family Residential to almost 80% high density, and 20% SFR and Low density not require a Comp Plan Amendment, when it completely changes the intended availability of SFR acreage we need. There is no analysis of how this significant change affects our balance of densities in the City. This would normally be required under any other planning proposal.
- How does this PD reducing numerous "quantitative" codes like set backs, lot widths and other criteria, that have qualitative and livability affects like fire protection, privacy, street trees, RV/boat parking, room for sheds, adequate on and off-street parking, and similar livability objectives. Again, if these changes were being considered under anything else besides a PD, these would require numerous variances. Instead these defacto variances are not completely listed and the code objectives lost, are not spelled out. While some slight flexibility on some quantitative code may be available to a PD, this application seems to dismiss the intent behind the quantitative codes. Where is the benefit to current and future residents evaluated? Are the defacto variances just needed to get additional density?
- What unusual circumstances does this parcel have, that prohibit the area from being developed as outlined in the Comprehensive Plan. While it does have some restricted use areas (steeper slopes towards the bluff), the developer is allowed to do density transfers and develop higher densities on the buildable land to offset the loss of the steep ground. There don't appear to be any costly road, or other utility developments.

Those are the questions I am curious about.

Councilor Walker

City of Sandy