



H.A. M^cCOY

ENGINEERING & SURVEYING, LLC

PO Box 533 Redmond, OR 97756 · 541-923-7554 · www.ham-engr.com

August 22, 2022

Mathew Martin
Principal Planner
City of Sisters
P.O. Box 39
Sisters, OR 97759

RE: Files no. MP 22-01/SUB 22-01/MNR 22-02 – Incomplete Application

This letter is included with revised master plans, traffic impact study addendum, and revised burden of proof as requested by City Staff in the notice of incomplete application issued July 28th, 2022. Below is a transcription of the list of comments that needed to be addressed on our previous submittal. See our responses to the completeness criteria in *red*.

GENERAL INFORMATION

STAFF COMMENT:

CHAPTER 3.1 – ACCESS AND CIRCULATION

Section 3.1.300 Vehicular Access and Circulation

A. Traffic Study and Control Requirements Modification Request to Property Development Standards.

1. The City or other agency with access jurisdiction may require a traffic study prepared at applicant/developers expense by a qualified professional to determine access, circulation and other transportation requirements. A Traffic Impact Study shall be required for all development applications that will result in a traffic impact or increase in traffic impact of 200 or more average daily trips (ADT).

Staff Comment: The application materials include a Traffic Impact Study (TIS; a.k.a. TIA) dated June 3, 2022, by Lancaster Mobley. Comments submitted by the Oregon Department of Transportation (See Attachment 1) indicate the TIS does not analyze correct factors, such as posted speed on OR 242, and does not provide analysis required by Oregon Administrative Rule (OAR). Staff requests submittal of an addendum to the TIS addressing the comments from and additional analysis requested by the Oregon Department of Transportation.

Lancaster Mobley prepared an addendum to the TIS addressing the comments and additional analysis from ODOT. The aforementioned addendum has been provided with this application.

CHAPTER 3.5 – PUBLIC IMPROVEMENT STANDARDS

Section 3.5.150. Waiver, Modification, Deferral, and Payment in Lieu of Public Improvement Standards

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- B. Authority to Grant Waiver, Modification, Deferral, or Payment in Lieu. Waivers, modifications, deferrals, and/or payment in lieu of satisfying the standards of this chapter and/or the public works standards and specifications may be granted as part of a development approval or as a

condition of issuing a building permit at the discretion of the City Engineer. The City Engineer has direction to establish the terms and conditions of any waiver, modification, deferral, and/or payment in lieu granted pursuant to this section including, without limitation, requiring alternative improvements, memorializing any deferral to be memorialized in a recorded instrument, requiring a signed agreement not to remonstrate against the formation of a local improvement district, and/or determining the amount of the payment in lieu.

STAFF COMMENT: The application proposes a 50-foot wide street right-of-way for proposed Local Street A. As described below, the application materials erroneously address SDC 4.5.400(B) to allow modification of the street right-of-way and construction requirements. Instead, it is the subject criterion that allows the City Engineer to approve the proposed modification of the public works standard. Staff notes this approach is consistent with the recently approved Woodlands Master Plan (file nos. MP 21-01/CD 21-01/SUB 21-01/V 21-01) that included a similar request for reduced street standards.

Comment submitted by the City Engineer (See Attachment 2) state:

Local Street A cross section with reduced 50 foot right of way will be permitted only with parking on both sides of the street. The City will allow roadside swales to be eliminated with the addition of curbs, curb extensions incorporated on both sides of the street for traffic calming, and a drainage system that includes drywells. Street trees shall be incorporated into curb extension locations.

Staff requests additional information addressing the design standards specified by the City Engineer.

The master plan and burden of proof have been changed to address the reduced right-of-way width under code section 3.5.150. The master plan and burden of proof have been changed so that Local Street A has parking on both sides of the street, has curbs on both sides of the street, has curb extensions at each end for traffic calming, and includes a drywell system at the east end for storm drainage. Street trees were incorporated in curb extensions except in locations where it would generate a conflict with a proposed fire hydrant and clear vision triangles.

Section 3.5.250 Sanitary Sewer and Water Service Improvements

A. Sewers and Water Mains Required. Sanitary sewers and water mains must be installed to serve each new development and to connect developments to existing mains in accordance with the public works standards and specifications.

B. Sewer and Water Plan Approval. Construction of sewer and water improvements cannot commence until the City Engineer has approved all sanitary sewer and water plans in conformance with public works standards and specifications.

STAFF COMMENT: The submitted tentative plat identifies a 20-foot wide utility easement for water, sewer, and electrical utilities. Comment submitted by the City Engineer indicate the proposed water and sewer mains in the southerly alley shall be within a 30-foot wide easement (covering both water and sewer mains). The comments further indicate no franchise utilities will be allowed alongside water and sewer mains in the southerly private alley but may be placed along Tracts A and B. These require reconfiguring the proposed utility layout and location of the associated public utility easements.

Staff requests information addressing the easement and utility locations specified by the City Engineer.

Alley A and the utility easement have been reconfigured to provide a 30-foot wide easement over both the proposed water and sewer mains. A public utility easement has been proposed along Tracts A and B to allow for franchise utilities to serve lots 49-70.

CHAPTER 4.3 – LAND DIVISIONS AND LOT LINE ADJUSTMENTS 4.3.400 APPROVAL PROCESS

Section 4.3.500 Preliminary Plat Submittal Requirements

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B. Preliminary Plat Information.

o. Phase development plan shall include the following;

1. Overall tentative plan, including phase or unit sequence, and the schedule of initiation of improvements and projected completion date.
2. Overall facility development phasing plan, including transportation and utility facility plans that specify the traffic pattern plan for motor vehicles, bicycles and pedestrian, water systems plans, sewer system plans and utility plans.
3. Development and phasing plans for any common elements or facilities.

STAFF COMMENT: The submitted application materials indicate the proposal includes a master plan that will be developed in 3 phases, including a single parcel partition and a tentative subdivision with 3 common area tracts. With the inclusion of the partition, it is not clear to staff if the identified phasing plan is directed at the overall master plan or the land divisions. If it is the latter, the purpose of the partition is unclear to staff.

Staff requests information describing the purpose of the proposed partition and clarification of the phasing plan of both the land divisions and overall master plan development.

The applicant seeks a partition before the construction and final plat of the proposed subdivision to allow for potential development of the multifamily portion sooner. This partition is a two-parcel partition to divide off the multifamily component. The proposed phasing is directed at the construction and platting of the overall master plan. Phase 1 would consist of public improvements and an attached and detached single-family home subdivision. Phase 2 would consist of public improvements and an attached and detached single-family home subdivision. Phase 3 would consist of the site plan improvements in accordance with a future site plan application; however, the applicant may develop the multifamily phase sooner than the last phase.

CHAPTER 4.5 – MASTER PLANNED DEVELOPMENTS

Section 4.5.400 Property Development Standards

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- #### **B. Development standards, except for density, landscape and open space, may be modified by up to 20 percent of the required standard of the underlying Zone District. Dimensional standards include lot area, lot width, setbacks, lot coverage, lot depth, and access spacing on local streets. These development standards may be modified upon a finding by the Planning**

Commission that such modification will not be detrimental to the general welfare, health or safety of the City of Sisters and will enhance the visual characteristics of the neighborhood.

STAFF COMMENT: The burden of proof addresses the subject criterion to justify the 50-foot right-of-way for proposed Local Street A. However, this criterion appears to only apply to required standards of the underlying Zone District, of which the street right-of-way standards are not. Therefore, this criterion is not the appropriate approach to address deviation from the street right-of-way standard. Instead, and as discussed above, SDC 3.5.150(B) is the appropriate criteria to allow modification of the street right-of-way and construction.

The Master Plan and burden of proof have been updated to address the reduced right-of-way width under SDC 3.5.150(B).

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I. Amenities. All residential planned developments shall provide recreational amenities which may include: a swimming pool, spa, clubhouse, tot-lot with play equipment, picnic area, gazebo, barbecue area, day care facilities, and court-game facilities. The minimum number of amenities required shall be according to the following schedule.

STAFF COMMENT: The submitted burden of proof implies the development includes 41 to 100 units, thereby requiring only 3 amenities. The burden of proof further indicates the 3 amenities include a park, a woodland open space, and a trail system but staff does not find the location of said park.

In contrast, the submitted tentative plat indicates 142 to 194 units are proposed, thereby requiring 4 amenities. Submitted Sheet P2.4 indicates the proposed amenities include a wooded opens pace, a bark mulch path, a park with playground equipment and a dog park. However, staff does not find the location of said park with playground equipment and dog park.

Staff requests additional information addressing these discrepancies and clarification of the type and location of the proposed amenities.

The burden of proof and plans have been updated to reflect the correct number of units. The total number of proposed units ranges from 142-194. Four amenities are required. An approximate location for the future playground and dog park has been provided on the master plan. Lists of the possible improvements associated with the playground and the dog park have been added to both the master plan and burden of proof.

Please contact me if you require any additional information.

Sincerely,

Hayes A. McCoy - PE