

City of Sandy

Agenda

Planning Commission Meeting

Meeting Location: City Hall-
Council Chambers, 39250
Pioneer Blvd., Sandy, Oregon
97055

Meeting Date: Monday, August
27, 2018

Meeting Time: 7:00 PM



Page

1. ROLL CALL

2. APPROVAL OF MINUTES

- 2.1. Approval of Minutes : June 25, 2018
[PC Minutes -6-25-18 - Draft Minutes](#)

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3. REQUESTS FROM THE FLOOR - CITIZEN COMMUNICATION ON NON-AGENDA ITEMS

4. NEW BUSINESS

- 4.1. Bloom Annexation

7 - 44

It is hereby recommended that the applicant submit TPR findings for the 'reasonable worst case' development scenario consistent with the proposed zoning for the subject property. Additionally, staff recommends the applicant pay a \$1,500 fee for the third-party City of Sandy traffic engineer consultant, a continuance to the Planning Commission hearing until TPR findings are complete and that the applicant submit a waiver from the ORS 120-day final action rule. This will provide additional time for the applicant and staff to complete a comprehensive analysis of the required TPR findings. Staff also recommends this annexation be conditioned that prior to future development of this property the applicant map the FSH Overlay and required setbacks per Section 17.60.30.

"I make a motion to approve a continuance for File No. 18-026 ANN, Bloom Annexation, with the condition that the applicant submit TPR findings for review per code requirement, pay the \$1,500 fee associated with a third-party review as well as waive the ORS 120-day final action rule. Additionally, this motion shall condition that prior to future

development of the subject property the applicant shall map the FSH Overlay and required setbacks per Section 17.60.30."

[Staff Report - Bloom Annexation 18-026 ANN](#)

- 4.2. Sandy Community Campus Right-of-Way Vacation

45 - 66

It is hereby recommended that Planning Commission forward the petition to City Council with a recommendation for approval.

"I make a motion to forward Case Number 18-029 VAC, Sandy Community Campus Right-of-Way Vacation, to City Council with a recommendation for approval"

[Staff Report - Sandy Community Campus Right-of-Way Vacation 18-029 VAC](#)

5. ITEMS FROM COMMISSION AND STAFF

6. ADJOURN

**Sandy Planning Commission
Regular Meeting
Monday, June 25, 2018**

Vice Chairman Don Carlton called the meeting to order at 7:02 p.m.

1. ROLL CALL

Vice Chairman Carlton – Present
Commissioner Lesowski – Present
Commissioner MacLean Wenzel – Present
Commissioner Logan – Excused
Commissioner Mobley – Excused
Commissioner Abrams – Present
Chairman Crosby – Excused

Others present: Planning & Building Director Kelly O'Neill Jr., Associate Planner Emily Meharg, Downtown Planner Emma Porricolo, Associate Planner James Cramer, Planning Assistant Rebecca Casey

2. APPROVAL OF MINUTES – None

**3. REQUESTS FROM THE FLOOR – CITIZEN COMMUNICATION ON NON-AGENDA ITEMS
None**

NEW BUSINESS

4. PUBLIC HEARING – Jewelberry Ridge Subdivision (18-014 SUB/VAR/TREE) Vice Chairman Carlton opened the public hearing on File No. 18-014 SUB/VAR/TREE (Jewelberry Ridge Subdivision) at 7:04 p.m. Carlton noted that this is a quasi-judicial public hearing. He 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. With no declarations noted, Carlton explained that the Planning Commission will be making a decision on this application during this hearing..= Carlton then went over the public hearing procedures for a quasi-judicial public hearing and called for the staff report.

Staff Report:

Associate Planner Emily Meharg summarized the staff report and addressed the background, factual information, public comments staff received, applicable criteria, and went through a slide show. Meharg finished with the summary and conclusion along with staff's recommendation.

Planning and Building Director Kelly O'Neill Jr. also suggested that the Commission focus on the Summary and Conclusion section starting on page 45 that "hits" the main issues and is the "meat" of this application.

Applicant Presentation:

John Schmidt, PO Box 19, Boring OR 97009

Mr. Schmidt stated that the applicant would like all of the lots to face American Street otherwise it would look odd with just a few of them facing Jewelberry Avenue and the others facing American Street. Mr. Schmidt went on to address the pedestrian trails in Tract A and gave two ideas that would work best for the applicant. One idea would be to do a dedication to the city so they could use it in the future or grant the trail areas as an easement instead of a Tract and then have somewhat of an elevated path that would allow the tree roots to be protected. He also said that either of these options would also need to include a maintenance agreement with the city.

Mr. Schmidt then addressed the bus pad location near lots 7, 8 and 9 and voiced his concern

about the challenging grade differential in that location. He suggested moving the bus pad to the very southern tip of the property by lot 5 saying it would make for a better location and would be the applicant's preference.

Mr. Schmidt said they are fine with the driveway change for lots 5 and 6 if the driveway to lot 5 could be in an easement.

Testimony:

David & Sarah Stephens, 15366 Penny Ave, Sandy, OR 97055

Mr. & Mrs. Stephens stated that they are not against the development but had concerns about Tract A going right in front of their house. The Stephens also had concerns about the public access being proposed into their private alleyway (i.e. private drive). They would not oppose the proposal if the width of the access was kept to a minimum and if the city accepts the maintenance responsibility.

Mr. Stephens said there is also a tree that is shared by the applicant and themselves (i.e. on the common lot line). He would like to have that tree removed. They have requested that the Red Maple tree they planted that will now be located in the pedestrian path is properly removed by the applicant. They would like the Red Maple tree to be relocated or replaced with a like tree on their property.

He stated they are not against this new development they just want to minimize the effect it will have on their property.

David & Sarah Stephens brought in seven photos of their private alleyway, including the two trees they discussed and entered these photos into the record.

Staff Recap:

Associate Planner Emily Meharg addressed the applicant's presentation, starting with their request to have all the houses facing American Street. Meharg said that staff stands neutral on this. Meharg also addressed the location of the bus stop and Tract A either being undeveloped or have an elevated boardwalk.

Meharg addressed Mr. and Mrs. Stephens concerns over the pedestrian easement and the removal of the shared tree they share with the applicant. She also discussed the tree retention for this property and said staff asked for additional clarification on this plan even though they are meeting the requirements for keeping the minimum number of trees. The applicant didn't indicate what trees they were keeping and removing.

Advisor Testimony:

Advisor Daisy Meade said she would like to see the pedestrian path close to the bus pad.

Applicant Rebuttal:

Mr. Schmidt addressed the walkway width in the southern part of Tract A. The applicant would like to reduce the path from 10 feet to 8 feet. Schmidt also said they are willing to save and move the Stephens Red Maple tree or replace it with another tree of similar value.

Discussion:

The hearing was left open to give the Commission the ability to ask the applicant questions. The Commission discussed the lot orientation of Lots 5 – 9 facing Jewelberry Avenue vs. American Street. Commissioner Lesowski said he would like to see it esthetically appealing on American Street and Jewelberry Avenue and have continuity and screening. The Commission also discussed Tract A with the elevated boardwalk.

The Commission then discussed the location of the transit bus stop. Lesowski said he agreed

with Advisor Meade's proposal to have the bus stop near a pedestrian walkway. Planning & Building Director Kelly O'Neill Jr. encouraged the Commission to pass along any direction the Commission has for the Transit Director and Transit Board. They agreed they would like to see the transit stop as close to Tract B as possible.

The Commission then briefly discussed the shared driveway for Lots 5 & 6 with everyone quickly coming to agreement on the solution. The Commission then moved on to discuss trees. O'Neill said after speaking with Mr. Sisul last week it sounded as the applicant would be able to possibly retain an additional three to four more trees than they had originally submitted. Commissioner MacLean-Wenzel followed up from earlier that she would like to have another arborist go to the site for a second opinion on the trees and their condition.

Motion: To Close Public Hearing at 8:31 p.m.

Moved by: Commissioner Lesowski

Seconded by: Commissioner Abrams

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Motion: Move to accept File No. 18-014 SUB/VAR/TREE (Jewelberry Ridge Subdivision) based upon the recommendations on page 46 of the staff report (*clarify: Lots 5, 6 and 7 will face American Street & Lots 8 & 9 will face Jewelberry Avenue; in addition this will include recommendations on page 42 and 43 of the staff report in regards to the design elements*) with the addition that the applicant will work with staff to provide shared access for flag lots 5 and 6; that pedestrian access on Tract A will be a five foot wide elevated constructed walkway (i.e. boardwalk) with the agreement that the city will maintain it; the other pedestrian access will also be 5 feet wide; the transit bench will be determined by staff working with the transit department; applicant will work with Mr. & Mrs. Stephens to remove and salvage the Red Maple tree or replace it with a like tree; the applicant will grind stumps as necessary on any property line; staff will work with the applicant to determine the tree retention and work to remove any trees that are currently proposed for retention that may not be viable, specifically tree #26 and tree #93

Moved by: Commissioner Lesowski

Seconded by: Commissioner MacLean-Wenzel

Yes votes: Commissioners Lesowski, MacLean Wenzel, Abrams and Vice Chairman Carlton

No votes: None

Abstentions: None

5. Work Session – Downtown Walkability Assessment

Vice Chairman Crosby opened the work session for the Downtown Walkability Assessment at 8:47 p.m. and explained that Downtown Planner Emma Porricolo will give a presentation and will allow for public comment throughout her presentation.

Downtown Planner Emma Porricolo presented her work session report. Porricolo addressed the purpose, goals, defined obstacles in the city, and discussed prioritized feasible and realistic recommendations. Porricolo also explained the numerous benefits to "walkability" and presented the different public engagement techniques the city completed. Porricolo discussed the public concerns, the existing conditions, and finished with the community recommendations and technical audit.

Vice Chairman Carlton asked safety questions regarding the assessment and if there was a consideration regarding intersections with islands, such as HWY 26 and Ten Eyck Road. Porricolo said staff used the Transportation System classifications during the scoring methodology and reiterated this was a great example regarding the importance of having the

community involvement. The public with years of experience in the community are likely to catch the different nuances that audits sometimes miss. O'Neill said some of the safety concerns could be solved by slowing people down and explained there are different methods to do just that.

Commissioner Lesowski asked how ODOT will fit into this plan since they hold the "trump" card and would most likely need to buy into the plan. O'Neill said the more projects/improvements we can get into the TSP (Transportation System Plan), which ODOT has to approve the more likely they will be on board with modifications to walkability.

O'Neill also brought up that for safety concerns the city has the ability by state law to reduce the speed limit in downtown from 25 mph to 20 mph.

Commissioner Abrams asked staff if they would be prioritizing based on safety first or based on the overall experience of walking downtown. Porricolo said that most walkability improvements are based on safety first.

Commissioner Lesowski brought up the TSP and getting the grant funding (TGM) which would help get ODOT pulled into this plan. He believes having ODOT as a partner in this plan is the best move. O'Neill stated he hopes to receive the TGM grant to update the TSP.

Advisor Meade said the more amenities you have in a quarter mile of each other allows for a higher amount of points on the walkability scale. Meade then gave a few examples that Beaverton Hillsdale Hwy has done to make their area more walkable and comfortable.

6. ITEMS FROM COMMISSION AND STAFF

Planning & Building Director Kelly O'Neill Jr. told the Commission that at the July 30 Planning Commission meeting they will have another work session that will start at 6:30 pm with dinner beginning at 6 pm. O'Neill said that City Manager Kim Yamashita will discuss the Sandy Community Campus Plan as well as the new city branding. O'Neill said the regular meeting will then begin at 7:30 pm covering the Tractor Supply Store as well as a Code Interpretation for a mini storage unit.

7. ADJOURNMENT

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

Chair Crosby adjourned the meeting at 9:48 p.m.

Chairman Jerry Crosby

Attest:

Kelly O'Neill Jr., Planning & Building
Director

Date signed: _____



Staff Report

Meeting Date: August 27, 2018

From James Cramer, Associate Planner

SUBJECT: Bloom Annexation

Background:

The applicant, William Bloom, requests a Type A Annexation for a parcel totaling approximately 12.84 acres into the City of Sandy. The current Clackamas County Comprehensive Plan Designation of this property is Rural (R) and the current zoning of the property is Rural Residential Farm Forest 5-Acre (RRFF-5) with a Historic District (HD) Overlay and Historic Landmark (HL) Overlay. The applicant proposes to zone the property as Single Family Residential (SFR) and designate the property as Low Density Residential (LDR) on the Sandy Comprehensive Plan Map.

Recommendation:

It is hereby recommended that the applicant submit TPR findings for the 'reasonable worst case' development scenario consistent with the proposed zoning for the subject property. Additionally, staff recommends the applicant pay a \$1,500 fee for the third-party City of Sandy traffic engineer consultant, a continuance to the Planning Commission hearing until TPR findings are complete and that the applicant submit a waiver from the ORS 120-day final action rule. This will provide additional time for the applicant and staff to complete a comprehensive analysis of the required TPR findings. Staff also recommends this annexation be conditioned that prior to future development of this property the applicant map the FSH Overlay and required setbacks per Section 17.60.30.

"I make a motion to approve a continuance for File No. 18-026 ANN, Bloom Annexation, with the condition that the applicant submit TPR findings for review per code requirement, pay the \$1,500 fee associated with a third-party review as well as waive the ORS 120-day final action rule. Additionally, this motion shall condition that prior to future development of the subject property the applicant shall map the FSH Overlay and required setbacks per Section 17.60.30."

Code Analysis:

See Attached Staff Report

Financial Impact:
None.

SUBJECT: File No. 18-026 ANN – Bloom Annexation

AGENDA DATE: August 27, 2018

Application Complete: June 28, 2018
120-Day Deadline: October 26, 2018

DEPARTMENT: Planning Division

STAFF CONTACT: James A. Cramer, Associate Planner

EXHIBITS:

Applicant's Submittals

- A. Land Use Application
- B. Supplemental Land Use Application No. 1 & 2
- C. Mailing Labels for Notifying Property Owners
- D. Notification Map
- E. Parcel 3 of Partition Plat No. 2018-045 (Sheet 1 and 2)
- F. Replat of Parcel 1 of Partition Plat 2015-029 and The Adjoining Tract of Land Described in Deed Document No. 2008-049728
- G. Z0023-17-PLA Site Plan
- H. Project Narrative
- I. Site Photos

Agency Comments

None

Public Comments

- J. Darcy and Dennis Jones received July 19, 2018

I. BACKGROUND

A. APPLICABLE CRITERIA & REVIEW STANDARDS

Sandy Development Code: Chapter 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.34 Single Family Residential; 17.78 Annexations

Urban Growth Boundary Expansion Analysis: Chapter 4 Expansion Alternative Justification

B. PROCEEDING

In conformance with the standards of Chapter 17 of the Sandy Municipal Code (SMC) and the voter annexation requirements, this application is processed as a Type IV, Quasi-Judicial Land Use Decision.

C. FACTUAL INFORMATION

- 1. APPLICANT/PROPERTY OWNER: William Bloom

2. **LEGAL DESCRIPTION:** T2S R4E Section 24 C, Tax Lot 100
3. **PROPOSAL:** The applicant, William Bloom, requests a Type A Annexation for a parcel totaling approximately 12.84 acres into the City of Sandy. The current Clackamas County Comprehensive Plan Designation of this property is Rural (R) and the current zoning of the property is Rural Residential Farm Forest 5-Acre (RRFF-5) with a Historic District (HD) Overlay and Historic Landmark (HL) Overlay. The applicant proposes to zone the property as Single Family Residential (SFR) and designate the property as Low Density Residential (LDR) on the Sandy Comprehensive Plan Map.
4. **SITE LOCATION:** South adjacent to the Cascadia Village neighborhood. Fronting SE Bornstedt Road on the east side of the right-of-way.
5. **SITE SIZE:** property is 12.84 acres.
6. **SITE DESCRIPTION:** The site contains approximately 12.74 acres of land with approximately .10 acres of right-of-way for a total land area of 12.84 acres. The subject property is currently outside the city limits; however, the property is contiguous to city limits on its north and west property lines.
7. **COUNTY COMPREHENSIVE PLAN/ZONING:** The existing Clackamas County Comprehensive Plan Designation of the property is Rural (R) and the current zoning of the property is Rural Residential Farm Forest 5-Acre (RRFF-5) with a Historic District (HD) Overlay and Historic Landmark (HL) Overlay.
8. **PROPOSED CITY COMPREHENSIVE PLAN DESIGNATION/ZONING:** The applicant proposes to reclassify the property to Low Density Residential (LDR) on the Sandy Comprehensive Plan Map and zone the property to Single Family Residential (SFR) on the Sandy Zoning Map.
9. **VICINITY DESCRIPTION:**
 - North: Low Density Residential (R-1)
 - South: Rural Residential Farm Forest 5-Acre (RRFF-5)
 - East: Rural Residential Farm Forest 5-Acre (RRFF-5)
 - West: Single Family Residential (SFR)
10. **SERVICE CONSIDERATIONS:** The subject property has an existing 1,056 square foot historic barn and a well house. The site previously had a single-family residence which was demolished via a practice burn by the Sandy Fire Department on May 19, 2018. Future development of the property will require connection to city water and sewer service. Storm drainage, including retention, detention, and water quality treatment will also be required. Any future development will require conformance with storm detention and water quality requirements.

11. RESPONSE FROM GOVERNMENTAL AGENCIES, UTILITY PROVIDERS, AND CITY DEPARTMENTS: No comments received.

12. PUBLIC COMMENTS: No comments received.

D. PUBLIC COMMENT

- Darcy and Dennis Jones of 38884 Jerger St. – were told when they purchased their home that the space behind their home would never be developed and do not want to see their views or the existing trees be removed. Suffer from migraines and nervous additional construction noise would “set them off.”

E. PREVIOUS LAND USE DECISIONS: The site previously had a single-family residence which was demolished via a practice burn by the Sandy Fire Department on May 19, 2018. Staff is not aware of any previous land use actions regarding the subject property and notes that the City of Sandy does not have a historic landmark overlay for properties within the City limits.

F. SENATE BILL 1573: Senate Bill 1573 was passed by the legislature and became effective on March 15, 2016 requiring city’s whose charter requires annexation to be approved by voters to annex the property without submitting it to the voters if the proposal meets certain criteria:

(a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015; **RESPONSE:** As shown on the attached Vicinity Map, the subject property is located within the city’s Urban Growth Boundary (UGB).

(b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city; **RESPONSE:** The subject property is identified to have a Low Density Residential designation as identified on the adopted Comprehensive Plan map.

(c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water; **RESPONSE:** The subject parcel is contiguous to city limits along the north and west property lines.

(d) The proposal conforms to all other requirements of the city’s ordinances. **RESPONSE:** An evaluation of each of the city criteria follows.

II. ANALYSIS OF CONFORMANCE

SANDY DEVELOPMENT CODE

1. Chapter 17.26 Zoning District Amendments

In association with the annexation request, the applicant requests Single Family Residential (SFR) zoning to apply the underlying conceptual zoning designation determined in the 2017 Urban Growth Boundary Expansion Analysis.

2. Zoning

The Zoning Map depicts a conceptual zoning designation for the property of SFR, Single Family Residential. Density will be evaluated during land use review (i.e. subdivision) of the subject property.

3. Chapter 17.78 Annexation

Section 17.78.20 requires that the following conditions must be met prior to beginning an annexation request:

- A. The requirements of Oregon Revised Statutes, Chapters 199 and 222, for initiation of the annexation process are met; and
- B. The site must be within the City of Sandy Urban Growth Boundary; and
- C. The site must be contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water; and
- D. The site has not violated Section 17.78.25.

RESPONSE: *Oregon Revised Statute Section 199 pertains to Local Government Boundary Commissions and City-County Consolidation. Oregon Revised Statute Section 222 pertains to City Boundary Changes; Mergers; Consolidations and Withdrawals. The proposal complies with applicable requirements at this time and all notices were mailed as necessary.*

The site is located within the Urban Growth Boundary (UGB). The north property line is contiguous with city limits as well as the west property line provides an additional 417 feet of continuity along the SE Bornstedt Road right-of-way. The proposed annexation would not create an island, cherry stem, or shoestring annexation.

Section 17.78.25 requires review of tree retention requirements per SMC 17.102 and SMC 17.60 at the time of annexation to discourage property owners from removing trees prior to annexing as a way of avoiding Urban Forestry Ordinance provisions.

- A. Properties shall not be considered for annexation for a minimum of five (5) years if any of the following apply:

1. Where any trees six (6) inches or greater diameter at breast height (DBH) have been removed within 25 feet of the high water level along a perennial stream in the five years prior to the annexation application.
2. Where more than two (2) trees (six (6) inches or greater DBH) per 500 linear feet have been removed in the area between 25 feet and 80 feet of the high water level of Tickle Creek in the five years prior to the annexation application.
3. Where more than two (2) trees (six (6) inches or greater DBH) per 500 linear feet have been removed in the area between 25 feet and 50 feet of the high water level along other perennial streams in the five years prior to the annexation application.
4. Where any trees six (6) inches or greater DBH have been removed on 25 percent or greater slopes in the five years prior to the annexation application.
5. Where more than ten (10) trees (11 inches or greater DBH) per gross acre have been removed in the five years prior to the annexation application, except as provided below:
 - a. Sites under one (1) acre in area shall not remove more than five (5) trees in the five years prior to the annexation application.
 - b. Sites where removal of ten (10) or fewer trees will result in fewer than three (3) trees per gross acre remaining on the site. Tree removal may not result in fewer than three (3) trees per gross acre remaining on the site. At least three (3) healthy, non-nuisance trees 11 inches DBH or greater must be retained for every one-acre of contiguous ownership.
 - c. For properties in or adjacent to the Bornstedt Village Overlay (BVO), tree removal must not result in fewer than six (6) healthy 11 inch DBH or greater trees per acre. For properties in or adjacent to the BVO and within 300 feet of the FSH Overlay District, tree removal must not result in fewer than nine (9) healthy 11 inch DBH or greater trees per acre.

Rounding: Site area shall be rounded to the nearest half acre and allowed tree removal shall be calculated accordingly. For example, a 1.5 acre site will not be allowed to remove more than fifteen (15) trees in the five years prior to the annexation application. A calculation of 1.2 acres is rounded down to one (1) acre and a calculation of 1.8 is rounded up to two (2) acres.

Cumulative Calculation: Total gross acreage includes riparian areas and other sensitive habitat. Trees removed under SMC 17.78.25(A) 2. and 3. shall count towards tree removal under SMC 17.78.25(A) 5.

B. Exceptions. The City Council may grant exceptions to this section where:

1. The property owner can demonstrate that Douglas Fir, Western Red Cedar, or other appropriate native trees were planted at a ratio of at least two trees for every one tree removed no less than five years prior to the submission of the annexation application, and at least 50 percent of these trees have remained healthy; or
2. The Council finds that tree removal was necessary due to hazards, or utility easements or access; or
3. The trees were removed because they were dead, dying, or diseased and their condition as such resulted from an accident or non-human cause, as determined by a certified arborist or other qualified professional; or
4. The trees removed were nuisance trees; or
5. The trees were removed as part of a stream restoration and enhancement program approved by the Oregon Department of Fish and Wildlife as improving riparian function; or
6. The trees removed were orchard trees, Christmas trees, or commercial nursery trees grown for commercial purposes; or
7. The application of this section will create an island of unincorporated area.

***RESPONSE:** The subject property is 12.74 acres with .10 acres of right-of-way. The applicant has not proposed any development at this time and therefore have not completed an arborist report; however, review of aerial photography reveals the property is heavily forested on the east half of the property with a cluster of trees in the northwest corner of the property. A review of historic aerial photos from 1995 to the present does not reveal any trees have been removed from the property.*

Section 17.78.50 contains required annexation criteria. Requests for annexation should not have an adverse impact on the citizens of Sandy, either financially or in relation to the livability of the city or any neighborhoods within the annexation area. Generally, it is desirable for the city to annex an area if the annexation meets **any** of the following criteria:

- A. A necessary control for development form and standards of an area adjacent to the city; or
- B. A needed solution for existing problems, resulting from insufficient sanitation, water service, or other urban service related problems; or
- C. Land for development to meet urban needs and that meets a logical growth pattern of the city and encourages orderly growth; or

D. Needed routes for utility and transportation networks.

RESPONSE: *The applicant's narrative indicates they believe annexation of the subject property meets Criterion C and D above. Staff generally agrees with the applicant that the property provides a logical growth pattern for the city and encourages orderly growth. The site is bordered by city limits on the entire north property line and the property to the north has been developed into a single-family dwelling neighborhood known as Cascadia Village. Cascadia Village was designed to include a stubbed street, Averill Parkway, that intersects the subject site to allow for future connection between Cascadia Village and future development on the subject property. Property to the west of the subject site was approved by Planning Commission (File No. 17-066 SUB/VAR) on March 26, 2018. The approval granted the property to be subdivided into 37 residential lots for future development of single family homes as well as six variances to the Sandy Development Code. Currently there are utility connections available within Averill Parkway north of the subject property and in SE Bornstedt Road right-of-way to the west of the subject property. Annexation of the subject property will allow for future development which will in turn lead to extension of utility services providing needed utility infrastructure to serve future development within the city's urban growth boundary. Future development of the subject property and improvements to SE Bornstedt Road right-of-way will add to the existing and future transportation network within the urban grown boundary.*

Per Section 17.78.60 (F)3. the applicant was supposed to map the location of areas subject to regulation under Chapter 17.60, Flood and Slope Hazard (FSH) Overlay District. Prior to future development of this property the City will require that the FSH Overlay is mapped and required setback areas per Section 17.60.30 are identified on the subject property.

4. Urban Growth Boundary Expansion Analysis

Chapter 4 Expansion Alternative Justification

Goal 12 – Transportation contains policies to ensure sufficient and adequate transportation facilities and services are available. This goal states that Oregon Administrative Rule (OAR) 660-024-0020(1)(d) does not require the City to conduct an analysis pursuant to the transportation planning rule (“TPR”) prior to adding lands to expand the UGB. This is because the lands that are being added to the UGB will retain their existing county zoning until the owners of the lands choose to annex into the City. At that time, the City will conduct a TPR analysis relative to those lands.

RESPONSE: *Upon receiving the application, staff did not require TPR findings to be submitted. After additional analysis of code requirements, conversations with the Oregon Department of Transportation (ODOT) and confirmation from the City's attorney, it has been determined that TPR findings shall be submitted for review prior to final approval*

of any proposed annexations of lands brought into the UGB with the 2017 UGB Expansion. All TPR analysis shall consider a 'reasonable worst case' development scenario consistent with the type of development allowable under the City of Sandy Development Code for the zoning district the conceptual zoning map defines for the subject property. The analysis shall be based on the trip rates presented in the Institute of Transportation Engineers' Trip Generation Manual – 10th Edition. The analysis conducted by the applicant shall also be reviewed by the City of Sandy transportation engineer consultant which requires the payment of a \$1,500 third-party review fee. Until TPR findings are complete and the analysis determines either an insignificant or significant affect on transportation facilities the City of Sandy staff cannot provide a recommendation on approval for this application.

III. SUMMARY

The broad purpose of the City is to provide for the health, safety, and welfare of Sandy's residents. As a means of working to accomplish this purpose, the City regulates development to ensure it occurs in appropriate locations with access to services and is consistent with the values of the community. In addition, the City must ensure that an adequate level of urban services, such as sanitary sewer, can be provided before permitting annexation and subsequent development.

The proposed annexation is located within the city's urban growth boundary with the anticipation of being included in city limits. As noted above, the subject property complies with the criteria contained in Chapter 17.78 of the Sandy Development Code and complies with the requirements found in Senate Bill 1573 passed by the Oregon Legislature in 2016.

Following annexation, the subject property would be zoned Single Family Residential (SFR) as shown on the conceptual zoning map with a comprehensive land designation of Low Density Residential.

IV. RECOMMENDATION

It is hereby recommended that the applicant submit TPR findings for the 'reasonable worst case' development scenario consistent with the proposed zoning for the subject property. Additionally, staff recommends the applicant pay a \$1,500 fee for the third-party City of Sandy traffic engineer consultant, a continuance to the Planning Commission hearing until TPR findings are complete and that the applicant submit a waiver from the ORS 120-day final action rule. This will provide additional time for the applicant and staff to complete a comprehensive analysis of the required TPR findings. Staff also recommends this annexation be conditioned that prior to future development of this property the applicant map the FSH Overlay and required setbacks per Section 17.60.30.

EXHIBIT A

LAND USE APPLICATION FORM

(Please print or type the information below)



CITY OF SANDY, OREGON

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

Name of Project BLOOM ANNEXATION

Location or Address 19618 SE BORNSTEDT ROAD

Map & Tax Lot Number T 2S, R 4E, Section 24C; Tax Lot(s) 100

Plan Designation LDR Zoning Designation SFR Acres 12.74

Request:

Type A Annexation of one property containing 12.74 acres and public right-of-way for a total annexation area of 12.84 acres.

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

Applicant <u>William Bloom</u>	Owner <u>same as applicant</u>
Address <u>P.O. Box 1283</u>	Address
City/State/Zip <u>Wrangell, Alaska 99929</u>	City/State/Zip
Phone <u>503-297-5067</u>	Phone
Email <u>Info@av-blinds-shades.com</u>	Email
Signature <u><i>William Bloom</i></u>	Signature

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

File No. <u>18006MN</u>	Date <u>6/22/18</u>	Rec. No.	Fee \$ <u>2136.00</u>
Type of Review (circle one): Type I Type II Type III <u>Type IV</u>			

24E 24C 00100

EXHIBIT B



**SUPPLEMENTAL
LAND USE APPLICATION FORM (No. 1)**

(Please print or type the information below)

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

ANNEXATION ZONE CHANGE COMPREHENSIVE PLAN AMENDMENT

Property Identification			
Tax Lot Number	Township	Range	Section
100	2S	4E	24C

Existing and Proposed Land Use Designations				
Tax Lot Number(s)	Comprehensive Plan		Zoning Map	
	Existing	Proposed	Existing	Proposed
100	Rural	LDR	RR-FF-5	SFR

IMPORTANT: Each section on this application must be fully completed or your application could be deemed incomplete.

Tax Lot Number	Clackamas County Recording Number	Assessed Land Value	Size in Acres or Sq. Ft.
100	Partition Plat 2018-045	\$326,237	12.74

LEGAL DESCRIPTION: Attach a separate page with the written metes and bounds legal description. Accuracy of the legal description(s) must be certified by a registered land surveyor for all annexation applications.

DESCRIBE EXISTING USES

Tax lot 100 includes a mix of pasture and woods and contains a 1,056 square foot historic barn and a well house. A residence previously located on the property line between Parcels 3 and 4 of the partition plat was demolished by a practice burn of the Sandy Fire Department on May 19, 2018.

DESCRIBE EXISTING BUILDINGS

How many buildings are located on the property? **2**

Number of Total Dwelling Units :

0 - The former residence was demolished by a practice burn on May 19, 2018.

DESCRIBE EXISTING TOPOGRAPHY

Approximate acreage with slopes less than 14.9%	100%
Approximate acreage with slopes 15% to 24.9%	0
Approximately acreage with slope in excess of 25%	0
Any creeks, water sources, drainageways or wetlands within the property? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Any steep slopes, ravines, draws or bluffs within or abutting the property? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

DESCRIBE EXISTING ACCESS

Does the subject property abut a public right-of-way? Yes No

Name of public right-of-way: SE Bornstedt Road

Does the property abut a private road? Yes No

Name of abutting private road(s): none

Describe any unusual difficulties in accessing the property:

The property has 417 feet of frontage on SE Bornstedt Road. The location of an access to serve the property will need to consider sight distance due to topographic considerations.

DESCRIBE SURROUNDING USES ON ADJACENT PROPERTIES

Properties to the south, east, and west of the subject property are developed as rural residential/farm uses. The subject property abuts Cascadia Village for a portion of its northern border which is developed with medium density residential dwellings.

DESCRIBE PROPOSED USE OF THE PROPERTY OR LAND DIVISIONS

Include number of lots, densities, etc.

There is no development plan at this time. Development of the property will be completed in compliance with applicable City ordinances.



SUPPLEMENTAL ANNEXATION LAND USE APPLICATION FORM (No. 2)

List of all owners of property included in the application

Owner Information	Property Description TL, Section, Township, Range
Owner William Bloom	Parcel 3 of Partition Plat 2018-045 2S 4E 24C, tax lot 100 19618 SE Bornstedt Road
Address P.O. Box 1283	
City/State/Zip Wrangell, Alaska 99929	
Phone 503-297-5067	
Owner	
Address	
City/State/Zip	
Phone	
Owner	
Address	
City/State/Zip	
Phone	
Owner	
Address	
City/State/Zip	
Phone	
Owner	
Address	
City/State/Zip	
Phone	

EXHIBIT C

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24E24BD09700
Rh Adams
39084 Jerger St
Sandy, OR 97055

24E24BD12900
Emily & Ryan Alexander
19315 Averill Pkwy
Sandy, OR 97055

24E24BD09500
James Peterson Jr
39128 Jerger St
Sandy, OR 97055

24E24BD09000
William & Jennifer Anderson
19368 Averill Pkwy
Sandy, OR 97055

24E24BD03426
Ryan Baty
38838 Haskins St
Sandy, OR 97055

24E24BD04800
Linda Bay
38926 Haskins St
Sandy, OR 97055

24E24C 00100
William Bloom
Po Box 1283
Wrangell, AK 99929

24E24BD04700
Michael Bohrer
38904 Haskins St
Sandy, OR 97055

24E24BD11200
David Bressel
13420 SE Meadowpark Dr
Happy Valley, OR 97086

24E24BD09200
Susan Burdell
19402 Averill Pkwy
Sandy, OR 97055

24E24BD13200
Cascade Community Properties Llc
Po Box 87970
Vancouver, WA 98687

24E24BD09400
Brian & Mary Casey
39142 Jerger St
Sandy, OR 97055

~~24E24BC20300
City Of Sandy
39250 Pioneer Blvd
Sandy, OR 97055~~

~~24E24BC20400
City Of Sandy
39250 Pioneer Blvd
Sandy, OR 97055~~

~~24E24BD13100
City Of Sandy
39250 Pioneer Blvd
Sandy, OR 97055~~

24E24BD11500
Gannon Colbry
38893 Jerger St
Sandy, OR 97055

24E24BD11000
James Cusick
38806 Jerger St
Sandy, OR 97055

24E24BD13000
Kyle & Stefanee Danielle
19293 Averill Pkwy
Sandy, OR 97055

24E24AC10000
Daniel & Camille Eide
39186 Amherst St
Sandy, OR 97055

24E24BD03425
Lindsay & Jason Erceg
38844 Haskins St
Sandy, OR 97055

24E24BD09600
Charlene Fine
39106 Jerger St
Sandy, OR 97055

24E24BD03600
247 Pmb
38954 Proctor Blvd
Sandy, OR 97055

24E24BD10500
Vincent & Kate Finzer
38906 Jerger St
Sandy, OR 97055

24E24BD10400
Matthew & Miranda Franke
38928 Jerger St
Sandy, OR 97055

24E24BC17000
Douglas & Wendy Gabbert
19404 Oak Ave
Sandy, OR 97055

24E24BD12800
Rafael Garcia & Hernandez Maria
39113 Jerger St
Sandy, OR 97055

24E24BD12400
Kody Geertz
19320 Wellesley Ave
Sandy, OR 97055

24E24BD03424
Kara & Michael Gentry
38854 Haskins St
Sandy, OR 97055

24E24BD12500
Gooing & Pedraza-Gooing O
39057 Jerger St
Sandy, OR 97055

24E24BC16900
Wayt Investment Co Llc
9773 SE 302nd Ln
Boring, OR 97009



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24E24BC17100
Grey Properties Llc
1905 SW 257th Ave
Troutdale, OR 97060

~~24E24BC17300
Grey Properties Llc
1905 SW 257th Ave
Troutdale, OR 97060~~

24E24A 01800
Mitchell & Mallory Hamann
19420 SE Jacoby Rd
Sandy, OR 97055

24E24BD05100
Christy Hanna
38982 Haskins St
Sandy, OR 97055

24E24A 01700
Kenneth Harrison
Po Box 2020
Sandy, OR 97055

24E24BD12700
Larry Hedges
39091 Jerger St
Sandy, OR 97055

24E24BD11400
Brandon Height
38871 Jerger St
Sandy, OR 97055

24E24BD11100
Isaac & Jessica Hibbs
38815 Jerger St
Sandy, OR 97055

24E24BD10100
Irma Hickey
38984 Jerger St
Sandy, OR 97055

24E24BD04900
John & Megan Holder
38948 Haskins St
Sandy, OR 97055

24E24BD10600
Dennis Jones
38884 Jerger St
Sandy, OR 97055

24E24BD05400
John Barker Jr & Nicole Hypse
39028 Haskins St
Sandy, OR 97055

24E24BD12000
Adam Kennedy
39013 Jerger St
Sandy, OR 97055

24E24BD08300
Jillian Kinney
39120 Amherst St
Sandy, OR 97055

24E24BD11900
Michael Lawrence
38991 Jerger St
Sandy, OR 97055

24E24BD07600
James & Donna Lazenby
19271 Averill Pkwy
Sandy, OR 97055

24E24BD05000
Dylan Lerch & Alexandra Popescu
38960 Haskins St
Sandy, OR 97055

24E24BD07500
Richard Lilly
19286 Wellesley Ave
Sandy, OR 97055

24E24BD10800
Aleksandr Logvinenko
38840 Jerger St
Sandy, OR 97055

24E24C 01803
Douglas & Joni Lyver
19885 SE Bornstedt Rd
Sandy, OR 97055

24E24C 01900
Ernest & Mary Marshall
19737 SE Bornstedt Rd
Sandy, OR 97055

~~24E24C 02100
Ernest & Mary Marshall
19737 SE Bornstedt Rd
Sandy, OR 97055~~

24E24C 02200
Ernest & Mary Marshall
19737 SE Bornstedt Rd
Sandy, OR 97055

24E24C 02300
Richard Marshall
19545 SE Bornstedt Rd
Sandy, OR 97055

24E24BD09300
Mattes Gregory A (Trustee)
Po Box 6448
Santa Rosa, CA 95406

24E24BD12600
Jennifer Mccarthy
39079 Jerger St
Sandy, OR 97055

24E24D 01800
Timothy Mcdaniel
19619 SE Jacoby Rd
Sandy, OR 97055

24E24D 01700
Gary & Cindy Mcqueen
19705 SE Jacoby Rd
Sandy, OR 97055

24E24BD11300
Scott Mengis
38859 Jerger St
Sandy, OR 97055

24E24BD08400
Johannah & Greg Miller
39142 Amherst St
Sandy, OR 97055



24E24D 01300
Robert Miller
19901 SE Jacoby Rd
Sandy, OR 97055

24E24D 02200
Melvin & Shirley Miller
19575 SE Jacoby Rd
Sandy, OR 97055

24E24BD12300
Jason Mitchell
19308 Wellesley Ave
Sandy, OR 97055

24E24A 01600
~~ERROR~~ - UNDETERMINED
19451 SE Jacoby Rd
Sandy, OR 97055

24E24BD08900
Breanne Morton
19346 Averill Pkwy
Sandy, OR 97055

24E24C 00200
Jeffrey & Barbara Moyer
19880 SE Bomstedt Rd
Sandy, OR 97055

24E24C 00201
Jeffrey & Barbara Moyer
19880 SE Bomstedt Rd
Sandy, OR 97055

24E24AC09900
Paul Mullins
39208 Amherst St
Sandy, OR 97055

24E24BD04600
Mathew & Sara Mullikin
38882 Haskins St
Sandy, OR 97055

24E24BD11600
Lisa Murphy
38935 Jerger St
Sandy, OR 97055

24E24BD12200
Kasey Myers
19313 Wellesley Ave
Sandy, OR 97055

24E24D 01400
Jeffrey Nicholson
19815 SE Jacoby Rd
Sandy, OR 97055

24E24BD10900
Lindsey Rask
38828 Jerger St
Sandy, OR 97055

24E24BC17200
Raze Custom Homes Inc
4020 NE 216th Ave
Fairview, OR 97024

24E24BD05300
Breckenridge Property Fund 2016 Llc
2015 Manhattan Beach Blvd
Redondo Beach, CA 90278

24E24BD12100
Jacqui Rodden-Gray
19335 Wellesley Ave
Sandy, OR 97055

24E24BD11800
Rpv Llc
Po Box 775
Boring, OR 97009

24E24BC03700
~~Sandy Meadows Homeowners Assn~~

24E24C 01800
Gary & Jerri Schwartz
19839 SE Bomstedt Rd
Sandy, OR 97055

24E24BD05200
Marcello Sifuentes & Haley Lawrence
38994 Haskins St
Sandy, OR 97055

24E24BD11700
Cathleen Johnson & John Myers Jr
35501 SE Gunderson Rd
Sandy, OR 97055

24E24BD09900
John Simonitch
39040 Jerger St
Sandy, OR 97055

24E24BD09800
Gary & Terry Smith
39062 Jerger St
Sandy, OR 97055

24E24BD08700
Clifford & Murlene Stanford
19302 Averill Pkwy
Sandy, OR 97055

24E24BD08500
Tawnya Stevens
39164 Amherst St
Sandy, OR 97055

24E24BD10700
Michael Sweeney
38862 Jerger St
Sandy, OR 97055

24E24BD09100
Tony Taylor
9032 Soquel Dr
Aptos, CA 95003

24E24BD10300
Paul Turner
38940 Jerger St
Sandy, OR 97055

24E24BD10000
Lori Vanduzer
39008 Jerger St
Sandy, OR 97055

24E24BD03500
Vantage Homes Llc
3416 Via Oporto
Newport Beach, CA 92663



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24E24C 02000
Richard West
19651 SE Bornstedt Rd
Sandy, OR 97055

24E24BD10200
Oksana & Samuel Woodford
38962 Jerger St
Sandy, OR 97055

24E24BD08800
Christopher & Kristina Zavolas
19324 Averill Pkwy
Sandy, OR 97055

24E24BC20100
Zion Meadows Home Owners
9550 SE Clackamas Rd
Clackamas, OR 97015

24E24AC09800
Zook Marion (Trustee)
39220 Amherst St
Sandy, OR 97055

18-026 ANN Bloom Annexation Vicinity Map

EXHIBIT D

- Yellow - Property to be Annexed
- Blue - City Limits
- Pink - Urban Growth Boundary

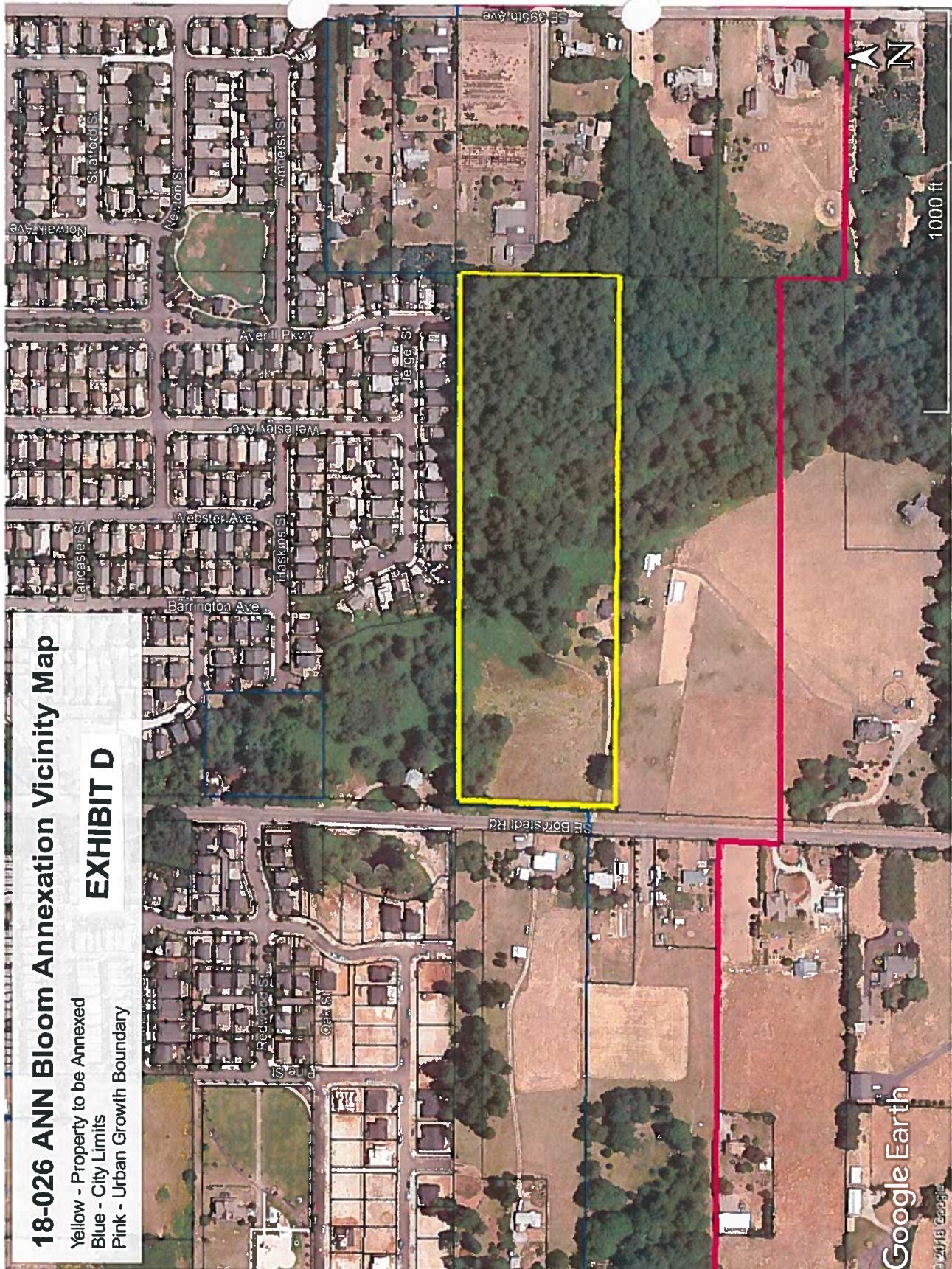


EXHIBIT E

Exhibit 'A'

Parcel 3 of Partition Plat 2018-045

A tract of land located in the Northeast 1/4 of the Southwest 1/4 of Section 24 Township 2 South, Range 4 East, Willamette Meridian, County of Clackamas, State of Oregon and being more particularly described as follows:

Beginning at the 2-inch Iron Pipe marking the center of said Section 24;

Thence South 01°21'13 West 415.49 Feet along the centerline of said Section 24 to an Iron Rod with Pink Plastic Cap "45th P.GEO PLS90079";

Thence leaving said center section line, North 89°02'23" West along the North line of Parcel 4 of Partition Plat 2018-045, Clackamas County Survey Records, and a Westerly extension of said line 1398.64 Feet to the Westerly Right of Way of Southeast Bornstedt Road (County Road No. 682);

Thence North 03°03'52" East along the Westerly Right of Way of said Road 75.94 Feet;

Thence leaving said Westerly Right of Way line South 89°02'26" East 60.01 Feet to a point on the Easterly Right of Way of said road;

Thence North 03°03'54" East along the Easterly Right of Way of said Road 341.59 Feet to an Iron Rod with Pink Plastic Cap "45th P.GEO PLS90079";

Thence leaving said Easterly Right of Way, South 88°57'48" East 1326.15 Feet along the North line of the Northwest 1/4 of the Southwest 1/4 of Section 24 to said Point of Beginning.

Containing 12.84 Acres, more or less

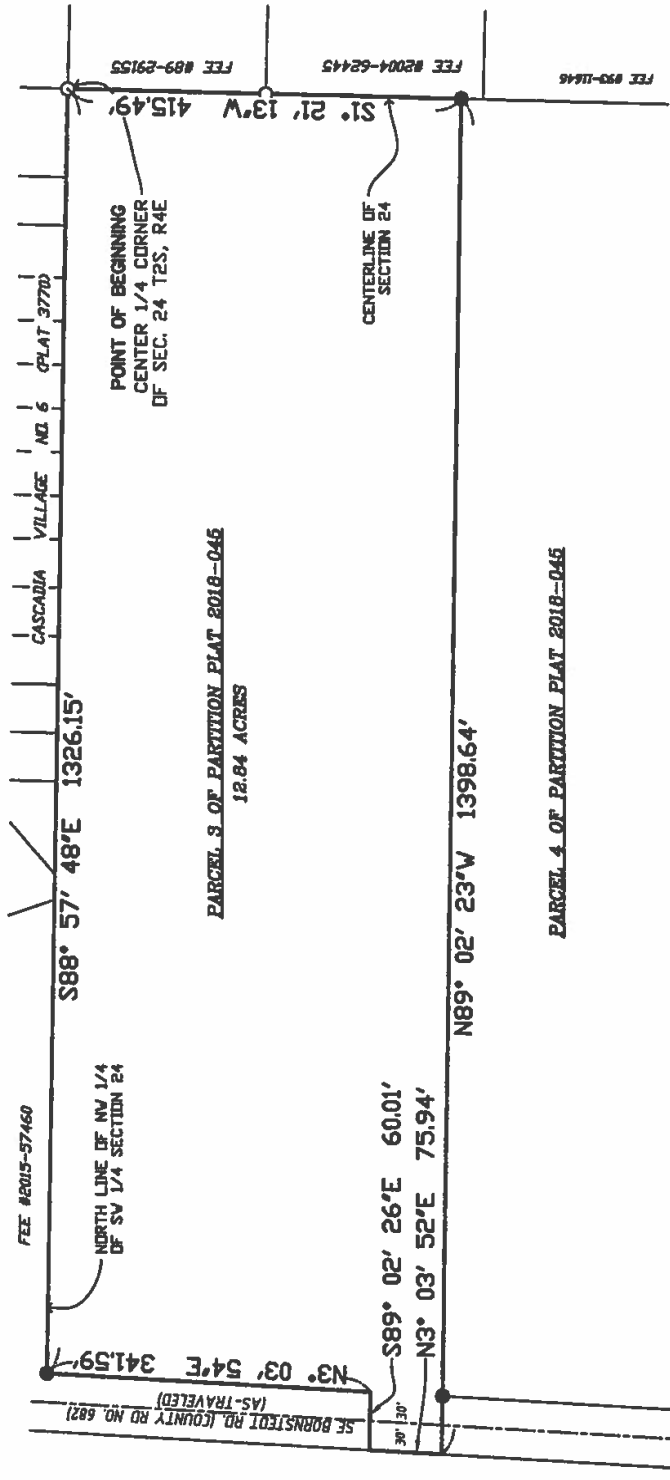
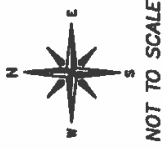
Refer to Exhibit B for map of described tract



Exhibit A - PARCEL 3.docx PP 2018-045

EXHIBIT 'B'

PARCEL 3 OF PARTITION PLAT 2018-045 AND A PORTION OF SE BORNSTEDT ROAD LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24 TOWNSHIP 2 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, COUNTY OF CLACKAMAS, STATE OF OREGON
 JUNE 2018 CLIENT NAME: WILLIAM K. BLOOM



REGISTERED PROFESSIONAL LAND SURVEYOR

Samantha Tanner

OREGON
 LAND SURVEYOR
 SAMANTHA TANNER
 50079
 LICENSE 9/30/20

BornstedtPLA.dwg

- 2-INCH IRON PIPE
- 5/8" BY 30" IRON ROD WITH PINK PLASTIC CAP MARKED "45TH P.GEO PLS90079"

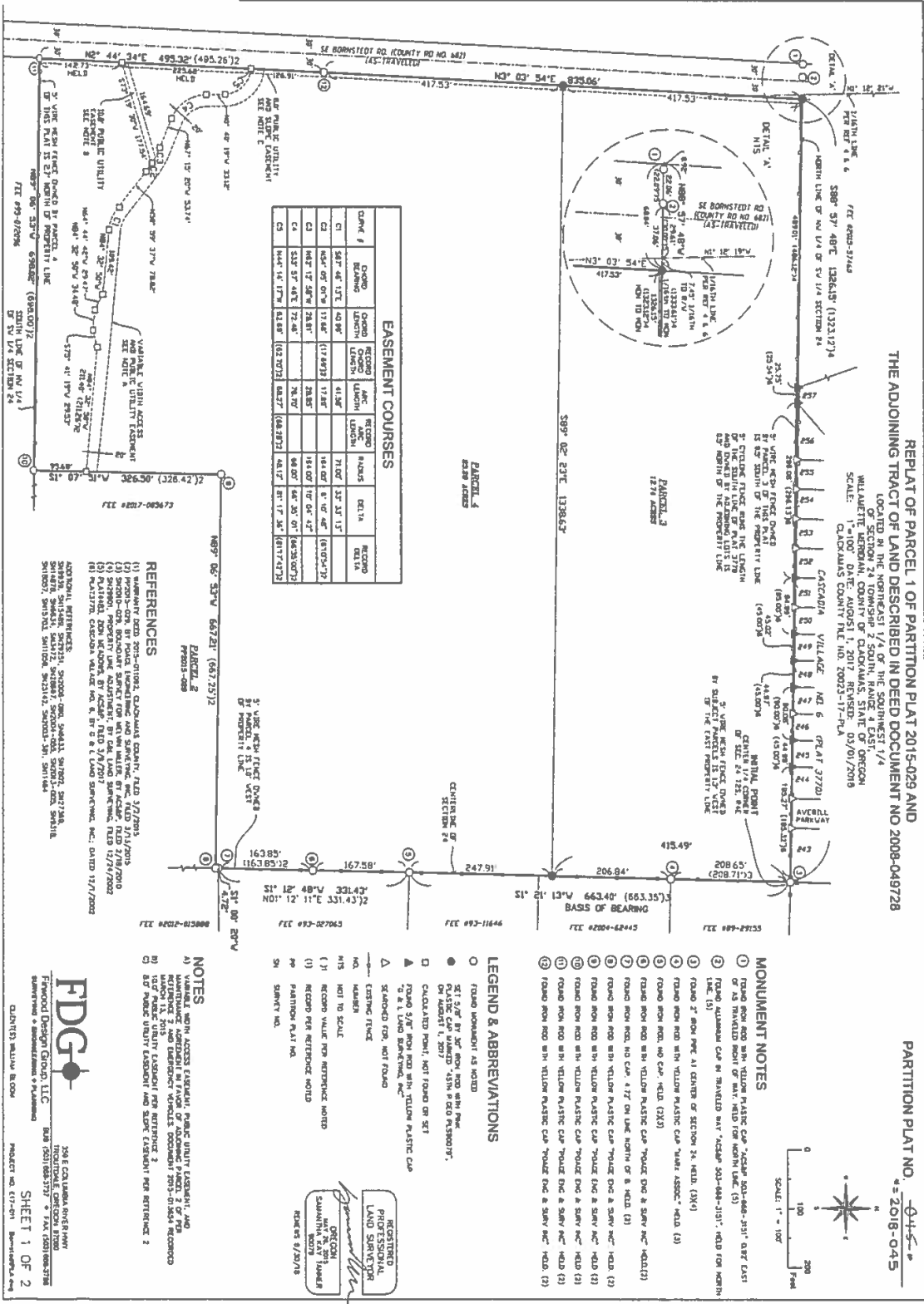
THE PURPOSE OF THIS EXHIBIT IS TO SHOW THE BOUNDARY OF A TRACT OF LAND AND A PORTION OF SE BORNSTEDT ROAD TO BE ANNEXED INTO THE CITY OF SANDY



Firwood Design Group, LLC
 SURVEYING + ENGINEERING + PLANNING

359 E COLUMBIA RIVER HWY
 TROUTDALE, OREGON 97060
 BUS: (503) 668-3737 ♦ FAX: (503) 668-3788

EXHIBIT F



REPLAT OF PARCEL 1 OF PARTITION PLAT 2015-029 AND THE ADJOINING TRACT OF LAND DESCRIBED IN DEED DOCUMENT NO 2008-049728

PARTITION PLAT NO. 2015-029

NARRATIVE

The parcel is in Partition Plat 2015-029 as recorded in deed document number 2008-049728 and Parcel 1 of Partition Plat 2015-029 as approved by the Clackamas County Planning Commission on 08/11/2015. The parcel is located in the Northwest 1/4 of the Southeast 1/4 of Section 21, Township 2 South, Range 4 East, Multnomah County, Oregon. The parcel is bounded on the north by the 1/2" line of the Northwest 1/4 of the Southeast 1/4 of Section 21, Township 2 South, Range 4 East, Multnomah County, Oregon. The parcel is bounded on the south by the 1/2" line of the Northwest 1/4 of the Southeast 1/4 of Section 21, Township 2 South, Range 4 East, Multnomah County, Oregon. The parcel is bounded on the east by the 1/2" line of the Northwest 1/4 of the Southeast 1/4 of Section 21, Township 2 South, Range 4 East, Multnomah County, Oregon. The parcel is bounded on the west by the 1/2" line of the Northwest 1/4 of the Southeast 1/4 of Section 21, Township 2 South, Range 4 East, Multnomah County, Oregon.

CLACKAMAS COUNTY APPROVALS

APPROVED BY CLACKAMAS COUNTY PLANNING COMMISSION ON 08/11/2015. APPROVED BY CLACKAMAS COUNTY PLANNING COMMISSION ON 08/11/2015. APPROVED BY CLACKAMAS COUNTY PLANNING COMMISSION ON 08/11/2015.

ACKNOWLEDGMENTS

STATE OF OREGON. I, the undersigned, being the duly qualified and authorized officer of the State of Oregon, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the State of Oregon.



DECLARATION

I, the undersigned, being the duly qualified and authorized officer of the State of Oregon, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the State of Oregon.

WILHELMINE HERNDAL, COUNTY CLERK, CLACKAMAS COUNTY, OREGON.

SURVEYOR'S CERTIFICATE

I, the undersigned, being the duly qualified and authorized officer of the State of Oregon, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the State of Oregon. THE NORTH 1/2" OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MULTNOMAH COUNTY, OREGON, IS BOUND ON THE NORTH BY THE 1/2" LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MULTNOMAH COUNTY, OREGON. THE NORTH 1/2" OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MULTNOMAH COUNTY, OREGON, IS BOUND ON THE SOUTH BY THE 1/2" LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MULTNOMAH COUNTY, OREGON. THE NORTH 1/2" OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MULTNOMAH COUNTY, OREGON, IS BOUND ON THE EAST BY THE 1/2" LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MULTNOMAH COUNTY, OREGON. THE NORTH 1/2" OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MULTNOMAH COUNTY, OREGON, IS BOUND ON THE WEST BY THE 1/2" LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MULTNOMAH COUNTY, OREGON.

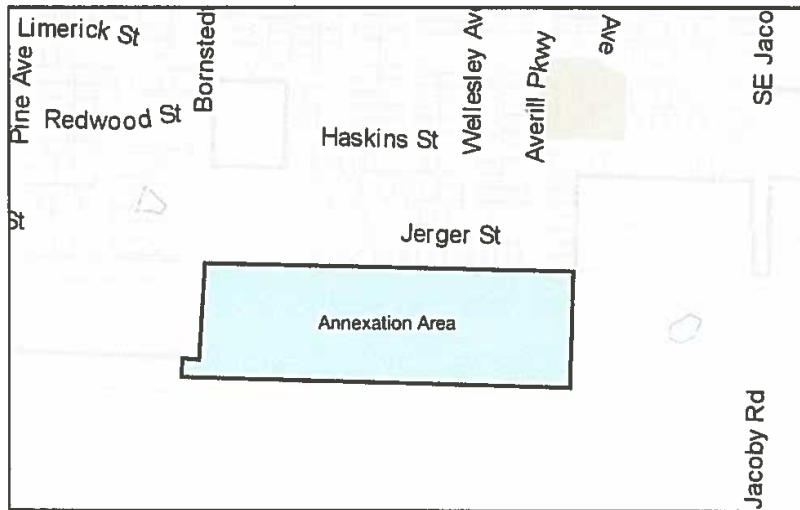


FDG CONSULTING GROUP LLC, 298 E. COLUMBIA RIVER HWY, FERNWOOD DESIGN GROUP LLC, 616 150TH AVENUE SE, SUITE 100, ALBANY, OREGON 97142. PHONE: 503-325-3377, FAX: 503-325-3378.

EXHIBIT H

**PROJECT NARRATIVE
FOR**

**BLOOM ANNEXATION
19618 SE Bornstedt Road, Sandy, Oregon
(24E24C tax lot 100)**



JUNE 2018

I. PROJECT DESCRIPTION

William Bloom requests approval to annex the property he owns located at 19618 SE Bornstedt Road into the City of Sandy. The annexation area includes a single property known as 24E24C tax lot 100 that was partitioned earlier this year with Partition Plat 2018-045. The property has about 417 feet of frontage on SE Bornstedt Road and contains 12.74 acres. Because a portion of Bornstedt Road adjacent to the subject property is not within the city limits, the annexation area also includes a portion of this roadway. With the addition of this portion of SE Bornstedt Road the entire annexation area contains 12.84 acres.

The subject property is located in the newly expanded Urban Growth Boundary approved in 2017. The property carries a conceptual Comprehensive Plan Designation of Low Density Residential and a conceptual Zoning Designation of Single Family Residential (SFR). The property is currently zoned by Clackamas County as "RRFF-5" and has a "Rural" county Comprehensive Plan designation. The applicant requests a Type 'A' Annexation in conformance with the city's conceptual zoning and plan designations.

The proposed annexation area is located on the east side of SE Bornstedt Road directly south of the Cascadia Village Subdivision and across Bornstedt Road from the Marshall Ridge Subdivision and south of the Zion Meadows Subdivision. The proposed annexation area is contiguous to the city limits along its entire northern boundary and the majority of its western boundary. The property includes a mix of pasture and woods and contains a 1,056 square foot historic barn and a well house/root cellar (see attached photos). A residence previously located on the property line between Parcels 3 and 4 of the partition plat was demolished by a practice burn of the Sandy Fire Department on May 19, 2018. A tributary of Tickle Creek flows through the middle of the property in a northerly direction.

II. ITEMS SUBMITTED WITH THIS APPLICATION

- Land Use Application
- Supplemental Application No. 1
- Supplemental Application No. 2
- Notification List
- Notification Map
- Mailing Labels for Notifying Property Owners
- Partition Plat No. 2018-045 (Sheet 1 and 2)
- Partition Site Plan showing structures
- Legal Description and Sketch of Annexation Area
- Project Narrative
- Site Photos

III. CODE ANALYSIS

17.26.00 ZONING DISTRICT AMENDMENTS

Response: In association with the annexation request, the applicant requests SFR zoning applying the underlying conceptual zoning designation determined during the recent Urban Growth Boundary Analysis process.

To determine the net buildable area of the property, 35 percent (4.46 acres) of the property was assumed to be removed for roads and the unbuildable area associated with the protection of Tickle Creek located on the property. These reductions result in a net buildable area of 8.28 acres (12.74 - 4.46 = 8.28).

Based on the density range requirements of the SFR Zoning District (3 units/net acre minimum to 5.8 units/net acre maximum) the density range for the property would be a minimum of 25 dwelling units (8.28 x 3 units = 24.84 units min.) and a maximum of 48 units (8.28 x 5.8 units = 48.02 units max).

CHAPTER 17.78 ANNEXATION

Chapter 17.78 contains the procedures and standards for reviewing annexation requests.

SENATE BILL 1573: Senate Bill 1573 passed by the legislature, effective on March 15, 2016 requires city's whose charter requires annexations to be approved by voters (Sandy's Charter includes this provision) to annex the property without submitting it to the voters if the proposal meets the following criteria:

(a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;

RESPONSE: *The subject property is located within the city's urban growth boundary effective June 2017. The proposal complies with this criterion.*

(b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;

RESPONSE: *The subject property is identified on the City's adopted Comprehensive Plan map to have a Low Density Residential Comprehensive Plan designation. The proposal complies with this criterion.*

(c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water; and

RESPONSE: *The property is contiguous to the city limits along its entire northern boundary and the majority of its western boundary. The proposal complies with this criterion.*

(d) The proposal conforms to all other requirements of the city's ordinances.

RESPONSE: *As reviewed below, the proposal complies with all requirements contained in the city's ordinance.*

17.78.00 INTENT

The procedures and standards established in this chapter are required for review of proposed annexations in order to:

A. Maximize citizen involvement in the annexation review process by holding a public hearing;

- B. Establish a system for measuring the physical, environmental, fiscal and related social effects of proposed annexations; and,
- C. Where possible and practical, avoid the creation of irregular boundaries or annexations that create “island,” “cherry stem” or “shoestring” annexations.
RESPONSE: The City will process this application using a Type IV, public hearing review. This process requires notification of the proposal to property owners within 300 feet of the subject property. In addition, public hearings to review the proposal will be held before both the Planning Commission and City Council. The hearing bodies will consider the items contained in subsection B with review of the proposal. The subject property is contiguous to the city limits along its entire northern boundary and the majority of its western boundary and creates a logical expansion of the city boundaries and will not create an “island, cherry stem or shoestring”. The proposed annexation complies with the intent of this chapter.

17.78.10 PROCEDURAL CONSIDERATIONS

- A. The corporate limits of the City shall include all territory encompassed by its boundaries as they now exist or are modified as provided herein unless mandated by State Law.
- B. The City may annex an island if it is less than 100 acres and has at least 80 percent of its boundary contiguous to the City; or the land is of any size and has at least 80 percent of its boundary contiguous to the City if the area to be annexed existed as an island before October 20, 1997.
- C. The City may annex land for public facilities. Public facilities include but are not limited to schools, senior centers, roads, police and fire stations, parks or open space, and public water, sewer and storm drainage facilities.
RESPONSE: The procedural considerations in this section are not pertinent to the proposed annexation request.

17.78.15 TYPES OF ANNEXATION

- A. Type A: Annexation in conformance with conceptual zoning designation
- B. Type B: Annexation + zone change
- C. Type C: Annexation + plan map change + zone change
RESPONSE: The applicant requests a Type A annexation in conformance with the city's conceptual zoning (SFR) and plan designations (LDR).

17.78.20 CONDITIONS FOR ANNEXATION

The following conditions must be met prior to beginning an annexation request:

- A. The requirement of Oregon Revised Statutes, Chapters 199 and 222 for initiation of the annexation process are met;
- B. The site must be within the City of Sandy Urban Growth Boundary (UGB); and
- C. The site must be contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water.

D. The site has not violated Section 17.78.25.

RESPONSE: *The proposed annexation complies with the requirements of Chapters 199 and 222 and the Oregon Revised Statutes as allowed by the provisions of Senate Bill 1573. The site is within the City of Sandy Urban Growth Boundary as approved by the Sandy City Council, Clackamas County Board of Commissioners, and the Department of Land Conservation and Development, effective June 2, 2017. The annexation area is contiguous to the existing city limits along its entire northern boundary and the majority of its western boundary. As discussed in detail below, tree retention requirements of Section 17.78.25 have not been violated. For these reasons, the proposal meets all of the conditions in this section required prior to beginning the annexation request.*

17.78.25 TREE RETENTION

The intent of this section is to treat property with annexation potential (in the UGB) as if it had been subject, prior to annexation, to the tree retention provisions of the City's Urban Forestry Ordinance (Chapter 17.102) and Flood and Slope Hazard (FSH) Overlay District (Chapter 17.60), to discourage property owners from removing trees prior to annexation as a way of avoiding Urban Forestry Ordinance provisions, and to prevent unnecessary tree removal for future subdivision layout. In accordance with ORS 527.722, the State Forester shall provide the City with a copy of the notice or written plan when a forest operation is proposed within the UGB. The City shall review and comment on an individual forest operation and inform the landowner or operator of all other regulations that apply but that do not pertain to activities regulated under the Oregon Forest Practices Act.

- A. Properties shall not be considered for annexation for a minimum of five (5) years if any of the following apply:
1. Where any trees six (6) inches or greater diameter at breast height (DBH) have been removed within 25 feet of the high water level along a perennial stream in the five years prior to the annexation application.
 2. Where more than two (2) trees (six (6) inches or greater DBH) per 500 linear feet have been removed in the area between 25 feet and 80 feet of the high water level of Tickle Creek in the five years prior to the annexation application.
 3. Where more than two (2) trees (six (6) inches or greater DBH) per 500 linear feet have been removed in the area between 25 feet and 50 feet of the high water level along other perennial streams in the five years prior to the annexation application.
 4. Where any trees six (6) inches or greater DBH have been removed on 25 percent or greater slopes in the five years prior to the annexation application.
 5. Where more than ten (10) trees (11 inches or greater DBH) per gross acre have been removed in the five years prior to the annexation application, except as provided below.

RESPONSE: *A review of historical aerial photos and a site visit reveal that no trees have been removed anywhere on the subject property within the last five years in*

the areas specified in this section. As such, none of the conditions contained in this section pertain to the proposed annexation.

17.78.30 ZONING OF ANNEXED AREAS

- A. All lands within the urban growth boundary of Sandy have been classified according to the appropriate city land use designation as noted on the comprehensive plan map (as per the city/county urban growth management area agreement). The zoning classification shall reflect the city land use classification as illustrated in Table 17.26.20.
- B. Where only a single city zoning designation corresponds to the comprehensive plan designation (Type A) and the rezoning decision does not require the exercise of legal or policy judgment on the part of the city council, amendment of the zoning map shall be a ministerial decision of the director made without notice or any opportunity for a hearing. *RESPONSE: The subject property is identified on the City's Comprehensive Plan Map to have a LDR, Low Density Residential designation and on the City's Zoning Map to be zoned SFR, Single Family Residential. The applicant requests these designations be applied with approval of this application.*

17.78.50 ANNEXATION CRITERIA

Requests for annexation should not have an adverse impact on the citizens of Sandy, either financially or in relation to the livability of the city or any neighborhoods within the annexation area. Generally, it is desirable for the city to annex an area if the annexation meets any of the following criteria:

- A. A necessary control for development form and standards of an area adjacent to the city; or
- B. A needed solution for existing problems, resulting from insufficient sanitation, water service, or other urban service related problems; or
- C. Land for development to meet urban needs and that meets a logical growth pattern of the city and encourages orderly growth; or
- D. Needed routes for utility and transportation networks. *RESPONSE: The proposed annexation area is located directly south of the Cascadia Village Subdivision and southeast across Bornstedt Road from the Marshall Ridge and Zion Meadows Subdivisions. It is bordered by the existing city limits along its entire northern boundary and the majority of its western boundary. Water and sanitary sewer service is available to serve the property by extending services from Averill Parkway in Cascadia Village to the north. Development of the annexation area is a logical growth pattern of the city and utilities are available to be extended to the south in this area of the UGB with development of the property. The proposed annexation area complies with both Annexation Criteria C and D. Annexation of the property is a logical growth pattern of the city and encourages orderly growth. In addition, expansion of the city limits in this area will facilitate the extension of a local street system and public utilities into this area of the UGB.*

IV. CONCLUSION

William Bloom requests a Type 'A' Annexation to annex the property he owns located at 19618 SE Bornstedt in conformance with the city's conceptual Comprehensive Plan and Zoning Map. The annexation area consists of one parcel containing 12.74 acres and a portion of the Bornstedt Road right-of-way for a total annexation area of 12.84 acres. The property is located within the Urban Growth Boundary and is contiguous to the city limits along its entire northern boundary and a portion of its western boundary. The proposal complies with the city's conditions for annexation found in Section 17.78.20 and meets two of the annexation criteria contained in Section 17.78.50.

EXHIBIT I

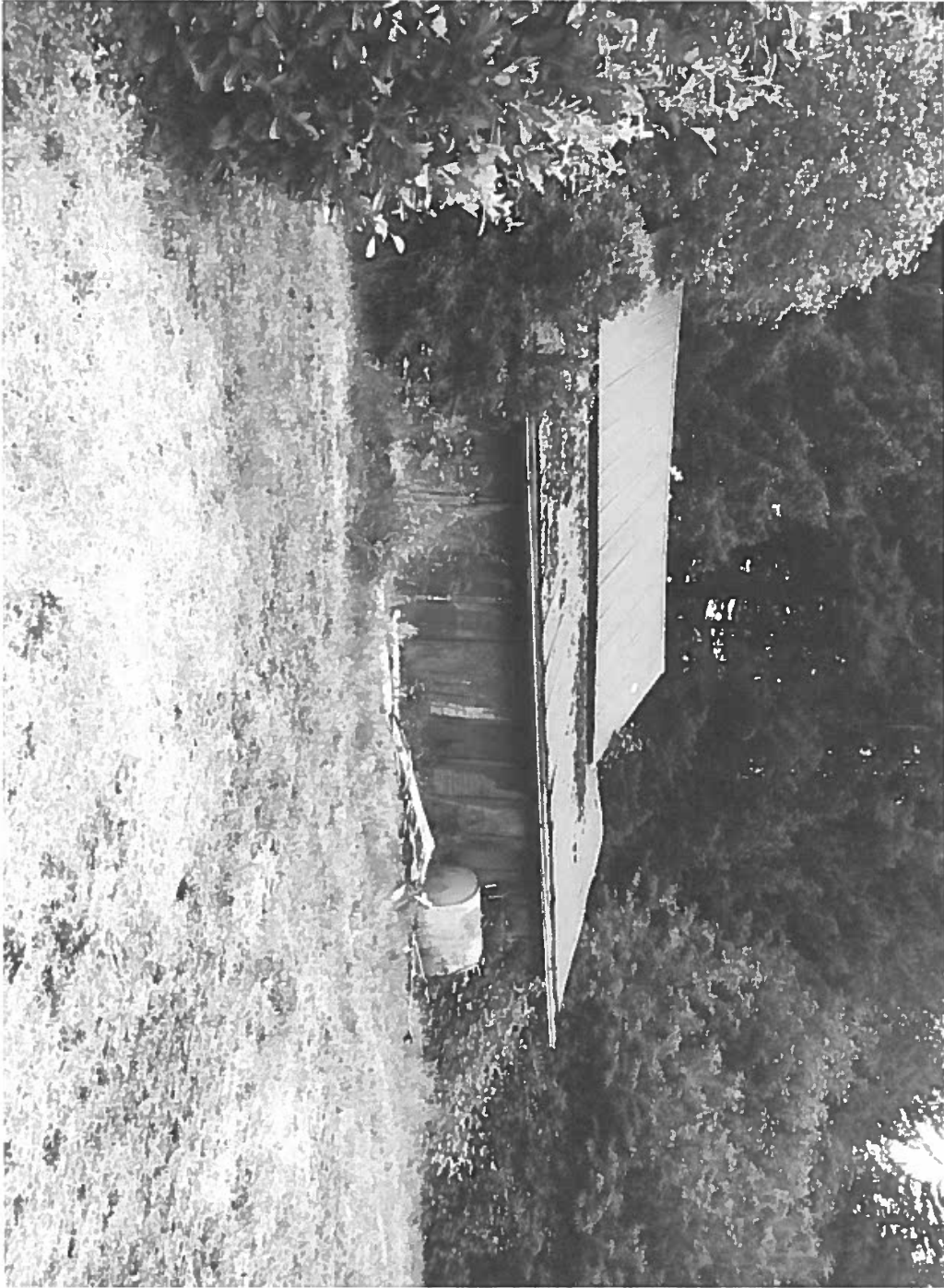


PROPERTY LINE LOOKING EAST FROM BORNSTEDT ROAD

FORMER RESIDENCE REMOVED BY PRACTICE BURR 5/19/18



HISTORIC BARN ON PROPERTY





HISTORIC WELL HOUSE/ROOT CELLAR

File # 18-026 ANN

EXHIBIT J

RECEIVED

JUL 19 2018

COMMENT SHEET for File No. 18-026 ANN:

CITY OF SANDY

We were told when we purchased our home that we packed to a green space that would never be developed. It was one of the main reasons we purchased our home. Now with the proposed development it feels as though we've been lied to. Our backyard is so peaceful & bird friendly. Taking out this greenspace would rip that away from us. The wildlife that lives in this greenspace will be forced to flee! This green space needs to stay untouched/undeveloped! Please leave our trees! No new neighborhood, maybe a couple 2 or 3 houses would be ok, leaving many of the trees & natural space as is. We do NOT like the thought of constant construction & noise. If this development were to happen. We suffer from migraines & noise tends to set them off. Plus the trees/green space are literally right against our fence, the thought of them chopping them down so close to our house is very nerve-racking. Leave our small town small. We feel this development is not a need. Our quiet neighborhood w/ the beautiful backyard views will be gone. We are not happy about that at

Jarcy & Dennis Jones (503) 989-10494 ^{lover}
Your Name Phone Number
 38884 Jerger St. Sandy, OR. 97055
Address

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.26 Zoning District Amendments; 17.34 Single Family Residential; 17.78 Annexation.

all. We do not want to see houses & people when we look out our back door! We love our current woodsy view! Please do not allow them to obscure it w/ more houses. Please leave it the way it is. We need the greenspace. We do not need yet another housing development!! PLEASE save our green space!?



Staff Report

Meeting Date: August 27, 2018

From James Cramer, Associate Planner

SUBJECT: Sandy Community Campus Right-of-Way Vacation

Background:

The applicant, the City of Sandy, Oregon, requests a Type IV right-of-way (ROW) street vacation of four street segments totaling 72,085 square feet. The street segments are as followed:

- Alt Avenue, between Pleasant and Park Street; 16,500 square feet
- Hood Street, between Alt and Smith Avenue; 12,500 square feet
- Park Street, between Strauss Avenue and extending 99.70 feet east of Smith Avenue; 34,985 square feet (*note: the right-of-way does not extend to Meinig Avenue*)
- Smith Avenue, extending 162 feet south from the Smith/Park intersection; 8,100 square feet

Should the request be approved the title to the right-of-way area being vacated will be dedicated to the lands bordering on such area in equal portions. Ownership of the vacated right-of-way will be transferred to the City of Sandy, OR and the Oregon Trail School District and through separate processes be platted into each owner's respective parcel boundaries.

Recommendation:

It is hereby recommended that Planning Commission forward the petition to City Council with a recommendation for approval.

"I make a motion to forward Case Number 18-029 VAC, Sandy Community Campus Right-of-Way Vacation, to City Council with a recommendation for approval"

Financial Impact:

None.

SUBJECT: File No. 18-029 VAC – Sandy Community Campus Right-of-Way Vacation

AGENDA DATE: August 27, 2018

Application Complete: July 5, 2018
120-Day Deadline: November 2, 2018

DEPARTMENT: Planning Division

STAFF CONTACT: James A. Cramer, Associate Planner

EXHIBITS:

Applicant's Submittals

- A. Land Use Application
- B. Supplemental Land Use Application No. 1 & 2
- C. Mailing Labels for Notifying Property Owners
- D. Vicinity Map
- E. Alt Avenue Land to be Vacated
- F. Hood Street Land to be Vacated
- G. Park Street Land to be Vacated
- H. Smith Avenue Land to be Vacated

Agency Comments

None

Public Comments

None

I. BACKGROUND

A. APPLICABLE CRITERIA & REVIEW STANDARDS

Sandy Development Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.20 Public Hearings; 17.22 Notices.

Oregon Revised Statutes: Chapter 271 Use of Public Lands, Easements Public Lands; 271.110 Notice of Hearing; 271.120 Hearing; 271.130 Vacation on City Governing Body's Own Motion

B. PROCEEDING

In conformance with the standards of Chapter 17 of the Sandy Municipal Code (SMC) this application is processed as a Type IV, Quasi-Judicial Land Use Decision. Additionally, the application has been processed to meet the requirements set forth in ORS Chapter 271.

C. FACTUAL INFORMATION

- 1. APPLICANT/PROPERTY OWNER: City of Sandy, Oregon

2. **LEGAL DESCRIPTION:** Existing right-of-way with no assigned tax lot information.
3. **PROPOSAL:** The applicant, the City of Sandy, Oregon, requests a Type IV right-of-way (ROW) street vacation of four street segments totaling 72,085 square feet. The street segments are as followed:
 - Alt Avenue, between Pleasant and Park Street; 16,500 square feet
 - Hood Street, between Alt and Smith Avenue; 12,500 square feet
 - Park Street, between Strauss Avenue and extending 99.70 feet east of Smith Avenue; 34,985 square feet (*note: the right-of-way does not extend to Meinig Avenue*)
 - Smith Avenue, extending 162 feet south from the Smith/Park intersection; 8,100 square feet

Should the request be approved the title to the right-of-way area being vacated will be dedicated to the lands bordering on such area in equal portions. Ownership of the vacated right-of-way will be transferred to the City of Sandy, OR and the Oregon Trail School District and through separate processes be platted into each owner's respective parcel boundaries.
4. **SITE LOCATION:** Various right-of-way segments located in and surrounding the Sandy Community Campus and Sandy Grade School properties.
5. **SITE SIZE:** A total of 72,085 square feet (1.65 acres).
6. **SITE DESCRIPTION:** The right-of-way segments proposed to be vacated equate to a total of 72,085 square feet. The right-of-way segments have historically been incorporated into the Oregon Trail School District's Cedar Ridge Middle School and Sandy Grade School campus site planning. In a portion of Alt Avenue/Hood Street an aquatic center was constructed and in a portion of the Hood Street right-of-way segment the middle school gym was constructed.
7. **COMPREHENSIVE PLAN DESIGNATION:** Medium Density Residential
8. **ZONING DISTRICT DESIGNATION:** R-2, Medium Density Residential

D. PREVIOUS LAND USE DECISIONS: The right-of-way segments have historically been incorporated into the Oregon Trail School District's Cedar Ridge Middle School and Sandy Grade School campus site planning. The site of the Middle School campus is now owned and operated by the City of Sandy, Oregon and it is intended to be the site of a future community campus to serve residences and area visitors. Upon this site, a portion of Alt Avenue/Hood Street has the existing aquatic center constructed and in a portion of the Hood Street right-of-way a segment of the gym (previous Middle School, currently vacant) was constructed.

II. ANALYSIS OF CONFORMANCE – OREGON REVISED STATUTES

Chapter 271.100 Use and Disposition of Public Lands Generally; Easements

1. ORS 271.110 Notice of Hearing

- A. The city recorder or other recording officer of the city shall give notice of the petition and hearing by publishing a notice in the city official newspaper once each week for two consecutive weeks prior to the hearing. If no newspaper is published in such city, written notice of the petition and hearing shall be posted in three of the most public places in the city. The notices shall describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition, and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered.
- B. Within five days after the first day of publication of the notice, the city recording officer shall cause to be posted at or near each end of the proposed vacation a copy of the notice, which shall be headed, "Notice of Street Vacation," "Notice of Plat Vacation" or "Notice of Plat and Street Vacation," as the case may be. The notice shall be posted in at least two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be at least 14 days before the hearing.
- C. The city recording officer shall, before publishing such notice, obtain from the petitioners a sum sufficient to cover the cost of publication, posting and other anticipated expenses. The city recording officer shall hold the sum so obtained until the actual cost has been ascertained, when the amount of the cost shall be paid into the city treasury and any surplus refunded to the depositor.

***RESPONSE:** A Notice of Public Hearing detailing the proposed vacation, Planning Commission and City Council dates as well as instructions on how to submit written comments was published in the Sandy Post on Wednesday August 8 and 15, 2018. On Thursday, August 9, 2018 city staff placed a sign at two locations (the intersections of Pleasant St./Alt Ave. and Hood St./Smith Ave.). The signs included the heading, "Notice of Street Vacation", along with a detailed description of the proposed vacation, Planning Commission and City Council hearing dates as well as staff's contact information and instructions on how to submit written comments. The petition was made by the City of Sandy and all publication expenses were paid for accordingly.*

2. ORS 271.120 Hearing

At the time fixed by the governing body for hearing the petition and any objections filed thereto or at any postponement or continuance of such matter, the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance, make such determination a matter of record and vacate such plat or street;

otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

RESPONSE: *Planning Commission will hear the proposed petition on Monday, August 27, 2018. At his hearing the Planning Commission will make a recommendation to be heard by City Council on Monday, September 17, 2018. Should the petition be approved then city staff shall draft an ordinance for approval detailing the decision made by the governing body.*

3. 271.130 Vacation on City Governing Body's Own Motion

- A. The city governing body may initiate vacation proceedings authorized by ORS [271.080 \(Vacation in incorporated cities\)](#) and make such vacation without a petition or consent of property owners. Notice shall be given as provided by ORS [271.110 \(Notice of hearing\)](#), but such vacation shall not be made before the date set for hearing, nor if the owners of a majority of the area affected, computed on the basis provided in ORS [271.080 \(Vacation in incorporated cities\)](#), object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide.
- B. Two or more streets, alleys, avenues and boulevards, or parts thereof, may be joined in one proceeding, provided they intersect or are adjacent and parallel to each other.
- C. No ordinance for the vacation of all or part of a plat shall be passed by the governing body until the city recording officer has filed in the office of the city recording officer or indorsed on the petition for such vacation a certificate showing that all city liens and all taxes have been paid on the lands covered by the plat or portion thereof to be vacated.
- D. Any property owner affected by the order of vacation or the order awarding damages or benefits in such vacation proceedings may appeal to the circuit court of the county where such city is situated in the manner provided by the city charter. If the charter does not provide for such appeal, the appeal shall be taken within the time and in substantially the manner provided for taking an appeal from justice court in civil cases.

RESPONSE: *The two parties affected by the street vacation petition are the City of Sandy, Oregon and the Oregon Trail School District (OTSD). While written consent has not been provided by OTSD, close communication with the OTSD Superintendent has been made with regards to the proposed street vacation. Notice has been provided per ORS 271.110 (Notice of Hearing) and has been detailed within this*

report. The proposed street vacation will not substantially affect the market value of the subject property nor has a final decision regarding the proposal been made prior to set hearing dates.

The four street segments to be vacated intersect and are parallel to one another meeting Criteria B above. No ordinance shall be passed prior to the city recording officer certifies all city liens and all taxes have been paid on the lands to be vacated.

III.SUMMARY

Historically the proposed land to be vacated has been incorporated into Oregon Trail School District site planning. In order to encourage orderly growth the City of Sandy, Oregon proposes to vacate four street segments to legally incorporate them in the overall site planning for the existing sites (OTSD Grade School campus and City owned property for the future Sandy Community Campus).

The proposed street vacation has been processed per the Oregon Revised Statutes Chapter 271, notified the proposal accordingly and will hold two public hearings to provide an opportunity for any opposition to be heard. Should the proposal be approved it shall be approved via ordinance and the title to the right-of-way area being vacated will be dedicated to the lands bordering on such area in the original plat in equal portions.

IV.RECOMMENDATION

It is hereby recommended that Planning Commission forward the petition to City Council with a recommendation for approval.



LAND USE APPLICATION FORM

(Please print or type the information below)

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

EXHIBIT A

Name of Project Sandy Community Campus Right-of-Way Vacation

Location or Address Portions of: Alt Avenue, Hood Street, Park Street and Smith Avenue.

Map & Tax Lot Number T _____, R _____, Section _____; Tax Lot(s) _____

Plan Designation R-2 Zoning Designation MDR Acres 1.65

Request:

To vacate a total of 72,085 SF of right-of-way. The areas proposed to be vacated are; Alt Ave. 16,500 SF; Hood St. 12,500 SF; Park St. 34,985 SF; and Smith Ave. 8,100 SF.

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

Applicant City of Sandy, Oregon	Owner same as applicant
Address 39250 Pioneer Blvd.	Address same as applicant
City/State/Zip Sandy, OR 97055	City/State/Zip same as applicant
Phone 503-489-2160	Phone same as applicant
Email planning@ci.sandy.or.us	Email same as applicant
Signature <i>Hiroe E. Jamashita</i>	Signature

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

File No. <u>18-029VAK</u>	Date	Rec. No.	Fee \$
Type of Review (circle one): Type I Type II Type III Type IV			

EXHIBIT B



**SUPPLEMENTAL
LAND USE APPLICATION FORM (No. 1)**

(Please print or type the information below)

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

- ANNEXATION ZONE CHANGE COMPREHENSIVE PLAN AMENDMENT

Property Identification			
Tax Lot Number	Township	Range	Section

Existing and Proposed Land Use Designations				
Tax Lot Number(s)	Comprehensive Plan		Zoning Map	
	Existing	Proposed	Existing	Proposed
Right-of Way	MDR	MDR	R2	R2

IMPORTANT: Each section on this application must be fully completed or your application could be deemed incomplete.

Tax Lot Number	Clackamas County Recording Number	Assessed Land Value	Size in Acres or Sq. Ft.

LEGAL DESCRIPTION: Attach a separate page with the written metes and bounds legal description. Accuracy of the legal description(s) must be certified by a registered land surveyor for all annexation applications.

DESCRIBE EXISTING USES

The sections of Park Street and Smith Avenue are currently undeveloped with structures; they have minimal development in the form of pedestrian pathways on them. Portions of Alt Avenue and Hood Street have the Sandy Aquatic Center constructed within the ROW boundaries while the Hood Street ROW has a portion of the previous middle school constructed on it. The identified ROWs have historically been used within the OTSD middle school campus site overall planning.

DESCRIBE EXISTING BUILDINGS

How many buildings are located on the property? 2

Number of Total Dwelling Units :

0

DESCRIBE EXISTING TOPOGRAPHY

Approximate acreage with slopes less than 14.9%	N/A
Approximate acreage with slopes 15% to 24.9%	N/A
Approximately acreage with slope in excess of 25%	N/A
Any creeks, water sources, drainageways or wetlands within the property? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Any steep slopes, ravines, draws or bluffs within or abutting the property? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

DESCRIBE EXISTING ACCESS
Does the subject property abut a public right-of-way? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Name of public right-of-way: Alt and Smith Avenue; Park and Hood Street
Does the property abut a private road? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name of abutting private road(s):
Describe any unusual difficulties in accessing the property:

DESCRIBE SURROUNDING USES ON ADJACENT PROPERTIES
North: City owned Parks and Open Space East: SFR South: Commercial Property and Parking Lot West: Sandy Grade School

DESCRIBE PROPOSED USE OF THE PROPERTY OR LAND DIVISIONS Include number of lots, densities, etc.
Once the ROW is vacated the overall property will be platted into two separate lots. One lot will be for the OTSD to be used for Sandy Grade School and the other will be owned by the City of Sandy and used for the future Sandy Community Campus, a community facility.



**EXHIBIT C**Easy Peel Address Labels
Bend along line to expose Pop-up EdgeGo to avery.com/templates
Use Avery Template 5160

HOLSTEIN SANDRA L
PO BOX 664
BORING OR 97055

GRABLE EDWARD RICHARD
65 TWIN CREEK DR
TROY MT 97055

BESELIN EDWARD A & ALICIA
39225 SCENIC ST
SANDY OR 97055

BENELLI ROBIN
39850 FIRVIEW WAY
SANDY OR 97055

POULIN JOSHUA M & BREEZY L
39265 SCENIC ST
SANDY OR 97055

NELSON JANET LEE TRUSTEE
39245 SCENIC ST
SANDY OR 97055

COMM PRESBYTERIAN CHURCH OF
SANDY
PO BOX 395
SANDY OR 97055

SETZER JOHN M JR & SUSAN LAUZON-
SETZER
12751 SE STALEY AVE
DAMASCUS OR 97055

BRADSHAW LAURA E
PO BOX 1631
SANDY OR 97055

HARLDON APARTMENTS
PO BOX 232
SANDY OR 97055

SMITH RACHEL
PO BOX 714
TROUTDALE OR 97055

WEIDMAN WILLIAM W & KATHLEEN B
PO BOX 295
SANDY OR 97055

CHATELAIN JUDY A
39105 SE SCENIC ST
SANDY OR 97055

PONTOW ROXANNE
PO BOX 1381
GRESHAM OR 97055

MINOR RICHARD W
12255 SE WIESE RD
DAMASCUS OR 97055

VANPORT MANUFACTURING INC
PO BOX 97
BORING OR 97055

CITY OF SANDY
39250 PIONEER BLVD
SANDY OR 97055

SASSALOS SPIRO
30564 SE HALEY RD
BORING OR 97055

ARCHER MICHAEL
39235 IDLEMAN ST
SANDY OR 97055

MAKI JOANNE ELIZABETH & ELIZABETH
EMILY
39231 IDLEMAN ST
SANDY OR 97055

GLAZIER RONALD L & MARLENE E
39175 SCENIC ST
SANDY OR 97055

SCHREIBER JEFFREY A TRUSTEE
38805 S PARK ST
SANDY OR 97055

LAMB ALVY C & GRACE E
PO BOX 490
BORING OR 0

STEWART GENE H
38895 PARK ST
SANDY OR 97055

BUT ANDRE
38750 PARK ST
SANDY OR 97055

IKEMOTO BRITTANI & AARON
38770 PARK ST
SANDY OR 97055

WIMMER TRACEY A
38808 PARK ST
SANDY OR 97055

DICKINSON MARY L
38830 PARK ST
SANDY OR 97055

KOCH WAYNE E & JUDITH A
PO BOX 684
SANDY OR 97055

FOX TALON K
17115 STRAUSS AVE
SANDY OR 97055

Pat: avery.com/patents

Étiquettes d'adresse Easy Peel

Allez à avery.ca/gabarits

WAKEFIELD AVERY J
17145 STRAUSS AVE
SANDY OR 97055

DRAKE TAMMY L
38811 HOOD ST
SANDY OR 97055

SKELTON HAROLD & DEBRA R
38871 HOOD ST
SANDY OR 97055

MANDINA CORY V
38820 HOOD ST
SANDY OR 97055

GRIESS STEFANIE MARIE
39120 HOOD ST
SANDY OR 97055

MUFF LEONHARD TRUSTEE
PO BOX 514
SANDY OR 97055

NAPIER NANCY & WILLIAM
17330 SMITH AVE
SANDY OR 97055

BERGSTROM PAUL M & DANIELLE R
13649 SE EDGEFIELD LN
BORING OR 97055

PERRY RICHARD
14205 SE FRANK AVE
BORING OR 97055

HECKEL ALEXANDER & PENNY D
19464 SE 362ND DR
SANDY OR 97055

HILL GARRETT
38831 HOOD ST
SANDY OR 97055

KERBS BRANDON N & JACLYN N
10524 14TH AVE S
SEATTLE WA 97055

JOHNSON MITCHELL E TRUSTEE
11021 SE EBLEN LN
BORING OR 97055

AEH CHARLES J
17240 SMITH AVE
SANDY OR 97055

CLACKAMAS COUNTY BANK
PO BOX 38
SANDY OR 97055

CORBETT-SPRINGDALE LLC
23818 NW OAK ISLAND RD
PORTLAND OR 97055

OREGON TRAIL SCH DIST #46
PO BOX 547
SANDY OR 97055

RAD NW INVESTMENT PROPERTIES LLC
39024 PROCTOR BLVD
SANDY OR 97055

HOLLAND JENIFER L
38795 HOOD ST
SANDY OR 97055

DONEY JELENA DELIGHT
38851 HOOD ST
SANDY OR 97055

SAYERS JOSEPHINE
39125 HOOD ST
SANDY OR 97055

VICENTTIN CARLO
1299 SE WILLIAMS AVE
GRESHAM OR 97055

PERRODIN JOHN A TRUSTEE
10338 OSO AVE
CHATSWORTH CA 97055

SMITH GENE TRUSTEE
3839 SE ST ANDREWS PL
GRESHAM OR 97055

LEATHERS LIMITED PARTNERSHIP
255 DEPOT ST
FAIRVIEW OR 97055

LEMAY PROPERTIES LLC
PO BOX 97
SANDY OR 97055

GIUSTO DOMINIC
3411 NE 163RD PL
PORTLAND OR 97055

ALT AVENUE

EXHIBIT E

EXHIBIT 'A'

A tract of land being all that portion of Alt Avenue lying between Blocks 10, 14, 15, and 16 of The Sandy Land Company's Second Addition to Sandy of Clackamas County Survey Records and being a portion of Alt Avenue lying between the Southerly boundary line of Park Street and the Northerly boundary line of Pleasant Street located in the Northwest quarter of Township 2 South, Range 4 East, Section 13, Willamette Meridian, County of Clackamas, Oregon more particularly described as follows:

Commencing at a 1-inch Iron Pipe at the Northeast corner of that tract of land described in Document No. 2017-035891, Clackamas County Deed Records;

Thence Easterly 50.00 Feet to the Northwest corner of Block 16 of The Sandy Land Company's 2nd Addition to Sandy, said County Plat Records;

Thence continuing Easterly 250.00 Feet along the North line of Block 16 a distance of 250.00 Feet to the Northeast corner thereof, said corner being the Point of Beginning;

Thence Southerly along the East boundary line of said Blocks 16 and 10 and a portion of vacated Hood Street, vacated per Book 211 Page 274, Clackamas County Deed Records 530.00 Feet to the Southeast corner of said Block 10;

Thence Easterly 50.00 along the North line of Pleasant Street to the Southwest corner of said Block 14;

Thence Northerly 210.00 Feet along the West boundary line of said Block 14 to the Northwest corner thereof;

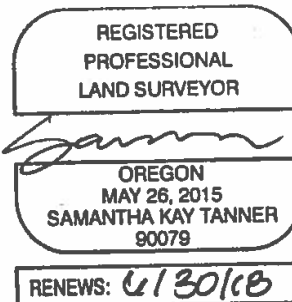
Thence continuing Northerly 50.00 Feet to the Southwest corner of said Block 15;

Thence continuing Northerly 270.00 Feet along the West boundary of said Block 15 to the Northwest corner thereof;

Thence Westerly along the South right of way line of Park Street 50.00 Feet to said Point of Beginning.

Containing 16,500 Square Feet, more or less

See Exhibit 'B' for map of described area.





REGISTERED
PROFESSIONAL
LAND SURVEYOR

Sawyer

OREGON
MAY 28, 2015
SAMANTHA KAY TANNER
90079
RENEWS 8/30/18

EXHIBIT 'B'

SHOWING THAT PORTION OF ALT AVE. TO BE VACATED
FOR THE CITY OF SANDY
LOCATED IN THE NORTHWEST 1/4 OF SECTION 13,
T 2S, R 4E, WILLAMETTE MERIDIAN
COUNTY OF CLACKAMAS, STATE OF OREGON

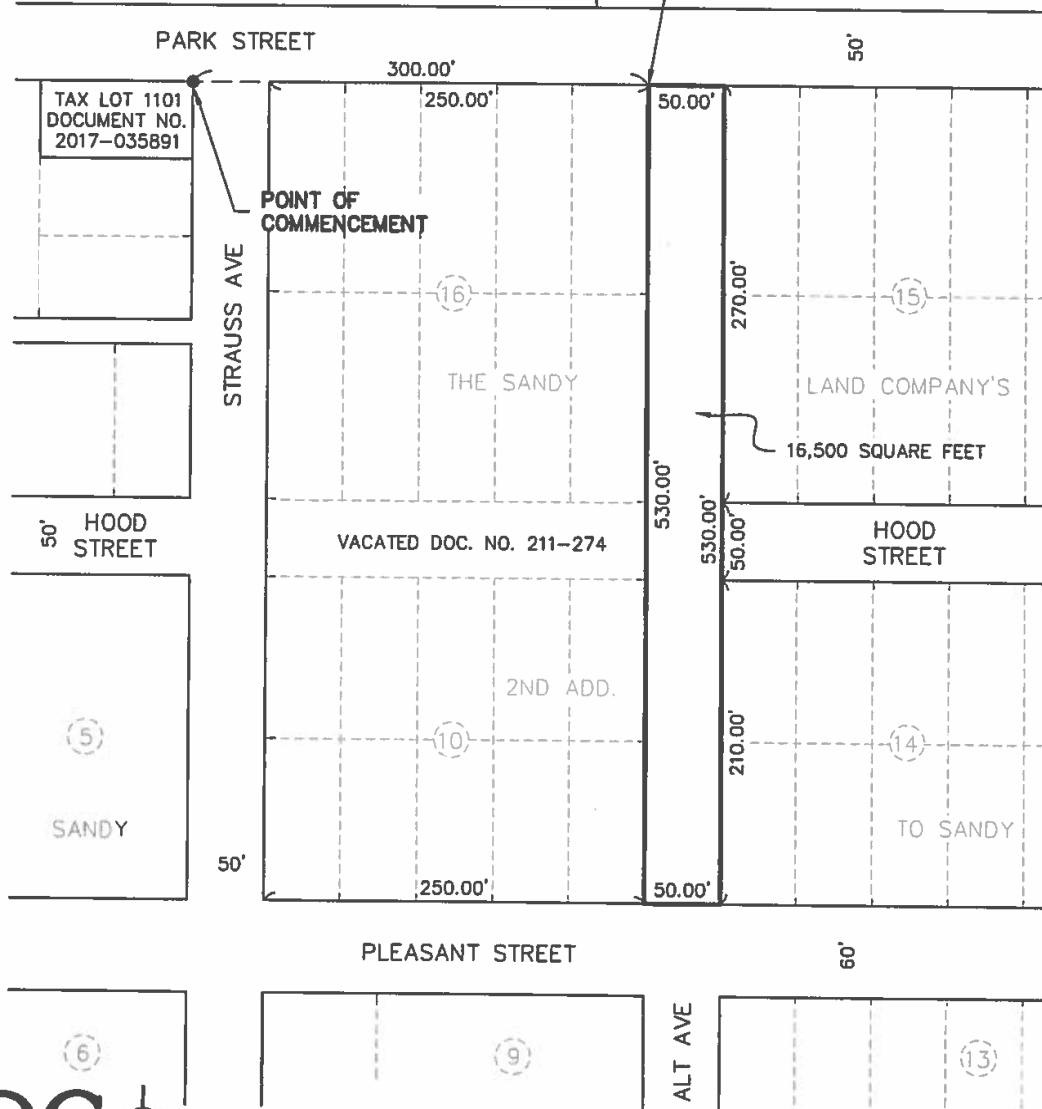
LEGEND

● FOUND 1" IRON PIPE

TAX LOT 100
BOOK 470 PAGE 680
JUNE 30, 1953

POINT OF
BEGINNING

TAX LOT 101
DOCUMENT NO.
2017-016105



Firwood Design Group, LLC
SURVEYING + ENGINEERING + PLANNING

359 E HISTORIC COLUMBIA HIGHWAY
TROUTDALE, OREGON 97060
BUS: (503) 668-3737 + FAX: (503) 668-3788

SHEET 1 OF 1

FILE: S17-036 VACATION.dwg
PLOT DATE: 03-12-18

HOOD STREET

EXHIBIT F

EXHIBIT 'A'

A tract of land being all that portion of Hood Avenue lying between Blocks 14 and 15 of The Sandy Land Company's Second Addition to Sandy of Clackamas County Survey Records and being a portion of Hood Avenue lying between the Easterly boundary line of Alt Avenue and the Westerly boundary line of Smith Avenue located in the Northwest quarter of Township 2 South, Range 4 East, Section 13, Willamette Meridian, County of Clackamas, Oregon more particularly described as follows:

Commencing at a 1-inch Iron Pipe at the Southeast corner of that tract of land described in Document No. 2012-031125, Clackamas County Deed Records;

Thence Easterly 50.00 Feet to the Southwest corner of Block 16 of The Sandy Land Company's 2nd Addition to Sandy, said County Plat Records;

Thence continuing Easterly 250.00 Feet along the south line of said Block 16 to the Southeast corner thereof;

Thence continuing Easterly 50.00 Feet to the Southwest corner of said Block 15, said corner being the Point of Beginning;

Thence continuing Easterly along the south line of said Block 15, said line also being the North right of way line of Hood Street, 250.00 Feet to the Southeast corner of said Block 15;

Thence Southerly along the West right of way of Smith Ave 50.00 Feet to the Northeast corner of Block 14 of said Plat;

Thence leaving said right of way and heading Westerly along the North line of said Block 14, said line also being the South right of way line of said Hood Street, 250.00 Feet to the Northwest corner of said Block 14;

Thence Northerly along the East right of way line of Alt Avenue 50.00 Feet to said Point of Beginning.

Containing 12,500 Square Feet, more or less

See Exhibit 'B' for a map of the described area.

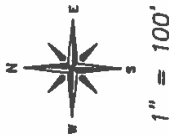
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Samantha Kay Tanner
OREGON
MAY 26, 2015
SAMANTHA KAY TANNER
90079

RENEWS: 6/30/18

EXHIBIT 'B'

SHOWING THAT PORTION OF HOOD STREET TO BE
 VACATED FOR THE CITY OF SANDY
 LOCATED IN THE NORTHWEST 1/4 OF SECTION 13,
 T 2S, R 4E, WILLAMETTE MERIDIAN
 COUNTY OF CLACKAMAS, STATE OF OREGON



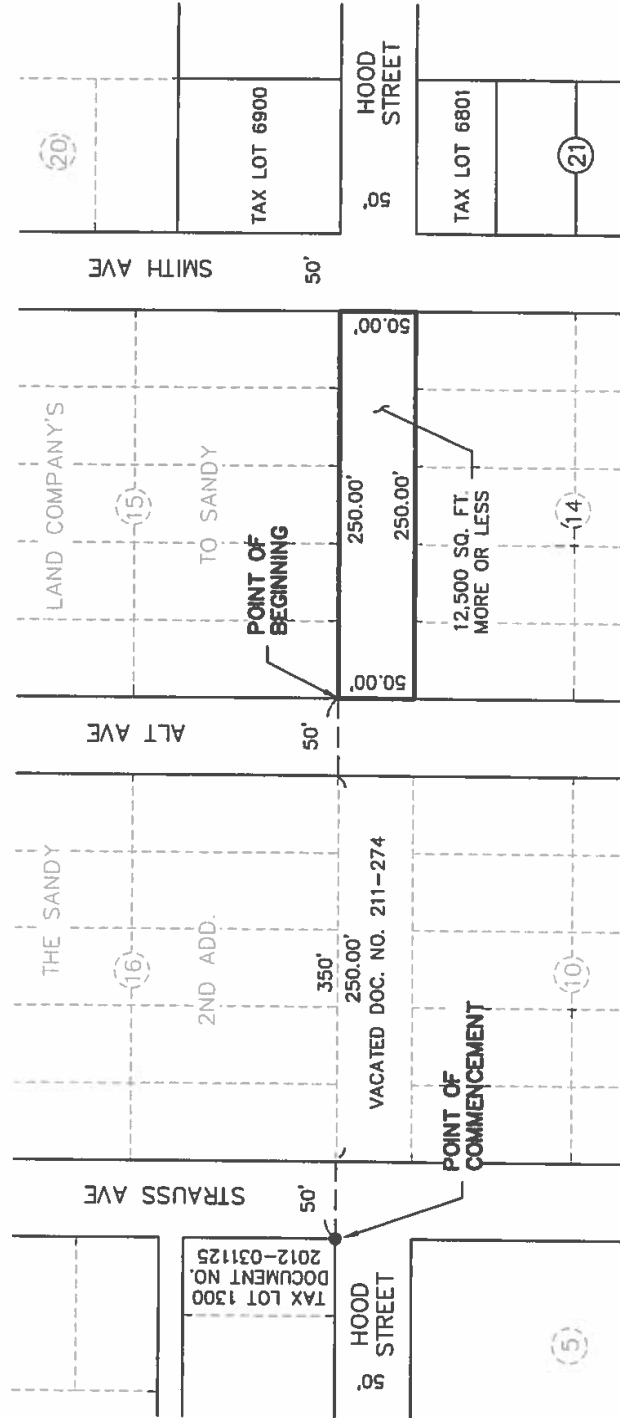
LEGEND

- FOUND 1" IRON PIPE

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Samantha Kay Tanner
 OREGON
 MAY 26, 2015
 SAMANTHA KAY TANNER
 90078

RENEWS 6/30/16



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SHEET 1 OF 1

FILE: S17--036 VACATION.dwg
 PLOT DATE: 03-02-18

EXHIBIT G

PARK STREET

EXHIBIT 'A'

All that portion of Park Street that lies between the North Boundary line of Blocks 15, 16, and 20 of The Sandy Land Company's Second Addition to Sandy of Clackamas County Survey Records and the North line of the Southeast Quarter of the Northwest Quarter of Township 2 South, Range 4 East, Section 13, and being a portion of Park Street that lies East of the Easterly Boundary of Strauss Avenue located in the Northwest quarter of Township 2 South, Range 4 East, Section 13, Willamette Meridian, County of Clackamas, Oregon more particularly described as follows:

Commencing at a 1-inch Iron Pipe at the Northeast corner of that tract of land described in Document No. 2017-035891, Clackamas County Deed Records;

Thence Easterly 50.00 Feet to the Northwest corner of Block 16 of The Sandy Land Company's 2nd Addition to Sandy, said County Plat Records, said corner being the Point of Beginning;

Thence continuing Easterly 250.00 Feet along the North line of Block 16 a distance of 250.00 Feet to the Northeast corner thereof;

Thence continuing Easterly 50.00 Feet to the Northwest corner of Block 15 of said Plat;

Thence continuing Easterly along the North line of said Block 15 a distance of 250.00 Feet to the Northeast corner thereof;

Thence continuing Easterly 50.00 Feet to the Northwest corner of Block 20 of said Plat;

Thence continuing Easterly along the north line of said Block 20 a distance of 99.70 Feet to the Northeast corner thereof;

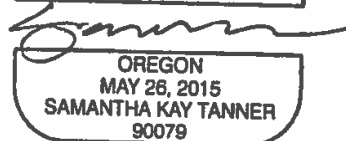
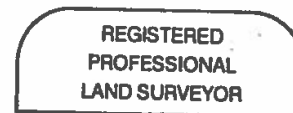
Thence Northerly along the East line of said Plat, Clackamas County Plat Records 50.00 Feet to the Northeast corner thereof;

Thence Westerly along the South line of those tracts of land described in Book 470 Page 680 dated June 30, 0953 and Document Number 2017-016105, both of Clackamas County Deed Records 699.70 Feet more or less to a point on the south line of said Book 470 Page 680 at the intersection of the Northerly extension of the East right of way line of Strauss Avenue, said point being 50.00 northerly of the Northwest corner of said Block 16;

Thence Southerly along the East right of way line of Strauss Avenue 50.00 Feet to said Point of Beginning.

Containing 34,985 Square Feet, more or less

See Exhibit 'B' for a map of the described area.





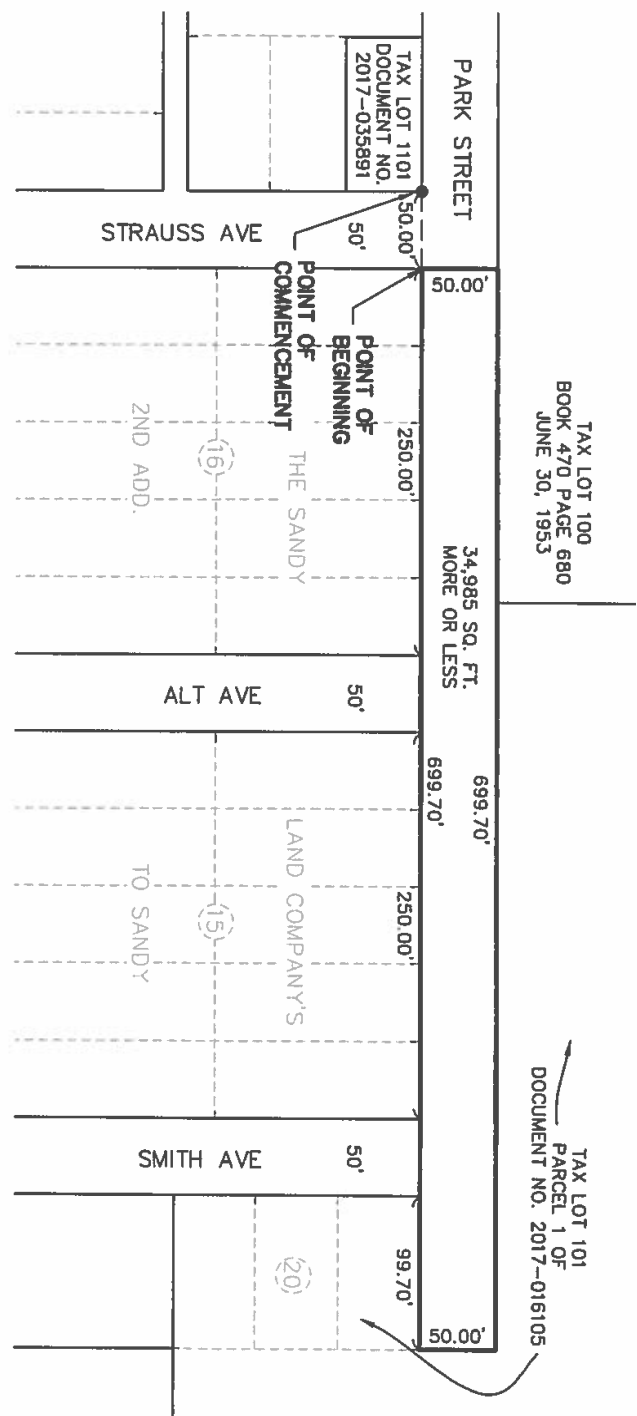
LEGEND

- FOUND 1" IRON PIPE

REGISTERED PROFESSIONAL LAND SURVEYOR
Samantha Kay Tanner
 OREGON
 MAY 29, 2015
 SAMANTHA KAY TANNER
 90078
 RENEWS 6/30/18

EXHIBIT 'B'

SHOWING THAT PORTION OF PARK STREET TO BE VACATED FOR THE CITY OF SANDY LOCATED IN THE NORTHWEST 1/4 OF SECTION 13, T 2S, R 4E, WILLAMETTE MERIDIAN COUNTY OF CLACKAMAS, STATE OF OREGON



FDG
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SHEET 1 OF 1
 FILE: S17-036 VACATION.dwg
 PLOT DATE: 03-02-18

EXHIBIT H

SMITH AVENUE

EXHIBIT 'A'

A tract of land being all that portion of Smith Avenue lying between Blocks 15 and Lots 1, 2, and 3 of Block 20 of The Sandy Land Company's Second Addition to Sandy of Clackamas County Survey Records located in the Northwest quarter of Township 2 South, Range 4 East, Section 13, Willamette Meridian, County of Clackamas, Oregon more particularly described as follows:

Commencing at a 1-inch Iron Pipe at the Northeast corner of that tract of land described in Document No. 2017-035891, Clackamas County Deed Records;

Thence Easterly 50.00 Feet to the Northwest corner of Block 16 of The Sandy Land Company's 2nd Addition to Sandy, said County Plat Records, said corner being the Point of Beginning;

Thence continuing Easterly 250.00 Feet along the North line of Block 16 a distance of 250.00 Feet to the Northeast corner thereof;

Thence continuing Easterly 50.00 Feet to the Northwest corner of said Block 15;

Thence continuing Easterly along the North line of said Block 15 a distance of 250.00 Feet to the Northeast corner thereof;

Thence continuing Easterly 50.00 Feet to the Northwest corner of said Block 20;

Thence Southerly 162.00 Feet along the West boundary line Lots 1, 2, and 3 of said Block 20 to the Northwest corner of that tract of land described in Document Number 2017-018935;

Thence Westerly parallel to the North line 50.00 Feet to a point 162.00 Feet Southerly of and on the East boundary line of said Block 15;

Thence Northerly 162.00 Feet along the West boundary line of said Block 15 to said Point of Beginning.

Containing 8,100 Square Feet, more or less

See Exhibit 'B' for a map of the described area.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Samantha Kay Tanner
OREGON
MAY 26, 2015
SAMANTHA KAY TANNER
90079

RENEWES: 6/30/18

EXHIBIT 'B'

SHOWING THAT PORTION OF SMITH AVE. TO BE
VACATED FOR THE CITY OF SANDY
LOCATED IN THE NORTHWEST 1/4 OF SECTION 13,
T 2S, R 4E, WILLAMETTE MERIDIAN
COUNTY OF CLACKAMAS, STATE OF OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Samantha Kay Tanner
OREGON
MAY 26, 2016
SAMANTHA KAY TANNER
90078
RENEWS 6/30/18

LEGEND

- FOUND 1" IRON PIPE



1" = 100'

TAX LOT 100
BOOK 470 PAGE 680
JUNE 30, 1953

TAX LOT 101
DOCUMENT NO.
2017-016105

PARK STREET

600.00'

50'

STRAUSS AVE

POINT OF COMMENCEMENT

50'

250.00'

THE SANDY

ALT AVE

50'

250.00'

LAND COMPANY'S

8100 SQUARE FEET

1234 SQUARE FEET

HOOD STREET

50'

SMITH AVE

108.00'

162.00'

162.00'

50.00'

50.00'

TAX LOT 101
DOCUMENT NO.
2017-016105

TAX LOT 6900
DOCUMENT NO.
2017-018935

POINT OF BEGINNING

50'

50'

50'

50'

50'



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SHEET 1 OF 1

FILE: S17-036 VACATION.dwg
PLOT DATE: 03-02-18