



COMMUNITY DEVELOPMENT DEPARTMENT

July 28, 2022

George Hale
Woodhill Homes
ghale@woodhillhomes.net

Delivered via email

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

Dear Mr. Hale,

On June 28, 2022, following the submission of all the materials identified on the required master planning land use application form, the City of Sisters Community Development Department accepted the land use application submittal for a Master Plan, Subdivision, and Minor Partition of the property located at 15510 McKenzie Highway, Sisters.

The City has 30 days following acceptance of the application submittal to determine whether the application is complete for review. July 28 is the 30th day in terms of time computation for completeness determination. Staff has determined the application is not complete because it lacks information related to land use approval criteria under the Sisters Development Code (SDC) sections identified below.

GENERAL INFORMTION

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).



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Staff requests submittal of an addendum to the TIS addressing the comments from and additional analysis requested by the Oregon Department of Transportation.

CHAPTER 3.5 – PUBLIC IMPROVEMENT STANDARDS

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

...

- 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 the 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.

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.**



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- 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.

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

Section 4.3.500 Preliminary Plat Submittal Requirements

...

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.

CHAPTER 4.5 – MASTER PLANNED DEVELOPMENTS

Section 4.5.400 Property Development Standards

...

- 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***



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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.

...

- 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.*

<i>1 to 11 units</i>	<i>1 amenity</i>
<i>12 to 40 units</i>	<i>2 amenities</i>
<i>41 to 100 units</i>	<i>3 amenities</i>
<i>More than 100 units</i>	<i>4 amenities</i>

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.

COMPLETENESS DETERMINATION

Your application will be determined to be complete in accordance with ORS 227.178 when you have submitted in writing one (1) of the following:



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1. All of the missing information;
2. Some of the missing information and a written notice to the County that no other information will be provided; or
3. Notice that none of the missing information will be provided.

If you submit one of the items noted in 1,2 or 3, above, within 180 days from the date the application was first submitted, approval or denial of the application will be based upon the standards and criteria that were applicable at the time the application was first submitted. If you fail to respond within 180 days, the application will be void on the 181st day after being submitted, pursuant to ORS 227.178(4). No refund is available on applications which become void.

Please feel free to call or email me if you need any clarification or have questions.

Sincerely,

Matthew Martin

Principal Planner

mmartin@ci.sisters.or.us

541-323-5208

Attachments:

1. ODOT Comments
2. City Engineer Comments

Cc:

Hayes McCoy - H.A McCoy Engineering and Surveying

Erica Nelson - H.A McCoy Engineering and Surveying

Matt Martin

From: MOREHOUSE Donald <Donald.MOREHOUSE@odot.oregon.gov>
Sent: Thursday, July 14, 2022 3:44 PM
To: Matt Martin
Cc: 'Joe Bessman' (Joe@transightconsulting.com); BARRETT Mark S; AMITON David; KNITOWSKI David
Subject: RE: File Nos. MP 22-01/SUB 22-01/MNR 22-02 (Sunset Meadows) - Agency Notice of Application
Attachments: ODOT_SunsetMeadows_TIAComments.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Matt,

While we wait for Joe Bessman's proposed condition of approval requiring the developer to mitigate the impact at the OR 242/W. Hood Avenue intersection, I'd like to provide you with comments from both our Traffic and Access Management units within the attached comment log for the TIA dated June 3, 2022. David Knitowski has also provided the following comments on top of what is included within the attached spreadsheet:

In general, the TIA does not address my TIA scoping comments sent to Lancaster Mobley on April 20, 2022, which said:

Regarding the proposed new highway approach (site access) to OR 242, the TIA should address:

- OAR 734-051-4020(2)(b) Channelization Standards
- OAR 734-051-4020(2)(c) Sight Distance Standards
- OAR 734-051-4020(3) Safety and Operations Concerns
- OAR 734-051-4020(8) Access Management Spacing Standards
- OAR 734-051-3050(5) Approval of Requests for Deviations from Approach Spacing Standards.
- OAR 734-051-3050(7) Approval of Requests for Deviations from Channelization Standards (if applicable)
- OAR 734-051-3050(8) Approval of Requests for Deviations from Sight Distance Standards (if applicable)

Thanks,

Don Morehouse (he/him/his)
Senior Transportation Planner
ODOT Region 4
Desk: (541) 388-6046
Personal Cell: (805) 458-3320
Work Cell: (541) 233-6558

Donald.Morehouse@odot.oregon.gov ← NOTE NEW EMAIL

***I will be working from home for the week of July 11 – July 15:*

- Monday - Thursday (7:30AM-5:00PM)
- Friday - (7:30AM-11:30AM)

From: Matt Martin <mmartin@ci.sisters.or.us>
Sent: Monday, June 27, 2022 11:47 AM
To: Paul Bertagna <pbertagna@ci.sisters.or.us>; Erik Huffman <ehuffman@beconeng.com>; Joe Bessman

<Joe@transightconsulting.com>; MOREHOUSE Donald <Donald.MOREHOUSE@odot.oregon.gov>;
ABurkus@republicservices.com; Doug Green <dgreen@sistersfire.com>; 'Perkins, Parneli' <pperkins@cec.coop>; PECK
Heather <heather.peck@odav.oregon.gov>
Cc: Scott Woodford <swoodford@ci.sisters.or.us>; Emelia Shoup <eshoup@ci.sisters.or.us>; Carol Jenkins
<cjenkins@ci.sisters.or.us>
Subject: File Nos. MP 22-01/SUB 22-01/MNR 22-02 (Sunset Meadows) - Agency Notice of Application

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Good Morning All,

The City of Sisters Community Development Department has received the land use applications described below. The select drawings and traffic impact study submitted with the applications are attached. Please send your comments and recommended conditions of approval to me (mmartin@ci.sisters.or.us) by **Monday, July 11, 2022.**

File #s: MP 22-01 / SUB 22-01 / MNR 22-02
Applicant: Woodhill Homes – George Hale
Owner: Richard G Patterson Revocable Trust
Site Location: Address: [15510 McKenzie Highway, Sisters, OR 97759](#);
Tax Map and Lot: 151005DC07300
Zoning: Multi-Family Residential District - MRF
Airport Overlay District - AO

Request: The Applicant is requesting approval of a Master Plan, Tentative Subdivision Plat, and a Minor Partition on a 31.56-acre property in the Multi-Family Residential District. The proposed development includes:

- 22 lots for single family detached dwellings
- 48 lots for zero lot line townhome dwellings
- 1 parcel for approximately 72-124 multi-family units. (Site Plan Review of the proposed multi-family residential development is not included in this current proposal. Subsequent application will be required.)
- Associated infrastructure (streets, utilities) and other site improvements.

Applicable

Criteria: City of Sisters Development Code (SDC): Chapter 2.3 – Multi-Family Residential District; Chapter 2.11 – Airport Overlay District; Chapter 3.2 – Landscaping and Screening; Chapter 3.3 – Vehicle and Bicycle Parking; Chapter 4.1 – Types of Applications and Review Procedures; Chapter 4.5 – Master Planned Developments; Chapter 4.3 – Land Divisions and Lot Line Adjustments

Thank you,

Matthew Martin, AICP

Principal Planner

City of Sisters | Community Development Dept.

PO Box 39 | 520 E. Cascade Ave., Sisters, OR 97759

Desk: 541-323-5208 | City Hall: 541-549-6022

mmartin@ci.sisters.or.us | www.ci.sisters.or.us



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520 E. Cascade Ave.
P.O. Box 39
Sisters, OR 97759

Public Works Department

CITY OF SISTERS

(541) 323-5212
Fax: (541)549-0561
www.sisters.or.us

TO: Paul Bertagna, Director of Public Works
FROM: Erik Huffman, City Engineer
DATE: July 22, 2022
SUBJECT: MP 22-01 SUB 22-01 MNR 22-02 – Patterson Property

15510 McKenzie Hwy

Streets and Access:

Brooks Camp Road

One public street connection is proposed to Brooks Camp Road, and two alley connections are proposed to Brooks Camp Road.
Local Street A is proposed as a 50 foot right of way, an exception to City standards, with parking on one side.

Felicity Lane

One public street connection is proposed to Felicity Lane.

McKenzie Hwy

One public street connection is proposed to McKenzie Hwy.

Additional Requirements

Access spacing on Brooks Camp Rd, Felicity Lane, and McKenzie Hwy meets City standards.

Prior to land use approval, the McKenzie Hwy access shall be approved by ODOT.

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.

The width of the asphalt path along Brooks Camp Road frontage shall be 8 feet minimum.

The width of proposed multi-use paths along McKenzie Hwy and Hood St frontages shall be 10 foot unless constrained by site topography.

Water Review:

Proposed Improvements

New water mains are proposed in Local Street A, Local Street B, and in the southerly private alley.

Additional Requirements:

The proposed water main in the southerly alley shall be within a 30 foot wide easement (covering both water and sewer mains). No franchise utilities will be allowed alongside water and sewer mains in the southerly private alley. Franchise utilities may be placed along Tracts A and B.

Sewer Review:

Proposed Improvements

New sewer mains are proposed in Local Street A, Local Street B, and in the southerly private alley.

Additional Requirements:

The proposed sewer main in the southerly alley shall be within a 30 foot wide easement (covering both water and sewer mains). No franchise utilities will be allowed alongside water and sewer mains in the southerly private alley. Franchise utilities may be placed along Tracts A and B.

On-Site Stormwater Review:

Proposed Improvements

No stormwater system is proposed on the planning set.

Additional Requirements

Prior to land use approval, provide preliminary grading and drainage plan.

Drywells may be utilized provided they are outside the two year time of travel from any drinking water well.

Prior to occupancy, provide City of Sisters with copy of UIC registration with Oregon DEQ.

Construction Plans:

Upon land use approval or building permit application, construction plans that include all proposed and/or required public improvements, water/sewer service connections, pretreatment facility, and on site grading and drainage shall be submitted to the City for review and approval.