

**CITY OF NORTH PLAINS PLANNING COMMISSION
SPECIAL SESSION AGENDA**

North Plains Senior Center
31450 NW Commercial Street
MONDAY July 27, 2015 - 7:00 P.M.

1. **CALL TO ORDER**
2. **FLAG SALUTE**
3. **ROLL CALL**
4. **PUBLIC COMMENTS**
(This time is provided for questions or statements by persons in the audience on any item of Planning Commission business, except those items that appear on this agenda. Comments shall be limited as determined by the Chairperson.)
5. **APPROVAL OF MINUTES**: Review and approval of May 13, 2015, Regular Session Minutes
6. **PUBLIC HEARING**
 - A. Quasi-judicial public hearing on application received from Zarosinski Engineering and Design, File No. 15-036 Design Review, on behalf of Jewett-Cameron Lumber Products, to construct a warehouse building and covered loading area located at 32275 NW Hillcrest in North Plains, Oregon
 - B. Quasi-judicial public hearing on application received from Laurie A. Verboort, File No. 15-037 for a minor partition dividing property located at 11440 NW Gordon Road, North Plains, Oregon, into two lots.
7. **NEW BUSINESS**
 - A. Approval of Proposed Street Naming in the McKay Creek Crossing Development
8. **UNFINISHED BUSINESS**
None Scheduled
9. **COMMISSIONER COMMENTS**
10. **STAFF COMMENTS**
11. **ADJOURNMENT**

The Planning Commission meetings are normally held at the North Plains Senior Center, 31450 NW Commercial Street, North Plains, Oregon. Meetings will be held on the following dates at 7:00 p.m. Meeting location is subject to change.

Wednesday, August 12, 2015

Wednesday, Sept. 9, 2015

Wednesday, October 14, 2015

**CITY OF NORTH PLAINS PLANNING COMMISSION.
REGULAR SESSION MINUTES
May 13, 2015, 7:00 P.M.
North Plains Senior Center
31450 NW Commercial Street**

1. Chairperson King called the meeting to order at 7:00 p.m.
2. The pledge of allegiance was led by Chairperson King.
3. **ROLL CALL**
Members: Chair Stewart King, Vice Chair Heather LaBonte, Doug Nunnenkamp, Garth Eimers, Larry Gonzales and Lonnie Knodel.
Ex-Officio: City Councilor Charlynn Newton
Staff: Planning Consultant Heather Austin, 3J Consulting, Inc.; David Doughman, Beery Elsner and Hammond LLP; Public Works Director Blake Boyles; City Recorder Margaret Reh
4. **PUBLIC COMMENTS**
None were forthcoming.
5. **APPROVAL OF MINUTES**
A. Approval of the April 8, 2015, Regular Session Minutes.

Motion by LaBonte. Second by Eimers to approve the April 8, 2015, Regular Session Minutes as amended. Motion was approved unanimously.

6. **PUBLIC HEARING**
A. Legislative Hearing: 15-031 Receive comments regarding proposed amendments to the Municipal Code Chapter 16 (Zoning and Development): Submitted to DLCD in 2014: 16.05, 16.60, 16.125, 16.140, 16.170 and 16.205. Submitted to DLCD in 2015 and 16.20, 16.25, 16.30 and 16.45.

King requested the reading of the legislative hearing process statement for the two legislative public hearings before the Commission this evening. Following the reading of the rules, King opened the Public Hearing at 7:04 p.m. for File No: 15-031 which are amendments to Municipal Code Chapter 16 which were submitted to DLCD. King stated Chapters 16.60; 16.170; 16.205 and 16.45 were removed from this public hearing. King stated there were modifications that were slight changes to what had been previously submitted in Chapter 16.05-Definitions which added a description for a tax lot. Also a minor change was submitted to 16.125 and minor changes in 16.30, which are reflected in an Addendum to the Public Hearing that was introduced to the Commission at this public hearing.

King asked for staff comments. Heather Austin, Consultant from 3J, stated that staff was not as aware of the project as the Commission due to the recent changes at City Hall.

King asked if anyone was willing to testify to the public hearing. None were forthcoming.

King asked if there were any further comments from the Commissioners. There were none.

King closed public hearing at 7:06.

Motion by Gonzales. Second by Fage recommending the approval of the changes to those chapters identified to be moved on to City Council. Motion was passed unanimously.

B. Legislative Hearing: File No: 15-002 Eggiman Property Comprehensive Plan proposed zone change from Commercial to R-2.5 Residential

King opened the public hearing at 7:07 p.m. on File No: 15-002 Eggiman Property-proposed Comprehensive Plan map and zone change from Commercial to R-2.5 Residential. Austin presented the staff report that goes over the criteria for the zone change. The proposal includes a Comprehensive Plan designation from Commercial to High-Density Residential and a zoning code map amendment from Commercial to R-2.5. Austin explained a discrepancy between the Comprehensive Plan and the Zoning Code regarding this subject property exists. Austin covered transportation issues. There was a new written public testimony sheet received and distributed at the meeting that addressed the access to the property on Kaybern. Austin explained that access points is not a topic of discussion with this application.

King asked if there were any questions from the Commissioners for staff. LaBonte inquired about the housing inventory stock and the mix of residential housing zones. Discussion ensued regarding the percentage of housing inventory stock that is now high density.

King asked the applicant to come forward. Mike Eggiman, 22865 NW Yungen Road, Hillsboro, Oregon 97124 and Ken Sandblast, 15115 SW Sequoia Parkway, Suite 150, Tigard, Oregon 97224, presented their application. Sandblast pointed out the slope of the properties in his report and referred to exhibits in the Agenda Packet. Sandblast pointed out that flat land is more desirable for commercial property. Eggiman reminded the Commission that he had appeared before the Commission a few months prior to this public hearing to see if the Commission would be open to this project. This proposed project is consistent with the other R-2.5 neighborhoods. However, this development could be laid out with larger 4000 sq. ft. lots to allow for more parking in the development. The property is targeted to serve the community and that is the desire of the applicant. The applicant has been approached by some smaller grocery store chains that would be interested in the remaining 5.6 acres that would still be zoned commercial. Sandblast also acknowledged the comment from Troutman regarding the access road north of the property. This is a public right-of-way that could end up serving an access for any type of development that goes in and will be subject to improvements.

King called for questions from the Commissioners. LaBonte asked about the different sized lots that are a part of this subject property. Discussion ensued. A question was raised

regarding the frontage on Kaybern, the slope of the property, the viability of the land, and the orientation of a grocery store on the property. Discussion ensued. The concern of the Commission is that the city will be losing too much commercial property with the approval of this zone change application. They feel the city has too little commercial property to give up this acreage.

King asked for any other comments from the public. Hearing none, King closed the public hearing at 7:35.

Motion by Nunnenkamp. Second by Eimers to make a recommendation to the City Council to deny the conditions of this application of a zone change from commercial to R-2.5 residential to a date certain of June 15, 2015. Motion was approved unanimously.

C. Quasi-Judicial Hearing: File No: 15-032-31500 NW Cottage Lot Line Adjustment and Variance to Lot Width Standard

King requested the reading of the quasi-judicial hearing process statement. King opened the Public Hearing at 7:44 p.m. for File No: 15-032 for a Lot Line Adjustment and Variance to Lot Width Standard. King called for abstentions, ex parte contacts or any conflicts of interest by any Planning Commissioner. Hearing none, he asked if the audience had questions for, or objections to, any Commissioners. Hearing none, King asked for the Staff Report which Austin presented. Discussion ensued.

King called the applicant forward. Kent Campbell, PO Box 526, Hillsboro, Oregon and Tim Graber, 18735 NW Dixie Mountain Road presented their application. King called for questions of the Commissioners. Discussion ensued.

King opened the meeting to proponents. None were forthcoming. King asked for opponents.

Glen Woodward, 31525 NW Cottage Street. Woodward questioned how long the lot width in this area has been at 40 feet. Woodward has lived in the area since 1970 and always knew the lot dimensions to have been 50 x 100. King stated that there could have been an assumption that it was 50 x 100 from the 1910 plat, but the code has the minimum lot width to be 40 feet. The Code is changing and on-going. Chair King stated that someone from staff will look into when the code was changed to a 40 foot frontage. Discussion ensued regarding lot width and lot size.

Cliff Graham, 31525 NW Claxtar, is concerned about population density and the affect it is having on the assets of the town—the school and the police services. He also stated that a narrow two story house will create the effect that he is living in a fish bowl. He would not have an objection to tearing down the existing dwelling and putting up two single story houses. The plan submitted at this meeting would eliminate his last illusion of privacy. It is a real concern. He is asking leadership of the city to deny a request for this variance. He stated it will diminish the value of his property. He asked if it possible to request that no windows would be facing his

property. A new structure would make his backyard an unpleasant place. Discussion ensued.

Tony Grant, 31495 NW Cottage Street strongly opposed the proposal. These lots were platted to be 50 x 100 and they should stay that way. Granting this variance may set precedence for more 33 foot frontages. Discussion ensued.

Don Bender, 31615 NW Cottage Street, commented that the owner/applicant had to have known the house was built on two lots when they purchased the property. His house is on two lots. This would be setting a precedence. He stated the applicant is just doing this to make money. Bender stated what would stop him from dividing his lot into a weird angle and selling it off. Keep North Plains, North Plains. Discussion ensued.

Dale Herinckx, 31206 NW Claxtar Street. His house is also built on the property line in 1965. His dwelling is on a 10,000 sq. ft. lot. He stated the city should maintain some of the larger lots in town. If a property was purchased with the dimension of 100 x 100 he feels it should be kept that way even if the Code says a lot dimension could be 50 x 100. Large lots will become very scarce and will become a commodity. He also mentioned there needs to be room for property owners to be able to park an RV.

Jim Warren, 10515 NW Main Street stated that these lots were platted 100 years ago. His family has been on this property for over 75 years. We have lived with existing zones throughout those years. He feels it is disrespectful to past generations, who established these lot dimensions, to change things around. He stated the applicant must have known the house was on two lots when it was purchased.

Marianne Vandervelden, 31585 NW Cottage Street, inquired about the intent of ownership when the property was purchased. Campbell requested permission to address the inquiry. The property was purchased in 2006. Ten years prior, when it was purchased, the Code for the R-5 zone would allow two duplexes on the property. Campbell was continuing to explain the intent when Chair King interrupted him and asked Campbell if he would wait and continue his answer during the rebuttal.

Discussion ensued regarding the designation and allowed uses in the R-5 zone.

Kathy Nelson 10545 SW 314th, gave a brief history of issues with the house that the previous renters had with the property and the landlord. Nelson also raised the topic of the poor drainage on the property.

King asked for any other comments for or against. Hearing none he asked the applicant for the rebuttal.

Campbell addressed the stormwater issue by stating it will be set up to drain to the roadside ditch after which CWS stormwater system would take over. As far as having a space for RV storage, Campbell stated that not everyone is affluent enough to own an RV and not everyone

needs RV storage on their property but there are many individuals who would just like to be able to afford a house. He also addressed the comment regarding a new structure being a two story house--if the developer were to tear the existing house down, two two-story dwellings could be built. In regard to the density issue being brought up, the developer will not be build more than two houses. Campbell stated the property owner would prefer to have owner occupied homes and not make them rental homes. Another option would be to remodel the existing house into a duplex. Discussion ensued.

King asked for any further discussion.

King closed the public hearing at 8:34 p.m.

Motion by Eimers. Second by Gonzales to deny the application for File No.15-032 Lot Line Adjustment and Variance of lot width request. King asked for any discussion. Doughman asked for some articulation as to why the move for denial so staff could prepare the final written order. Discussion ensued. The motion carried unanimously and staff was instructed to prepare finding and conclusions in a final written order.

7. NEW BUSINESS

A. Review of Land Use/Building Permit Project List

The Commission received a copy of the updated monthly project list.

8. UNFINISHED BUSINESS

A. Discussion of Residential Design Guidelines (Hierarchy List)

Eimers stated he is working on this report. He has been doing a lot of reading. His findings will only apply to R-2.5, R-5 and R-7.5 zones at this time. When the Commission comes to some type of agreement it can be extended to some other areas. This is in the drafting stage he has stopped reading. He will submit his documentation to staff by the end of the week.

The Planning Commission will conduct another Workshop. At the public hearing tonight, the Commission pulled out different chapters from the public hearing to do more work on them. A workshop will take place on Wednesday, June 3 at 6:00 p.m. This workshop would be to review Chapters 16.60, 16.170, 16.205 and 16.45. King would also like to include 16.140 street standards and public street standards. The Commission will also review and discuss the hierarchy list, TSP and public works street standards. Discussion ensued regarding the process with the code changes and DLCD processes.

Austin informed the Commission that the applicant for McKay Creek Crossing had contacted her regarding the street naming in the development. Discussion ensued. Austin will instruct applicant to fill out an application for street naming.

9. COMMISSIONER COMMENTS

Eimers stated he had concerns regarding the layout of the development that Eggiman was proposing. There was not a break point for street length. This led to a discussion regarding needing a definition of a block.

Nunnenkamp inquired of the possibility of the Planning Commission receiving notice of applications that are being approved administratively. Discussion ensued. Boyles will forward the decisions of administrative approvals to the Planning Commission.

10. STAFF COMMENTS

None were forthcoming.

11. ADJOURNMENT.

Chairperson King adjourned the meeting at 8:55 p.m. The Commission will meet for a workshop on Wednesday, June 3, 2015 at 6:00. The next scheduled regular session of the Planning Commission is tentatively set for Wednesday, June 10, 2015, which is currently scheduled to be held at the North Plains Senior Center.

Submitted by:

Margaret L. Reh, City Recorder

Date Minutes Approved: _____

CITY OF NORTH PLAINS PLANNING COMMISSION

AGENDA ITEM NO. 6A

Subject: Jewett-Cameron Industrial Building
From: Heather Austin, AICP, Consulting Land Use Planner

City Staff Report
July 20, 2015

City File: #15-036

Application Purpose: An application for approval of a 12,000 square foot industrial building. This building is an extension of the Jewett-Cameron Lumber Products site.

Public Hearing Date: July 27, 2015

Applicant: **Zarosinski Engineering & Design, Inc.**
1400 NW 155th Circle
Vancouver, WA 98685
Contact: Dean Zarosinski

Property Owner: **Jewett Cameron Lumber Products, Inc.**
PO Box 1010
North Plains, OR 97133

Site Location: 32275 NW Hillcrest Street

Tax Lot: 1N301CB00100 and 1N301CA01700

Size: 6.34 acres

City Land Use Classification: M-2 (General Industrial)

Pre-Application Meeting Date: None
Application Submitted: April 15, 2015
Application Deemed Complete: June 16, 2015
Public Notice mailed: June 16, 2015
Public Notice Published: July 8, 2015
120-Day Deadline: October 14, 2015

EXHIBITS

1. Applicant's submitted materials

REQUEST

The Applicant requests design review approval for construction of a 12,000 square foot warehouse building and associated covered loading area. This request is subject to a Type III process for quasi-judicial review by the Planning Commission. The proposed industrial building is an addition to the site owned and developed by Jewett-Cameron Lumber Products, Inc.

Summary Conclusions

The City accepts many of the Applicant's findings. Areas where information was missing from the Applicant's submittal or inconsistent with code criteria have been addressed with a recommended condition of approval of the design review application.

SITE DESCRIPTION

The property is located on the north side of NW Hillcrest Street just east of W Gordon Road. The project site is 6.34 acres and is located within the City of North Plain. The property is zoned M-2 for General Industrial development and is developed with warehousing, offices, parking and loading.

The Jewett-Cameron site is comprised of portions of blocks 8 and 10, two sections of vacated public right-of-way, and all of block 9 of the original plat of North Plains. Each block is comprised of 16 individual lots, all measuring 50'x 100' in size. There is no evidence of a replat for this site since the 1910 plat. However, deed research through Washington County found that the site was first recorded as one parcel in 1941, indicating lot consolidation prior to current land use laws. Since then, several deed changes and vacations of right-of-way have occurred, creating the lots on which the Jewett-Cameron Lumber Company sits.

Compliance with City of North Plains Municipal Code

ZONES

16.55 ZONING DISTRICT M-2 General Industrial District

16.55.005 Permitted Uses

Permitted uses are subject to the requirements of the Design Review section of this chapter, if applicable. Refer to Zoning Code Use Table.

R. Warehousing

Finding: *This application is for a 12,000 square foot warehouse building. This staff report is written for the design review of this proposal. The proposed warehousing building is permitted in the M-2 zone.*

16.55.015 Limitations on Use

The following conditions and limitations apply to development in the M-2 District.

A. Vehicular Access

1. Access points to an industrial site shall be located to minimize traffic congestion

and, to the extent possible, to avoid directing traffic into residential areas.

2. Where possible within industrial districts, access shall be designed to serve more than one industrial site.

B. Landscaping

1. Properties abutting a residential zone shall provide and maintain a dense evergreen landscape buffer that will attain a mature height of at least seven feet or such other screening measures as may be prescribed by the Commission in the event differences in elevation should defeat the purpose of this requirement.

2. Yards adjacent to streets shall be planted and continuously maintained with lawn, shrubs or trees suited to the site and climate.

3. Other yards and unused property shall be maintained in grass or other suitable ground cover.

Finding: *The access points are existing to this site and are functioning adequately. No additional access is proposed. The site abuts a residential zone (R-2.5) to the north. There is a mature row of arborvitae that aligns the northern border of this site in addition to grass and street trees, separating it from the residential zone. There is landscaping separating the yard abutting NW Hillcrest on the west end of the property, near the water quality facility. This area includes grass and ornamental cherry trees. The remaining portions of the yard are separated by an existing fence. The water quality facility on the west end of this site is densely planted. All other portions of this site are used for the Jewett-Cameron operations.*

16.55.020 Dimensional Standards The following dimensional standards shall be the minimum requirement for all development in the M-2 District except for modifications permitted under the Lot, Building, & Yard Exceptions or the Planned Unit Development sections of this chapter.

A. Lot Size

1. The minimum lot size shall be 5,000 square feet. 2. The minimum lot width shall be 50 feet at the front building line.

B. Setback Requirements

1. Front Yard

Adjacent to a Residential Zone
Adjacent to any other zone

20 feet
None required

2. Side Yard

Adjacent to a Residential Zone
Adjacent to any other zone
Adjacent to street

20 feet
None required
20 feet

3. Rear Yard

Adjacent to a Residential Zone
Adjacent to any other zone
Adjacent to street

20 feet
None required
20 feet

Finding: *The proposed warehouse building is located on the northern portion of the property, adjacent to the R-2.5 residential zone. For this reason, a 20-foot setback is required and is shown on the proposed plans. No other setbacks are required. This standard*

is met as the building is proposed to meet all setbacks.

C. Height of Buildings

Buildings in the M-2 District shall not exceed a height of 80 feet.

Finding: *The proposed building is 37 feet tall and, as such, meets this standard.*

16.55.025 Parking Requirements

Off-street parking and loading requirements for industrial uses are specified in the Off Street Parking and Loading of this ordinance.

Finding: *Parking and loading are addressed in Section 16.155, below.*

STANDARDS FOR DEVELOPMENT

16.145 PUBLIC FACILITY AND SERVICE REQUIREMENTS

16.145.005 Application of Public Facility Standards

The provisions of Chapter 16.145 Public Facility and Service Requirements shall apply to development within the City of North Plains as listed in the following table. No development permit shall be approved unless the following required improvements are provided to City standards prior to occupancy or operation unless an exception is approved by the City Council per Chapter 16.145.020 or future provision of the improvement is assured per Chapter 16.145.030.

Finding: *This site is fully developed with the industrial use. Frontage improvements on all frontages are complete as installed by the property owner with earlier developments. The City does not find any lack of public facilities serving the site. This standard is met.*

16.145.010 Public Facility Standards

The following public facility standards shall be applicable to all development as specified in the Application Review section of this chapter.

A. Streets: Street improvements required by Chapter 16.145.005 Public Facility & Service Standards shall be provided in compliance with Street Standards of this ordinance.

Finding: *Streets are discussed in detail in Section 16.150, further in this report.*

B. Storm Drainage: No development permit shall be approved for any property until the City Engineer has reviewed and approved provisions for storm water drainage in accordance with the following criteria:

1. For storm drainage across or over the property on which the development is located, there are storm drainage facilities available which are capable of handling a one-hundred year flood without damage to any improvement on the property, or inundation of the lowest habitable floor of any residential structure thereon.
2. For storm drainage along or from streets adjacent to the property on which the development is located, there are storm drainage facilities available in accordance with the City of North Plains adopted street standard.

Finding: *All storm drainage from this site is conveyed to the water quality facility on the west side of the site. No changes are proposed to this facility. The proposed building will*

be located in a site that is currently paved and, as such, no increase in stormwater runoff will occur. This standard is met.

C. Sewage Disposal: No development permit shall be approved until the City Engineer and Clean Water Services has reviewed and approved provisions for connection to the public sewer system.

Finding: While the site is adequately served by public sanitary sewer service, there is no sanitary sewer proposed for the new warehouse building. As there are no proposed connections to the public sewer system, this criterion is not applicable.

D. Water Supply: No development permit shall be approved for any property unless all affected water mains are either:

1. Fully improved to a standard providing both adequate potable water and fire flows, as established by the applicable State Plumbing Code and approved by the City Engineer; or
2. Improved to a standard providing adequate potable water flows pursuant to the City Water Master Plan and approved by the City Engineer and the Fire Chief for Washington County Fire District No. 2.

Finding: While the submitted narrative does not specifically address water service, public water is available to the site. Because this is a warehouse use and the narrative specifically states that the building will not have sanitary sewer service, it is likely water service is not proposed.

16.145.120 Methods to Assure Facilities and Services

A legal and enforceable document, contract or process which assures the City that a public improvement will be accomplished is required. Assurances may include but are not limited to the following:

- A. Cash in escrow, assignment of letter of credit, etc.
- B. Establishment of a Local Improvement District (LID) through the post- remonstrance period. Failure of the City to accept the LID shall constitute a waiver of the assurance requirement.
- C. Evidence of formal action by public or private agencies or companies, including the City of North Plains, appropriating monies for the requisite public improvement.
- D. Any other legally binding arrangement that assures the improvements will be made within the required time frame, including:
 1. Phasing of the development;
 2. Construction of interim improvements;
 3. Construction of improvements on a phased basis.

Finding: If any public improvements are required, the City will require a legal and enforceable document, contract or process to ensure public improvement completion. This generally occurs prior to issuance of building permits.

16.145.130 Requirement for Public Work Permit

No person, firm or corporation shall commence construction of improvements within a public right-of-way or upon public property without first obtaining a Public Works Construction Permit on a form or forms provided by the City.

Finding: The applicant is required to obtain permits from the City of North Plains or Washington County, as applicable, for any work performed in the right of way.

16.150 STREET STANDARDS

16.150.010 GENERAL PROVISIONS

The following general provisions shall apply to the dedication, construction, improvement or other development of all public streets in the City of North Plains:

A. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets.

B. Development proposals shall provide for the continuation of existing principal streets where necessary to promote appropriate traffic circulation in the vicinity of the development.

C. Reserve strips: Reserve strips or street plugs controlling the access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights, and in these cases they may be required. The control and disposal of the land composing such strips shall be placed within the jurisdiction of the City under conditions approved by the Planning Commission.

Finding: *This site is adjacent to fully developed and, in some cases, vacated right-of-way. No additional continuation of public right-of-way is necessary adjacent to this site. No reserve strips are proposed. These standards are met.*

D. Alignment: All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuation of the center lines thereof. The staggering of street alignments resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 100 feet.

E. Future extension of streets: Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of a tract being developed and the resulting dead-end streets may be approved without turnarounds. Reserve strips and street plugs may be required to preserve the objectives of street extensions.

F. Intersection angles: Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angle, but in no case shall the acute angle be less than 80 degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least 100 feet of centerline tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Intersections which contain an acute angle of less than 80 degrees or which include an arterial or collector street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line. All other intersections shall have a minimum corner radius sufficient to allow for a roadway radius of 10 feet and maintain a uniform width between the roadway and the right-of-way line. Ordinarily, the intersection of more than two streets at any one point will not be approved.

Finding: *Subsections D., E. and F., above, apply to developments proposing or required to construct new streets. These standards are not applicable as no new streets are proposed or necessary to serve this development.*

G. Existing streets: Whenever existing public streets adjacent to or within a tract are of

inadequate width, additional right-of-way shall be provided at the time of subdivision or development.

Finding: *All existing streets are of adequate width. This standard is met.*

H. Cul-de-sacs: Cul-de-sacs shall be as short as possible, and shall have maximum lengths of 600 feet and shall not serve more than 20 dwelling units. All cul-de-sacs shall terminate with circular turnarounds. Commercial and industrial cul-de-sacs shall have a minimum 55' bulb radius. Additional cul-de-sac specifications, including specifications for residential cul-de-sacs, are contained within the most recently adopted public works/street standards of the City of North Plains and/or Washington County development standards.

I. Street names: No street names shall be used which will duplicate or be confused with the names of existing streets, except for extensions of existing streets. Street names and number shall conform to the established pattern in the City and shall be subject to the approval of the Planning Commission.

J. Grades and curves: Grades shall not exceed 6 percent on arterials, 10 percent on collector streets or 12 percent on any other street. Center line radii of curves shall not be less than 300 feet on arterials, 200 feet on collectors or 100 feet on other streets, and shall be to an even 10 feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable sites, the Planning Commission may accept steeper grades and sharper curves. In flat areas, allowance shall be made for finished street grades having a minimum slope of 0.5 percent.

Finding: *Subsections H., I. and J. above apply to developments proposing new streets and are therefore not applicable.*

K. Marginal access streets: If a development abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

Finding: *The property does not abut or contain an existing or proposed arterial street and, therefore, this criterion is not applicable to this proposal.*

L. Alleys: Alleys shall be provided in commercial and industrial districts unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the Planning Commission. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have radii of not less than 10 feet.

Finding: *Access to off-street parking is provided permanently via the existing driveways. This standard is met without the addition of alleys to the site.*

M. Sidewalks shall be a minimum of five feet in width. Curbs and sidewalks shall be required along both sides of all public streets. All new development upon lots, tracts or parcels of land adjacent to a public street will be required to construct curbs and sidewalks.

Finding: *This site is within the industrial district across from a Superfund site. The roadways to the north and south have been vacated. The property owner has installed street trees and landscaping along the frontage which is acceptable to the City. No additional frontage improvements*

are proposed or required.

N. Street trees, where provided, shall not be of a species which has a shallow spreading root system which is likely to disturb sidewalk or street improvements.

Finding: *Street trees are present along the right-of-way on the north side of the property and along portions of the southern boundary of the site. These trees are well established and are not of a species with a shallow spreading root system. This standard is met.*

O. Access Spacing Standards shall, to the greatest extent possible, comply with Washington County's standards and the most recently adopted public works/street standards of the City of North Plains. Washington County's access spacing standards by street functional classification are as follows:

Major Arterial: 1,000 feet Minor Arterial:
600 feet Major Collector: 150 feet Minor
Collector: 50 feet Local Street: 10 feet

Finding: The access points to this site are existing and meet this spacing requirement. No changes to access are proposed and, therefore, this standard is met.

16.150.115 General Right-of-Way and Improvement Widths

Construction specifications for all street and right-of-way improvement widths shall comply with the criteria of the most recently adopted public works/street standards of the City of North Plains, the North Plains Transportation System Plan, and/or Washington County standards. These standards shall be the minimum requirements for all streets, except where modifications are permitted under this chapter or the Street Standard adopted by the City Council of North Plains, whichever is less restrictive. Refer to Figures 5-2A-5-2P in the Transportation System Plan for detailed diagrams depicting street right-of-way, improved, and roadway width requirements.

16.150.025 Construction Specifications

Construction specifications for all public improvements shall comply with the criteria of the most recently adopted public works/street standards of the City of North Plains.

Finding: *Much of the right-of-way adjacent to this site has been or is being vacated. No additional right-of-way dedication or improvement is required by this addition of a warehouse building on an industrial site.*

16.31.070 Bikeways and Sidewalks Required on Arterials and Collectors

A. Glencoe Road: Include bicycle lanes and sidewalks on both sides of the road. This would provide connectivity to the existing sidewalks and future growth to the east of Glencoe Road.

B. Commercial Street: Include bicycle lanes and sidewalks on both sides of the road. A detailed plan should be developed to make sure these facilities coexist with parking demand in the downtown area.

C. North Avenue: On the near term a sidewalk should be constructed on the south side of North Avenue to connect the existing sidewalk to Gordon Road. Sidewalks should also be added on the south side of North Avenue between NW 309th Avenue and Glencoe Road. These improvements would complete a system of sidewalks on North Avenue in addition to providing connectivity to the adjacent street system. In the Long term sidewalks should

be added to the north side of North Avenue also.

D. Gordon Road: Provide sidewalk on the east side. This improvement will facilitate a connection to the future extension of sidewalk on the south side of North Avenue and to sidewalks along Commercial Street.

Finding: *The proposed development does not abut any of the listed streets and, therefore, this criterion is not applicable.*

16.160 OFF STREET PARKING AND LOADING

16.155.005 General Provisions

A. Off-street parking spaces for dwellings shall be located on the same tax lot with the structure, and within 250 feet of the dwelling unit for which the parking space is required. Garages and/or carports may be used to satisfy the off-street parking requirements for dwellings, however, one required parking space may be uncovered. Parking spaces required for other uses may be located on a separate tax lot and shall be located not farther than 500 feet from the building or use they are to serve.

B. Parking and loading spaces shall not be located in a required side or rear yard, except that off street parking spaces may be located in a required side or rear yard adjacent to a street on commercial or industrial zoned land provided that the parking spaces are developed consistent with the development standards of this chapter.

C. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.

D. Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the building inspector in the form of deed, leases or contracts to establish the joint use.

E. Off-street parking spaces for dwellings shall be located on the same tax lot with the structure, and within 250 feet of the dwelling unit for which the parking space is required. Garages and/or carports may be used to satisfy the off-street parking requirements for dwellings, however, one required parking space may be uncovered. Parking spaces required for other uses may be located on a separate tax lot and shall be located not farther than 500 feet from the building or use they are to serve.

F. Parking and loading spaces shall not be located in a required side or rear yard, except that off street parking spaces may be located in a required side or rear yard adjacent to a street on commercial or industrial zoned land provided that the parking spaces are consistent with the development standards of this chapter.

G. Required parking spaces shall be available for parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.

H. Required parking spaces shall be improved and available for use before the final inspection is completed by the building inspector. An extension of time may be granted by the building inspector providing an irrevocable letter of credit, assignment of bank account, performance bond, or its equivalent, is posted equaling the cost to complete the improvements.

I. On-Street Parking Credit. The amount of off-street parking required may be reduced by one-half off-street parking space for every one on-street parking space adjacent to the development (where curbs and sidewalks are present and parking is allowed). On-street

parking shall follow the established configuration of existing on-street parking, except that angled parking may be allowed for some streets, where permitted by City standards. The following constitutes an on-street parking space:

- a. Parallel parking, each 24 feet of uninterrupted curb;
- b. 45 degree diagonal, each 14 feet of curb;
- c. 60 degree diagonal, each 11.5 feet of curb;
- d. 90 degree (perpendicular) parking, each 10 feet of curb;
- e. Curb space must be connected to the lot which contains the use;
- f. Parking spaces that would not obstruct a required clear vision area, nor any other parking that violates any law or street standard;
- and g. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street parking spaces are permitted.

J. When the calculation of the minimum number of parking spaces required results in a fraction of a space, the applicant must round up to the nearest whole space.

Finding: Section 16.155.015, *Automotive Parking Requirements*, requires one space per employee on the largest shift for storage warehouse, manufacturing establishment, rail or trucking freight terminal. The maximum number of employees on this site is 32 at any shift, according to the Applicant's submitted narrative.

Sheet C1 of the Applicant's submittal identifies 36 spaces on the site and; therefore, this standard is met as shown.

16.155.020 Off-Street Loading Requirements

Off-street loading space shall be provided as listed below: All office buildings shall require a minimum loading space size of 12 feet wide, 20 feet long and 14 feet high in the following amounts:

1. For buildings containing up to 5,000 square feet of gross floor area, one space; for each additional 10,000 square feet of gross floor area, or any portion thereof, one space.
2. All other commercial or industrial buildings shall require a minimum loading space of 12 feet wide, 20 feet long, and 14 feet high in the following amounts:
3. For buildings containing up to 5,000 square feet of gross floor area, one space; for each additional 10,000 square feet of gross floor area, or any portion thereof, one space.

Finding: This 12,000 square foot warehouse building triggers two off-street loading spaces. The Applicant proposes a covered loading area adequately sized to provide the two off-street loading spaces. This standard is met.

16.155.025 Parking and Loading Area Development Requirements

All parking and loading areas shall be developed and maintained as follows:

- A. Surfacing: Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all weather use and drained to avoid flow of water across public sidewalks.
- B. Screening: When any public parking or loading area is within or adjacent to a residential zone, such parking or loading area shall be screened from all residential properties with an ornamental fence, wall or hedge of at least five feet in height but not more than six feet in height, except where vision clearance is required.
- C. Periphery: Parking spaces along the outer boundaries of a parking lot shall be contained by a bumper rail or a curb at least four inches high and set back a minimum of four feet from the property line.

D. Lighting: Artificial lighting which may be provided shall not create or reflect substantial glare in a residential zone or on an adjacent dwelling.

E. Design of Parking Spaces and Driveways Off-street parking lots shall be designed in accordance with City Standards for stalls and aisles as set forth in the following drawing and table:

Finding: *This is an existing site with on-site parking. Sheet C1 shows 36 marked, adequately sized parking spaces on the site, exceeding the required 32 spaces. The parking areas are paved, durable and dustless and adequately drained. The parking areas are screened from the residential zone to the north by a dense arborvitae screen, a grassy berm and street trees. No additional parking or lighting is proposed or required for the addition of this warehouse building to the site. This standard is met.*

16.160 CLEAR VISION AREAS

16.160.000 Requirements

Except in the C-1 zone, a clear vision area shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a driveway providing vehicular access to a public street, including alleys.

A. Lots or parcels on street corners (public and/or private) shall maintain a sight triangle with no sight obstruction between three (3) feet and ten (10) feet in height as measured from street grade. Sight obstructions include, but are not limited to, fences, vegetation, berms, signs and structures. The sight triangle shall be measured from the street corner (apex), to a distance of twenty (20) feet along each street side (see Figure 1). For the purpose of this Section, a street corner is defined as that point where the extended edges of the road surface of two intersecting streets meet. The City may require additional vision clearance based on a hazard identified by the City. However, tree trunks and sign poles not exceeding 12 inches in diameter may be located within the vision clearance area, provided the diameter does not exceed 24 inches.

B. A private access shall be treated as a public street for the purpose of this section. The vision clearance area shall be determined in the manner set forth form in Chapter 16.160.000.010(A). The edge of the paved surface area of the private access, be it roadway, curb or sidewalk, shall be treated as the right-of-way line in determining the vision clearance area.

Finding: *No changes are proposed to the access points of this site with construction of this warehouse building. Adequate clear vision areas exist at both driveway entrances. Based on this information, this standard is met.*

16.170 APPLICATION REQUIREMENTS AND REVIEW PROCEDURES

Administrative, Limited Land Use, Quasi-Judicial & Legislative Decisions

16.170.000 General Provisions

C. Type III Quasi-Judicial Permits by Planning Commission

3. Design Review Permit

Finding: *This application is classified as Type III because it includes a design review permit.*

16.170.001 Pre-application Conference

A pre-application conference is required for Type II, III and IV permits. The applicant shall file the appropriate application, pay the review fee and meet with the City Planner, other city staff and affected agencies. At the conference the City Planner shall identify the relevant comprehensive plan policies, map designations, zone and development standards and procedural requirements applicable to the application. The planner and affected agencies shall provide technical data and identify opportunities or constraints concerning the application.

Failure of the City to provide any information required by this section does not constitute a waiver of any of the standards, criteria or requirements for the application. Due to possible changes in federal, state, regional and local law, the applicant is responsible for assuring the application complies with all applicable laws on the day the application is deemed complete.

Finding: *As this is a warehouse addition to a developed site, the City did not require a pre-application meeting. This standard is met.*

16.170.002 Neighborhood Meeting

Applicants or their representatives are encouraged to meet with adjacent property owners and neighborhood representatives prior to submitting an application to the City in order to solicit input and exchange information about the proposed development. The applicant for a Type III application is encouraged to hold a neighborhood meeting with a recognized neighborhood or community organization. If no organization exists, then the applicant is encouraged to hold a meeting with adjacent property owners within a radius of 250 feet who will receive public notice.

Finding: *The Applicant did not provide evidence of a neighborhood meeting regarding this development. Because a neighborhood meeting is encouraged but not required, this standard is met.*

16.170.003 Traffic Impact Study

The purpose of this section of the code is to assist in determining which road authorities participate in a land use decision, and to implement Section 660-012-0045 (2) of the State Transportation Planning Rule that requires the City to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. This Chapter establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic Impact Study; and who is qualified to prepare the Study.

A. When a Traffic Impact Study is required. The City or other road authority with jurisdiction may require a Traffic Impact Study (TIS) as part of an application for development, a change in use, or a change in access. A TIS shall be required when a land use application involves one or more of the following actions:

1. A change in zoning or a plan amendment designation;
2. Any proposed development of land use action that a road authority states may have

- operational or safety concerns along its facility;
3. An increase in site traffic volume generation by 300 Average Daily Trips (ADT) or more; or
 4. An increase in site traffic volume of a particular movement to and from the State Highway by 20 percent or more; or\
 5. An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day; or
 6. The location of the access driveway does not meet minimum sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the State Highway, creating a safety hazard; or
 7. A change in internal traffic patterns that may cause safety problems, such as back up onto a street or greater potential for traffic accidents.

B. Traffic Impact Study Preparation. A Traffic Impact Study shall be prepared by a professional engineer in accordance with the requirements of the road authority. If the road authority is the Oregon Department of Transportation (ODOT), consult ODOT's regional development review planner and OAR 734-051-180.

Finding: *The site is currently served by truck traffic that utilizes roads designed to accommodate this type of traffic. Overhead wiring and vegetation have been modified to accommodate trucks. No additional traffic study is required for this warehouse addition.*

16.170.012 Type III Quasi-Judicial Decisions by the Planning Decision

A. Pre-application conference. A pre-application conference is required for all Type III quasi-judicial applications under this Section. The requirements and procedures for a pre-application conference are described in Chapter 16.170.001.

Finding: *As this is a warehouse addition to a developed site, the City did not require a pre-application meeting. This standard is met.*

B. Application Requirements.

1. Application form. A quasi-judicial application shall be made on forms provided by the City Planner or designee. The application shall include the property owner's signature of consent. Entities with condemnation authority are not required to provide a consent signature.

2. Submittal Information. When a quasi-judicial application is required, it shall include:

- a. The information requested on the application form;
- b. One copy of a narrative statement that explains how the application satisfies each of the relevant criteria and standards insufficient detail for review and decision-making.
- c. The required fee pursuant to Chapter 16.00.070; and
- d. One set of pre-stamped and pre-addressed envelopes for all real property owners of record who will receive a notice of the application within 250 feet. The records of the Washington County Assessor's office are the official records for determining ownership. The applicant shall produce the notice list. At the applicant's request, and upon payment of a fee noted on the City's fee list, the City may prepare the public notice mailing list. The City or the applicant shall use the most current County real property assessment records to produce the notice list. The City shall mail the notice of application.

Finding: *The applicant has met the requirements of 16.170.020 and was deemed to have submitted a complete application on June 16, 2015.*

16.175.010 Design Review Approval Procedures

B. Type III Design Review. Type III design review applications are reviewed by the Planning Commission including a public hearing in accordance with this chapter. It applies to all development in the City, except those specifically listed or similar to those under “A.” above and the standards of this chapter.

Finding: *This design review application is being reviewed by the Planning Commission in a public hearing on July 27, 2015, in accordance with this chapter. This standard is met.*

16.175.115 Filing Procedure

Design Review Applications shall be filed on a Planning Department form as provided by the City and shall be accompanied by such drawings, sketches, and descriptions as the City deems necessary to describe the proposed development. An application shall not be deemed complete unless all information requested is provided.

Finding: *This application was submitted on a form provided by the City and was accompanied by all necessary documentation to review the application. This standard is met with the submitted materials.*

16.175.050 Type III Design Review Criteria

Approval of a Type III Design Review application shall be based on the following criteria:

A. Relation of Site Plan Elements to the Environment

1. The elements of the site plan shall be compatible with the natural environment and existing buildings and structures having a visual relationship with the site.

Finding: *The proposed building is an industrial warehouse on an industrial site. The building will be located between the two existing industrial buildings, internal to the site. The proposed construction materials match the materials of the existing buildings and are planned to be painted to match the metal siding on the recent addition to the building to the west. There is no additional impervious surface proposed for this site as the location of the new building is currently paved. No trees are proposed for removal. This standard is met.*

2. The elements of the site plan should promote energy conservation, and provide protection from adverse climatic conditions, noise and air pollution.

Finding: *The proposed 37 foot high building will not block sunlight from neighboring properties. The large south-facing door openings of the warehouse will allow the maximum amount of sunlight and ventilation. White membrane roofing is proposed to minimize heat gain. The truck maneuvering and loading dock areas will be south of the building, separating the noise from the residential zone to the north. The lighting of the loading area will be LED to minimize energy usage. This standard is met.*

3. Each element of the site plan shall effectively, efficiently and attractively serve its function. The elements shall be on a human scale, interrelated, and shall provide spatial

variety and order.

Finding: *The function of the proposed building is to support the industrial uses on the site. The building is designed to match the existing industrial buildings, and the covered loading area is designed to have a roofline lower than the warehouse building, bringing down the scale and massing of the structure. The buildings are interrelated, provide spatial variety and order and are on the human scale as much as possible with this industrial type development. This standard is met.*

4. In commercial and industrial zones adjacent to State or Federal highways, and/or lying in County jurisdiction within urban growth boundaries, a coordinated circulation and access plan shall be submitted for the site and all properties in the immediate vicinity (no more than 1/4 mile to each site) to assure the public's safety in entering or leaving the site, as well as when traveling through the area. This requirement may be waived by the Planning Staff if adequate access control and efficient and safe circulation can be obtained without the development and approval of a coordinated circulation and access plan.

Finding: *This site is within the City limits not adjacent to State or Federal highways and, therefore, this standard is not applicable.*

5. Safety and Privacy. The site plan should be designed to provide a safe environment while offering appropriate opportunities for privacy and transitions from public to private spaces.

Finding: *This site is fenced and screened from adjacent properties and public rights-of-way. The site is gated when not conducting business. The office building and guest parking is at the front of the site, providing the separation and transition from public to private and separating the heavier industrial uses from the public right-of-way. This standard is met.*

6. Preservation of Natural Landscape. The landscape and existing grade shall be preserved to the maximum practical degree, considering development constraints and suitability of the landscape or grade to serve the applicant's functions. Preserved trees and shrubs shall be protected during construction.

Finding: *No changes to the landscape and existing overall grade of the site are proposed. All existing trees and shrubs will be protected during construction, as verified through construction inspection. This standard is met.*

7. Pedestrian and Vehicular Circulation and Parking. The location and number of points of access to the site, the interior circulation patterns, the separations between pedestrians and moving and parked vehicles, and arrangement of parking areas in relation to building and structures, shall be harmonious with proposed and neighboring buildings and structures.

Finding: *The office building entrance is marked and connected by sidewalks to the parking, including ADA parking. The area for passenger vehicles is separated from the area for large trucks and loading and maneuvering to further enhance pedestrian safety. This standard is met.*

8. Drainage. Surface drainage systems shall be designed so as to not adversely affect neighboring properties, streets and/or surface and subsurface water quality. All surface

water shall be contained on-site.

Finding: *The entire site drains to the water quality facility on the west end of the site. The facility is sized and planted appropriately to treat all of the stormwater from this site. The proposed building is located in an area that is currently paved, so there is no change in the amount of stormwater runoff from this proposal. This standard is met.*

9. Buffering and Screening. Areas, structures, and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be designed, located, buffered, or screened to minimize adverse impact on the site and neighboring properties.

Finding: *As discussed previously in this report, this site is buffered and screened from the properties to the north by a large arborvitae hedgerow, grassy berm and street trees. The site is buffered from the south by a fence and landscaping/trees at the west end of the frontage. The construction and location of this warehouse building and covered loading are unlikely to have an adverse impact on the site or neighboring properties. This standard is met.*

10. Utilities. All utility installations above ground, if such are allowed, shall be located so as to minimize adverse impacts on the site and neighboring properties.

Finding: *The only utility proposed to serve this new structure is electricity, which will be located in an underground conduit from the transformers on the site. No above ground utilities are proposed and, therefore, this standard is not applicable.*

11. For any access within the Light Industrial (M-1) zone, the access shall be spaced a minimum of 200 feet from the nearest access on the same side of the street; this is to be coordinated between O.D.O.T., Washington County and the City of North Plains.

Finding: *This site is within the M-2 zone and, as such, this standard is not applicable.*

B. Required Landscaping

Areas Subject to Landscape Requirements: All use types as allowed in the particular zoning district, and subject to Design Review shall meet the provisions of this section.

1. Multi-family Residential. 15% landscaping of the gross lot area required. All areas subject to the final site plan and not otherwise improved shall be landscaped.

2. Community Commercial. 5% landscaping of the gross lot area required. All areas subject to the final site plan and not otherwise improved shall be landscaped.

3. General Commercial. 5% landscaping of the gross lot area required. All areas subject to the final site plan and not otherwise improved shall be landscaped. Screening by tall trees between highway commercial and adjacent residential zones, on side of highway commercial zone from highway to which it relates, such that the trees provide an attractive backdrop to elevated signage and adjacent residential uses.

4. Light Industrial. 5% landscaping of the gross lot area required. All areas subject to final site plan and not otherwise improved shall be landscaped.

5. Landscape Management. Natural vegetation is acceptable if maintained in a neat and fire safe manner.

6. Other Landscape Areas. All areas utilized for subsurface sewage disposal land treatment, except for single-family residences are required to be landscaped and maintained.

Finding: *This site is in the M-2, General Industrial zone and, as such, subsections 1.-4. above are not applicable. There is natural vegetation on the site in that the water quality facility is planted with native species and is maintained as to not be a fire risk. There are no subsurface sewage disposal (septic tanks) on this property.*

C. Landscaping in Parking and Loading Areas

In addition to the above provisions, the following landscape requirements apply to parking and loading areas.

1. A parking or loading area shall be separated from any lot line adjacent to a roadway by a landscaped strip at least 5 feet in width.
2. A landscaped strip separating a parking or loading area from a street shall contain:
 - a) Street trees spaced as appropriate to the species, not to exceed 50 feet apart, on the average; and
 - b) Low shrubs, not to reach a height greater than 3'0", spaced no more than 8 feet apart, on the average; and
3. Vegetative ground cover if required.
4. Landscaping in a parking or loading area shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area.
5. The landscaping in a parking area shall have a width of not less than three feet.

Finding: *The parking area adjacent to the main industrial building on the site is separated from the lot line by a landscaped strip including trees and grass. The loading areas are separated from the northern property line by a row of arborvitae and a grass covered berm. Both of the parking areas, the southern adjacent to the main building and the western adjacent to the swale, are uniformly perimeter landscaped. No landscaping strips are less than 3 feet in width. This standard is met.*

D. Irrigation

Provisions shall be made for watering planting areas where such care is required. Underground sprinklers may be required.

Finding: *The existing landscaping is irrigated and no changes are proposed. This standard is met.*

E. Maintenance

Required landscaping shall be continuously maintained.

Finding: *The landscaping has been maintained on this site continuously and this is expected to continue. Failure to do so would be pursued as a Code Compliance issue. This standard is met.*

F. Special Requirements

The Planning Commission may require the following, in addition to the minimum requirements and standards of this ordinance, as a condition of Design Review Approval.

1. An increase in building separation, to afford improvement in light reception or air circulation or to afford greater fire resistance, based on building structural and fire flow

requirements.

2. Additional off-street parking, according to specific requirements for the type of development.
3. Screening of the proposed use by a fence, or landscaping.
4. Limitations on the size, location, intensity and number of exterior lights.
5. Limitations on the number, and location of curb cuts.
6. Improvement or enlargement of utilities serving the proposed use, where existing facilities will be burdened by the proposed use.
7. Landscaping, or increases in landscaping requirements for the site.
8. Limitations on the number and size of signs.
9. Review of and adjustments in design for conformance with the historic architectural design theme.
10. Any other limitations or conditions it considers necessary to achieve the purposes of this ordinance and the Comprehensive Plan.

Finding: *This construction of a warehouse building is proposed on an industrial site that is currently meeting parking, screening, access, landscaping and signage standards. The building is placed on the site so as to be efficient and safe. There are no historical architectural design themes on this property and the proposed building will be designed to match the existing buildings. No additional conditions of the design review approval are necessary.*

CONCLUSIONS

The Planning Commission is considering approval of the Design Review Request for the Jewett-Cameron Industrial Warehouse Building.

Staff recommends approval of the application with conditions of approval outlined below.

CONDITIONS OF APPROVAL

Prior to approval of a grading permit or any other preliminary permits, the Applicant shall provide evidence that the following conditions have been satisfied:

1. If applicable, all sanitary sewer, storm sewer, and surface water management provisions shall be designed in accordance with Clean Water Services (CWS) "Design and Construction Standards for Sanitary Sewer and Surface Water Management," as contained in CWS Resolution and Order No. 07-20 (R&O 07-20). This shall include both the conveyance system and off-site improvements and modifications to existing systems necessary to provide adequate services to the site.
2. If applicable, sanitary sewer service improvements shall be provided in compliance with R&O 07-20 and City of North Plains Public Works Design Standards, Planning, Zoning, and Development Codes and other applicable City and Washington County Policies.
3. Surface water conveyance and surface water management facilities shall be provided in compliance with R&O 07-20 and other Washington County standards that apply, as well as the City of North Plains Public Works Design Standards, Planning, Zoning, and Development Codes and other applicable City and Washington County Policies. All system

improvements located outside of the Urban Growth Boundary (UGB) shall require approvals from Washington County in addition to the City.

4. If applicable, public water system improvements are required and shall be planned, designed, and constructed in accordance with current City of North Plains Public Works Design Standards, the City Engineer's recommendations and the APWA Standard Specifications for Public Works Construction. The system improvements shall be looped with the existing water system as approved by the City and be constructed with minimum 8 inch diameter pipes. Following approval of the development and prior to any on-site development, the water system shall be verified by the City Engineer, at the applicant's expense, to demonstrate that the proposed water system improvements meet all applicable City and State requirements and is consistent with the City Water Master Plan and water distribution model.

5. All off-site sanitary sewer and storm water easements of sufficient width, as determined by the approving authority, shall be dedicated to the appropriate jurisdictional authority prior to approval of any construction agreements, engineered plans, plat, grading or construction permits. Any easements proposed outside the Urban Growth Boundary shall be approved by Washington County.

Ongoing Conditions:

1. The applicant/owners agree to waive their right to remonstrate against the formation of a local improvement district or other mechanism to construct future improvements to the streets, storm water, water and sewer systems that may be assessed against the subject property.
2. All conditions of approval must be completed within one year of the date of this approval or the approval is void, unless specifically modified by an approved phased construction schedule, approval of an extension, or unless the applicant/owners provides assurances otherwise.
3. If applicable, prior to obtaining approval to begin construction of any public improvements, the applicant/owner shall provide a performance bond to the City in the amount of 125% of the total cost of such construction. Upon completion of all public improvements, the applicant/owner shall provide a maintenance bond to the City, in the amount of 40% of the total cost of such construction, guaranteeing said improvements for a period of one (1) year following City acceptance of said improvements. Comply with the recommended conditions of the Public Works Director.
4. All utilities shall be constructed underground.
5. The applicant shall be responsible for reimbursing the City for the reasonable costs associated with inspection of public works improvements.



REC'D JUN 16 2015

City of North Plains

31360 NW Commercial St. North Plains, OR 97133

Ph. 503-647-5555 Fax 503-647-2031

Email: info@northplains.org

LAND USE APPLICATION (TYPE 2, 3, or 4)

Applicant General Information

Applicant Name: DEAN P. ZAROSHSKI PE

Mailing Address: 1400 NW 155TH CIR
Street
VANCOUVER, WA Apartment/Unit #
City State 98685
ZIP Code

Email Address: dpzsk@hotmail.com Phone: (360) 573-2746

Property Owner: JEWETT - CAMERON

Mailing Address: P.O. BOX 1010
Street
NORTH PLAINS Apartment/Unit #
City OR State 97133
ZIP Code

Email Address: DON@JewettCameron.com Phone: (503) 647-0110

Property Description

Address: 32275 NW HILLCREST
Street
NORTH PLAINS Apartment/Unit #
City OR State 97133
ZIP Code

Tax Lot ID: _____ Existing Zoning: M-1

Property Area: 5.53 ACRES Existing Land Use: M-1

General Development Description: ADD 150' x 80' x 37' WAREHOUSE WITH 30' x 30' x 24' COVER OVER (E) DOCK

Fees - Check all that apply (Fees effective 04/20/15)

Type	Land Use Process	Fee	Type	Land Use Process	Fee
4	<input type="checkbox"/> Annexation	\$10,000 deposit*	3	<input type="checkbox"/> Non-Conforming Use	\$265
2, 3	<input type="checkbox"/> Appeal	\$315	3	<input type="checkbox"/> Subdivision	\$2685
4	<input type="checkbox"/> Comp Plan Amendment, Text	\$8,000	3	<input type="checkbox"/> Manufactured Home Park	\$4000
4	<input type="checkbox"/> Comp Plan Amendment, Map	\$5,000	2	<input type="checkbox"/> Subdiv. Modification - Minor	\$150
3	<input type="checkbox"/> Conditional Use Res/Com	\$395/\$745	3	<input type="checkbox"/> Subdiv. Modification - Major	\$2125
2	<input type="checkbox"/> Design Review Type II Res	\$385		<input type="checkbox"/> Subdivision Preapplication Mtg	\$1420
3	<input type="checkbox"/> Design Review Type III Res	\$970	3	<input type="checkbox"/> SNR Permit	\$1640
2	<input type="checkbox"/> Design Review Type II C/I	\$185	3	<input type="checkbox"/> Similar Use	\$615
3	<input checked="" type="checkbox"/> Design Review Type III C/I	\$890	3	<input type="checkbox"/> Street Vacation	\$1675
3	<input type="checkbox"/> Floodplain Permit	\$1925	4	<input type="checkbox"/> UGB Expansion	\$28,000
3	<input type="checkbox"/> Partition, with street dedication	\$640	2	<input type="checkbox"/> Variance, Administrative	\$145
2	<input type="checkbox"/> Partition, no street dedication	\$400	3	<input type="checkbox"/> Variance, PC Hearing	\$1115
2	<input type="checkbox"/> Lot Line Adjustment	\$275	4	<input type="checkbox"/> Zoning Code Amendment	\$2,825
	<input type="checkbox"/> Other			Total	

* plus \$9,000 election deposit

Information to Include with Your Application

- **Application Form**
- **Fee**
- **Narrative** describing the Development Proposal and addressing the Decision Criteria. *All applications will be reviewed based on the criteria of Chapter 16 of the North Plains Municipal Code which is available at www.northplains.org a sample narrative is also on website.*
- **Plans** drawn to scale showing (**3 hard copies** (2 for County and 1 for applicant) and **1 electronic copy.pdf**):
 - All property boundaries in which development is occurring
 - All adjacent roads (with names and dimensions)
 - Location and dimensions of all existing and proposed access ways/alleys/driveways
 - Location, number, dimensions, setbacks
 - All easements (including utilities)
 - Location of all existing and proposed fire hydrants
 - Location, size (area), and setbacks of all existing and proposed buildings and structures
 - Location, size (area), and layout of existing and proposed landscaping
 - Location, number and dimensions of existing and proposed parking areas, including handicapped spaces
 - Location, number and dimensions of existing and proposed loading areas
 - Location, number, dimensions, and types of existing and proposed lighting
 - Location, number, dimensions, setbacks, and types of existing and proposed fencing and or/screening
 - Location, number, dimensions, setbacks, and types of existing and proposed mechanical equipment, such as rooftop equipment and transformer boxes. Show any screening of proposed equipment.
 - Delineate flood plains and water courses
 - Significant vegetation
- **Stamped envelopes with mailing labels** attached for all property owners and residents within 250 feet of the subject property or properties. *(A list of property owners/site addresses may be obtained from a title insurance company.)*
- A **traffic study** for any project generating more than 300 trips per day.
- Other reports related to specific permit types flood plain, significant natural resources historic overlay
 Other

After initial review, the City may require additional information.

Additional Information

In order to expedite and complete the processing of this application, the City of North Plains requires that all pertinent material required for review of this application be submitted at the time application is made. If the application is found to be incomplete, review and processing of the application will not begin until the application is made complete.

I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application.

I understand that there may be additional costs of processing this application including, but not limited to, planning, engineering, city attorney and administration. The City will notify the applicant if there will be additional costs.

Date: 6-16-15

Signature of Applicant: _____

Date: 6-16-15

Signature of Property Owner: _____

Received by: was received by Sarah Baker

FOR OFFICE USE

Date: 4/15/14

Fee paid: \$890.00

Receipt No. 026823

Application No. 15-036



Fee: \$ 70

City of North Plains

31360 NW Commercial St. North Plains, OR 97133
Ph. 503-647-5555 Fax 503-647-2031

Email: info@northplains.org

LAND USE PERMIT—COMMERCIAL & INDUSTRIAL LOT

BP #: 15-036

Construction Type: NEW Accessory Building
 Remodel/Alteration Demolition Other:

Please Attach: Site Plan with lot size (sf), building sf/heights, parking (sf),
lot coverage/impervious surface (sf), streets, & setbacks
 Copy of Design Review Approval Final Order

APPLICANT INFORMATION

Contact Name: DEAN P. ZAROSINSKI PE Contractor: HOLM BROTHERS
Address: 1400 NW 155TH CIRCLE
Street Apartment/Unit #
VANCOUVER, WA 98685
City State ZIP Code
Email Address: dpzski@hotmail.com
Home Phone: (360) 513-2746 Cell Phone: (360) 513-2746
Site Contact: DEAN P. ZAROSINSKI PE Site Contact Cell Phone (360) 513-2746

Lot Information

Owner: JEWETT-CAMERON Zone: C1 C2 M1 M1
Address: 32275 NW HILLCREST ST
Street 17436 Unit #
Size of Lot (sf) 242,980 SF Impervious Surface* (sf) _____ (% of lot) 72% Existing Structure Size (sf): 50,854 SF
Subdivision Name: _____ Is Final Plat Approved? Yes No
Tax Lot ID _____ Flag Lot? Yes No
Has a variance been granted to lot? Yes No

*Impervious surface includes foundations, impervious driveways, paths and patios.

FOR OFFICE USE ONLY

ADDITIONAL ZONING STANDARDS

Clear Vision Requirements Met (Ch 16.160): Yes No N/A

Additional Lot Development Standards: N/A

16.105 Acc buildings/fences Yes No

16.115 Yard Exceptions Yes No

16.100 Duplex, Triplex and Attached SFD): Yes No

Applicable Overlays: CS FP Historic (Pythian Hall or Last Waterin' Hole) SNR

Notes:



Fee: \$ 70.00

City of North Plains

31360 NW Commercial St. North Plains, OR 97133
 Ph. 503-647-5555 Fax 503-647-2031
 Email: info@northplains.org

Criteria That Apply to this Project-Applicant to Fill Out				
Zoning	<input type="checkbox"/> C-1	<input type="checkbox"/> C-2	<input checked="" type="checkbox"/> M-1	<input type="checkbox"/> M-2
Minimum lot size	<input type="checkbox"/> 2,500 sf <input type="checkbox"/> N/A	<input type="checkbox"/> 5,000 sf <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> 5,000 sf <input type="checkbox"/> N/A	<input type="checkbox"/> 5,000 sf <input type="checkbox"/> N/A
Minimum lot width	<input type="checkbox"/> 25 ft	<input type="checkbox"/> 50 ft	<input checked="" type="checkbox"/> 50 ft	<input type="checkbox"/> 50 ft
Minimum front setback*	<input type="checkbox"/> 0 ft <input type="checkbox"/> 10 ft ADR	<input type="checkbox"/> 20 ft	<input type="checkbox"/> 0 ft <input checked="" type="checkbox"/> 20 ft ADR	<input type="checkbox"/> 0 ft <input type="checkbox"/> 20 ft ADR
Max Setback (C-1)	<input type="checkbox"/> 10 ft	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> N/A
Minimum rear setback*	<input type="checkbox"/> 0 ft <input type="checkbox"/> 10 ft ADR	<input type="checkbox"/> 0 ft <input type="checkbox"/> 10 ft ADR <input type="checkbox"/> 20 ft ADS	<input type="checkbox"/> 0 ft <input checked="" type="checkbox"/> 15 ft ADR 20 ft ADS	<input type="checkbox"/> 0 ft <input type="checkbox"/> 20 ft ADR <input type="checkbox"/> 20 ft ADS
Minimum side-yard setback*	<input type="checkbox"/> 0 ft <input type="checkbox"/> 10 ft ADR	<input type="checkbox"/> 0 ft <input type="checkbox"/> 10 ft ADR <input type="checkbox"/> 20 ft ADS	<input type="checkbox"/> 0 ft <input checked="" type="checkbox"/> 15 ft ADR <input checked="" type="checkbox"/> 20 ft ADS	<input type="checkbox"/> 0 ft <input type="checkbox"/> 20 ft ADR <input type="checkbox"/> 20 ft ADS
Maximum height	<input type="checkbox"/> 45 ft	<input type="checkbox"/> 45 ft	<input checked="" type="checkbox"/> 80 ft	<input type="checkbox"/> 80 ft
Off-street parking (Chap 16.155) *	_____ spaces	_____ spaces	_____ spaces	_____ spaces

* ***ADR= Adjacent to Residential Zone ADS=Adjacent to Street**
 * LOADING, THERE IS 1 EXISTING LOADING DOCK, THIS PROPOSAL ADDS 2 AT THE PROPOSED BUILDING, ON GRADE LOADING IS ADEQUATE IN THE TRUCK MANEUVERING AREAS

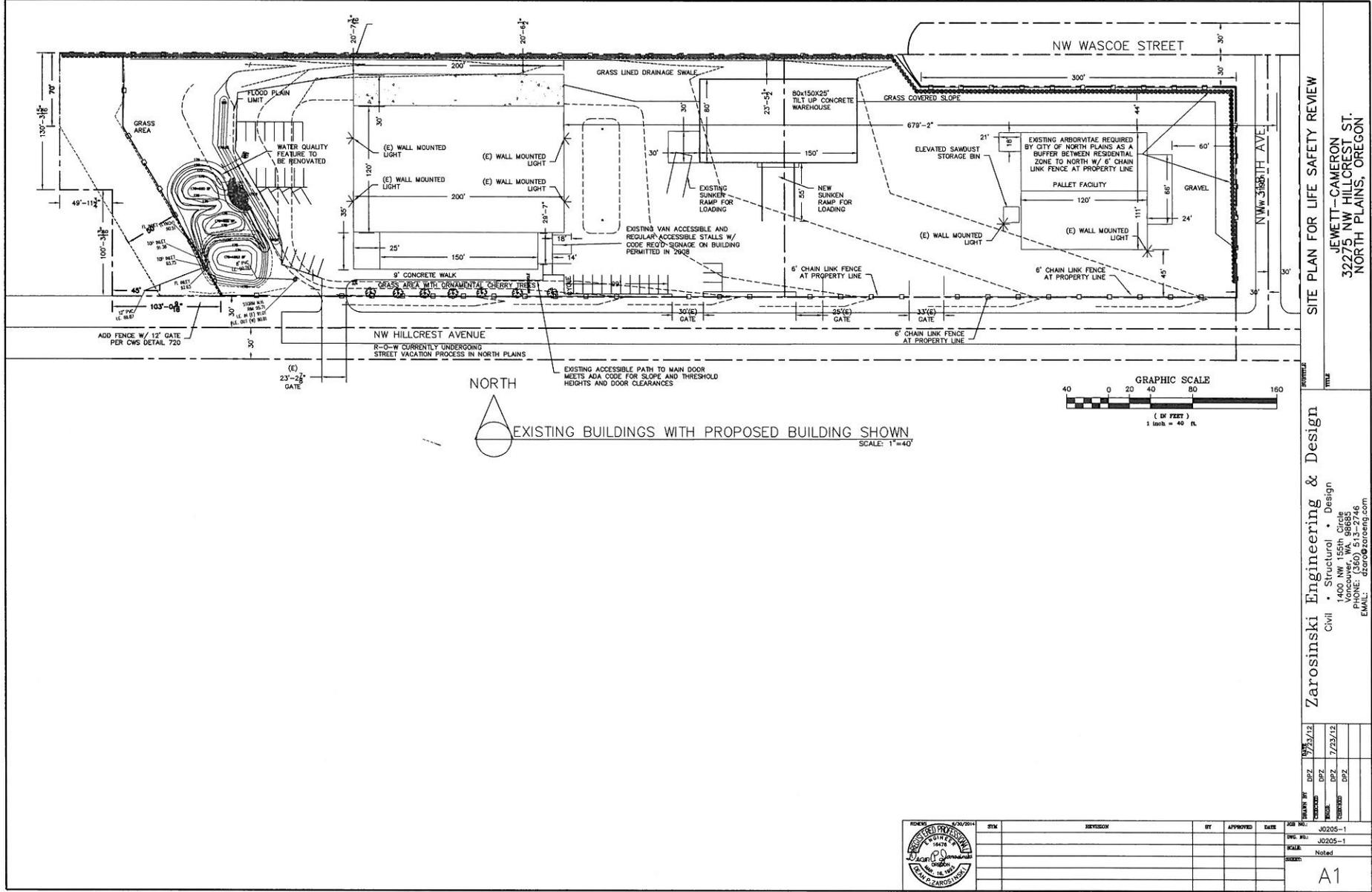
Approved: _____ Date: _____

Comments: _____

Received by: _____ Date: _____ Paid: 70 CASH 026817

This land use permit acknowledges the applicant has met the City of North Plains standards for development. In order to begin construction the applicant must obtain a Washington County Building Permits prior to development. The County may require recording of final plat prior to issuing a building permit.

4/14/15
SAB



SITE PLAN FOR LIFE SAFETY REVIEW

JEWETT-CAMERON
32275 NW HILLCREST ST.
NORTH PLAINS, OREGON

ZARD CAD FILE: J0205-1.DWG

PLOTTED 5-5-15

Zerosinski Engineering & Design

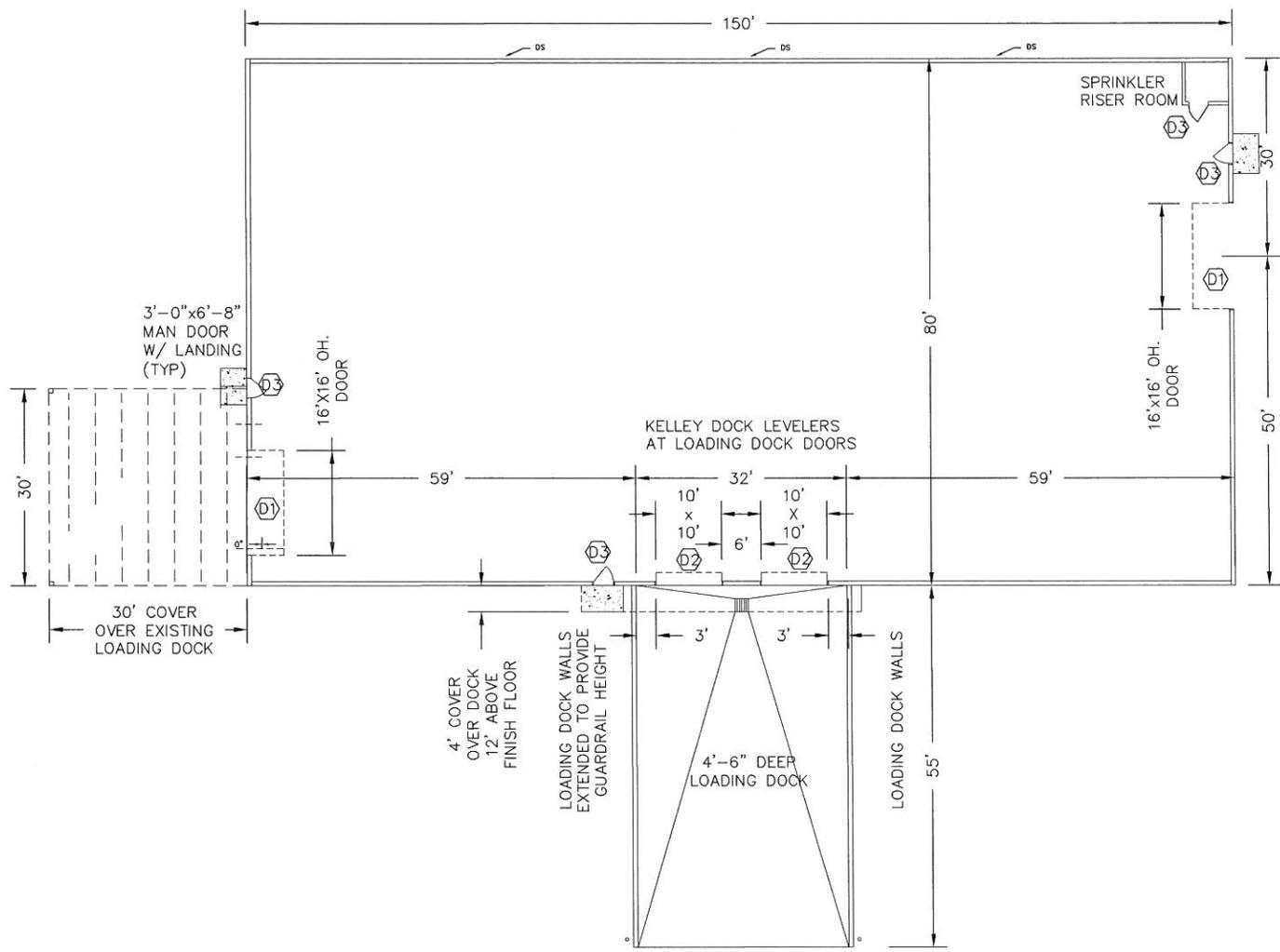
Civil • Structural • Design
1400 NW 15th Circle
Vancouver, WA 98685
PHONE: (360) 513-2746
EMAIL: dzard@zeroseng.com



NO.	DATE	BY	APPROVED	DATE	JOB NO.
1	7/23/12				J0205-1
2	7/23/12				J0205-1
3					
4					
5					

NO.	DATE	BY	APPROVED	DATE	JOB NO.
1	7/23/12				J0205-1
2	7/23/12				J0205-1
3					
4					
5					

SCALE: Noted
SHEET: A1



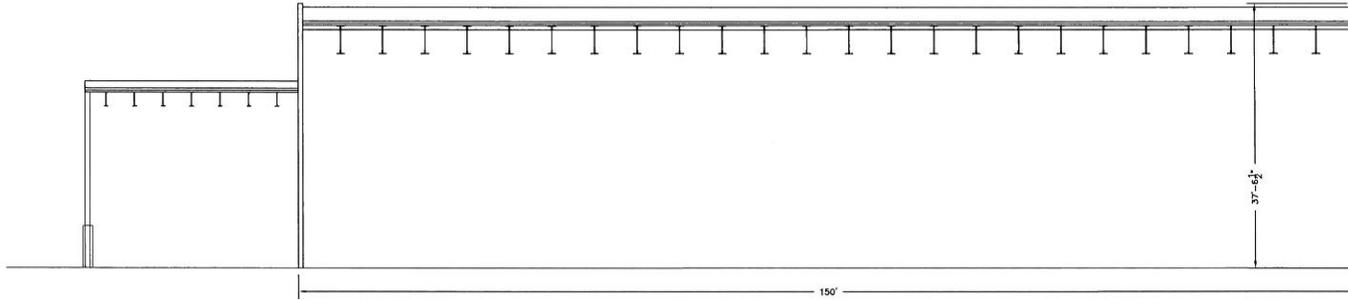
WAREHOUSE W/ 30' WIDE COVER OVER (E) DOCK AND NEW LOADING DOCK
SCALE: 1"=8'



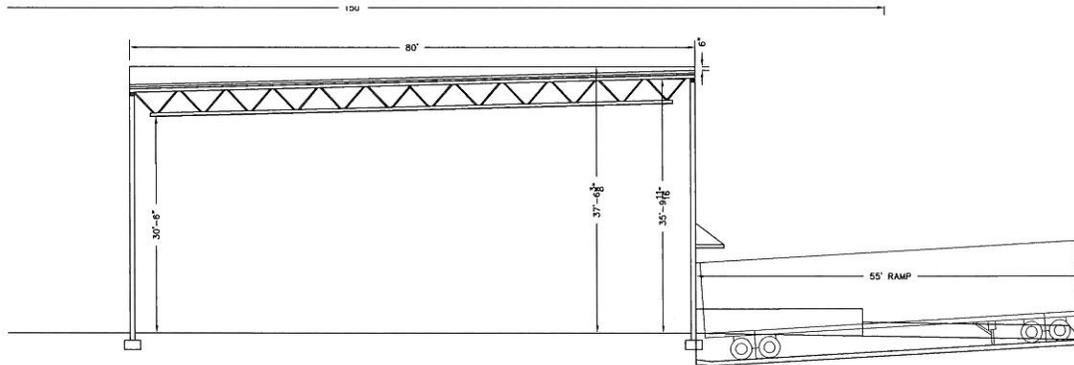
REVISED	DATE	BY	REVISION	BY	APPROVED	DATE

<p>Zarosinski Engineering & Design Civil • Structural • Design 1400 NW 159th Circle Vancouver, WA 98685 PHONE: (360) 513-2746 EMAIL: zaros@zaroseng.com</p>	<p>PROPOSED WAREHOUSE FLOOR PLAN</p> <p>JEWETT-CAMERON WAREHOUSE 32275 NW HILLCREST ST. NORTH PLAINS, OREGON</p>
<p>DATE: 1-31-15 DRAWN BY: DPZ CHECKED BY: DPZ PROJECT NO: M0205-1</p>	<p>JOB NO.: M0205-1 ENCL. NO.: M0205-1 SCALE: Noted SHEET: A3</p>

PRINTED 5/12/15 ZARO CAD FILE: M0205-1.DWG



LX
A5 LONGITUDINAL CROSS SECTION SCALE: 1"=8'



TX
A5 TRANSVERSE CROSS SECTION SCALE: 1"=8'



NO.	DATE	REVISION	BY	APPROVED	DATE

DATE	1-28-15
BY	
CHKD	
DATE	1-28-15
BY	
CHKD	

PROPOSED WAREHOUSE CROSS SECTIONS

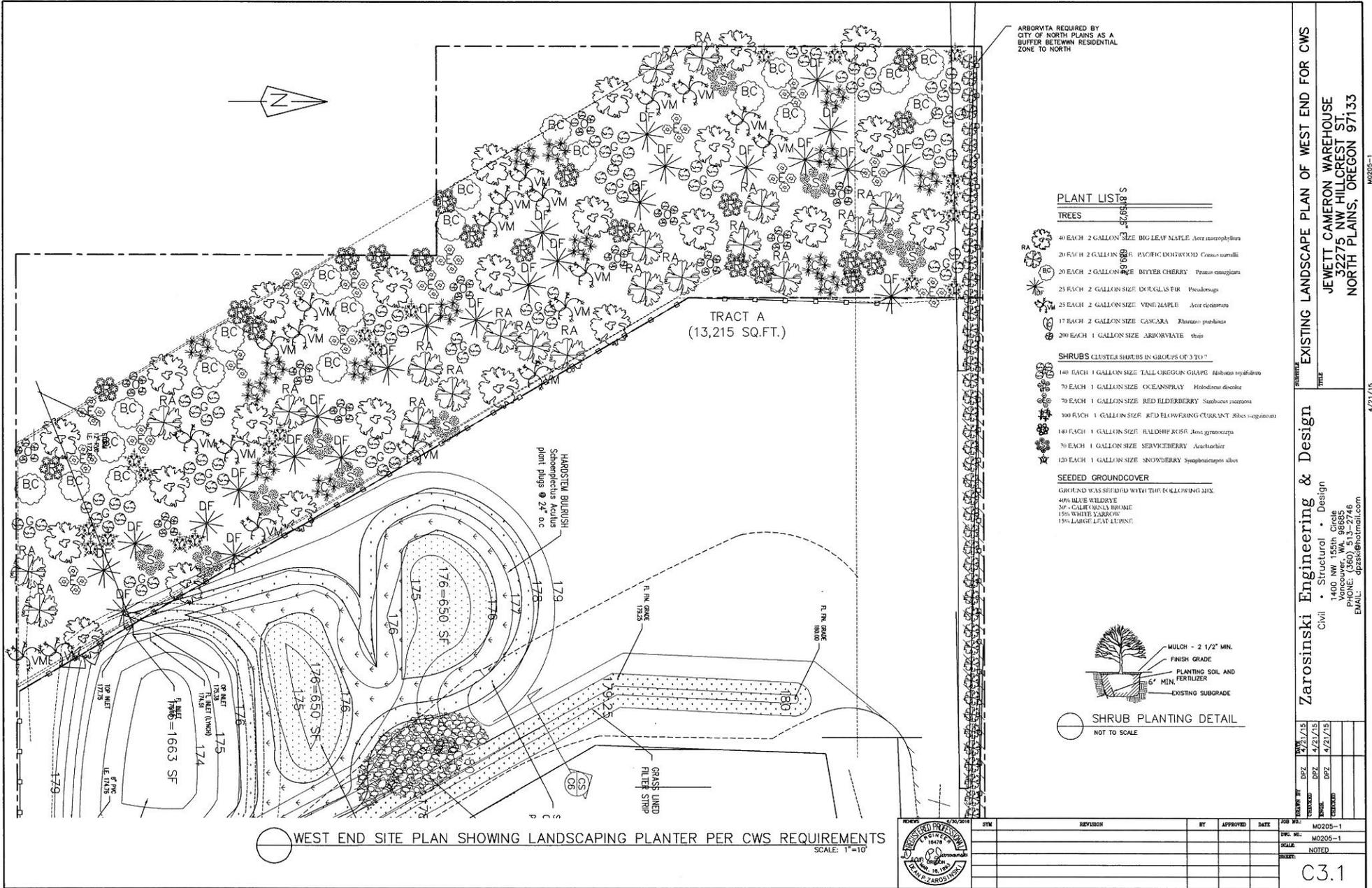
JEWETT-CAMERON WAREHOUSE
32275 NW HILLCREST ST.
NORTH PLAINS, OREGON

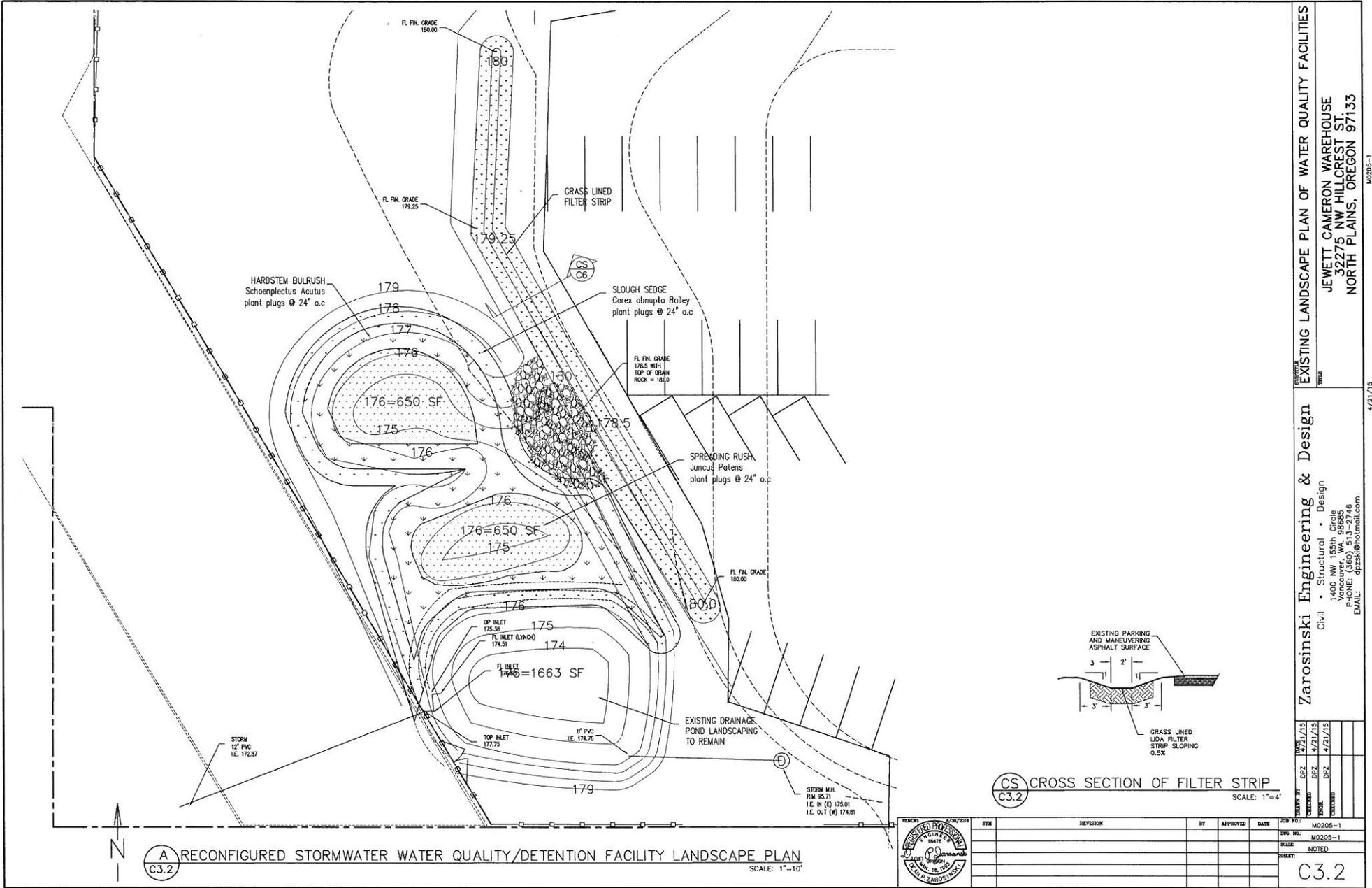
Zarosinski Engineering & Design

Civil • Structural • Design
1400 NW 155th Circle
Vancouver, WA 98685
PHONE: (360) 513-2746
EMAIL: dzarosz@zeengineering.com

PLOTTED 5/12/15

ZAROS CAD FILE: M0205-1.DWG





A RECONFIGURED STORMWATER WATER QUALITY/DETENTION FACILITY LANDSCAPE PLAN
 C3.2 SCALE: 1"=10'

CS 3.2 CROSS SECTION OF FILTER STRIP
 SCALE: 1"=4'

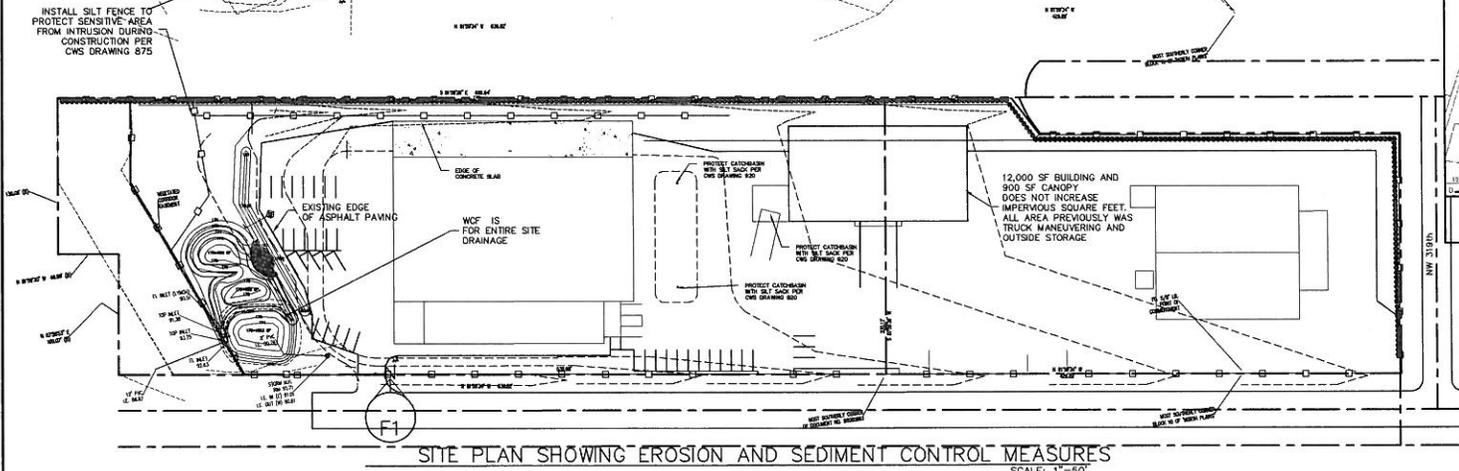
DESIGNED BY	DATE	REVISION	BY	APPROVED	DATE	JOB NO.
DEZ	4/21/15					MO205-1
DEZ	4/21/15					MO205-1
DEZ	4/21/15					NOTED
DEZ	4/21/15					C3.2

Zarosinski Engineering & Design
 Civil
 Structural Design
 400 NW 15th St
 Phone: (360) 513-2746
 Email: dzasko@hotmail.com

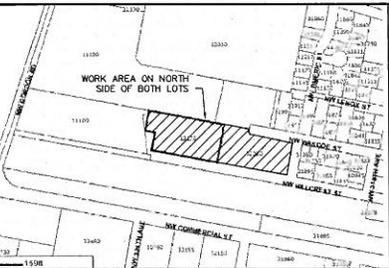
EXISTING LANDSCAPE PLAN OF WATER QUALITY FACILITIES
 TITLE
 JEWETT CAMERON WAREHOUSE
 32275 NW HILLCREST ST.
 NORTH PLAINS, OREGON 97133

4/21/15
 MO205-1

CLEAN WATER SERVICES EROSION AND SEDIMENT CONTROL COVER SHEET



SITE PLAN SHOWING EROSION AND SEDIMENT CONTROL MEASURES
SCALE: 1"=50'



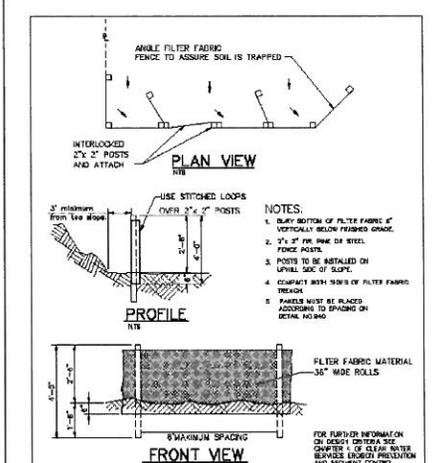
VICINITY MAP

SHEET INDEX
 ESCP CLEAN WATER SERVICES EROSION CONTROL COVER SHEET
 C1 SITE GRADING PLAN WITH FENCE BUFFER AND WOF PLANTING
 C2 WOF PLAN, CROSS SECTION AND PROFILE
 C3.1 VEGETATIVE BUFFER PLANTING PLAN
 C3.2 WATER QUALITY FACILITY PLANTING PLAN
 PROJECT # QUARTER SEC.
 DOWNSTREAM MH - NONE

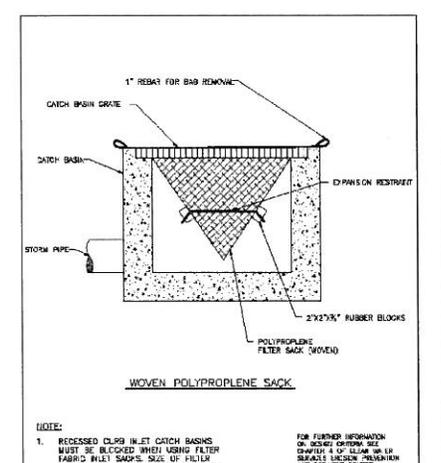
EROSION AND SEDIMENT CONTROL PLAN
JEWETT CAMERON WAREHOUSE
 32275 NW HILLCREST ST.
 NORTH PLAINS, OREGON 97133

- NOTES:**
1. WHEN MANUAL AND MEASUREMENTS DAILY INSPECTIONS OF THE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE PROVIDED BY THE OWNER OR CONTRACTOR AND SUPERVISOR OF THE EROSION CONTROL MEASURES. THE CONTRACTOR SHALL MAINTAIN RECORDS OF ALL INSPECTIONS AND CORRECTIVE ACTIONS TAKEN FOR THE PROJECT.
 2. CONSTRUCTION ACTIVITIES MUST BE SCHEDULED TO OCCUR AT THE END OF EACH WORK DAY THROUGHOUT THE PROJECT.
 3. DURING SCHEDULED PERIODS, TEMPORARY STABILIZATION OF THE SITE MUST OCCUR AT THE END OF EACH WORK DAY.
 4. EROSION CONTROL MEASURES MUST BE MAINTAINED ON ALL EXPOSED AREAS AT ALL TIMES DURING CONSTRUCTION. THEY MUST BE MAINTAINED UNTIL PERMANENT VEGETATION OR OTHER PERMANENT COVER IS ESTABLISHED.
 5. ALL ACTIVE SITES MUST HAVE SEDIMENT CONTROL MEASURES INSTALLED AND MAINTAINED AT ALL TIMES DURING CONSTRUCTION. THESE MEASURES MUST BE MAINTAINED UNTIL PERMANENT VEGETATION OR OTHER PERMANENT COVER IS ESTABLISHED.
 6. SEDIMENT CONTROL MEASURES MUST BE MAINTAINED UNTIL PERMANENT VEGETATION OR OTHER PERMANENT COVER IS ESTABLISHED.
 7. SEDIMENT MUST NOT BE ARTIFICIALLY REPAID TO OTHER AREAS, BEHIND BARRIERS, OR INTO WATER BODIES.
 8. SEDIMENT MUST BE REMOVED FROM SITES REGULARLY. CONTROL MEASURES MUST BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION. THEY MUST BE MAINTAINED UNTIL PERMANENT VEGETATION OR OTHER PERMANENT COVER IS ESTABLISHED.
 9. CLEANUP OF ALL STRUCTURES WITH IMPERVIOUS COVER WHEN THE SEDIMENT RETENTION CAPACITY HAS BEEN REDUCED BY SOIL AND AT DESTRUCTION OF PROJECT.
 10. ANY USE OF TOILETS OR OTHER HUMAN WASTE MUST INCLUDE PROPER STORAGE, REPLACEMENT, AND DISPOSAL.
 11. THE CONTRACTOR SHALL PROPERLY HANDLE HAZARDOUS WASTES, USED OIL, CONTAMINATED RAIN, CONCRETE WASTE, WHITEWASH, LEAD WASTE, OR OTHER TOXIC SUBSTANCES ACCORDING TO CURRENT REGULATIONS.
 12. THE APPLICATION OF FERTILIZERS TO RESIDENTIAL VEGETATION MUST FOLLOW MANUFACTURER'S RECOMMENDATIONS. FERTILIZER APPLICATION MUST BE LIMITED TO SURFACE WATERWAYS. FERTILIZER SHOULD BE APPLIED TO SURFACE WATERWAYS AND CANALS. FERTILIZER APPLICATION TO SURFACE WATERWAYS MUST BE LIMITED TO SURFACE WATERWAYS.
 13. CLEANUP OF EXISTING STRUCTURES MUST BE ACCORDING TO CURRENT REGULATIONS AND MUST BE ACCORDING TO ALL APPLICABLE REGULATIONS.
 14. PRIOR TO ANY AND ALL CONSTRUCTION ACTIVITIES, THE BOUNDARIES OF THE CLEANING AREA, VEGETATIVE BUFFER, AND ANY IMPERVIOUS AREAS SHOWN ON THIS PLAN SHALL BE CLEARLY IDENTIFIED BY THE CONTRACTOR. THE CONTRACTOR SHALL MAINTAIN THE BOUNDARIES OF THE CLEANING AREA, VEGETATIVE BUFFER, AND ANY IMPERVIOUS AREAS SHOWN ON THIS PLAN THROUGHOUT THE PROJECT.
 15. PRIOR TO ANY AND ALL CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL MAINTAIN THE BOUNDARIES OF THE CLEANING AREA, VEGETATIVE BUFFER, AND ANY IMPERVIOUS AREAS SHOWN ON THIS PLAN THROUGHOUT THE PROJECT.
 16. IF VEGETATIVE BUFFER ARE APPROVED, SEEDS MUST BE PLACED IN A LAYER 1/4" THICK AND 1/4" DEEP. THE TYPE AND PERCENTAGE OF SEEDS IN THE SOIL AS LISTED ON THE PLAN SHALL BE USED BY THE CONTRACTOR.
 17. WATERWAY FENCING MUST BE MAINTAINED TO PREVENT MATERIALS FROM ENTERING WATERWAYS. APPROVED EQUIPMENT IS TO CLEAN THE SOIL ON THE WAYSIDE. LOCATION MUST BE MAINTAINED THROUGHOUT THE PROJECT.
 18. ALL MATERIALS OF SEDIMENT CONTROL MEASURES MUST BE MAINTAINED THROUGHOUT THE PROJECT. THE CONTRACTOR SHALL MAINTAIN THE BOUNDARIES OF THE CLEANING AREA, VEGETATIVE BUFFER, AND ANY IMPERVIOUS AREAS SHOWN ON THIS PLAN THROUGHOUT THE PROJECT.
 19. THE CONTRACTOR SHALL MAINTAIN THE BOUNDARIES OF THE CLEANING AREA, VEGETATIVE BUFFER, AND ANY IMPERVIOUS AREAS SHOWN ON THIS PLAN THROUGHOUT THE PROJECT.
 20. THE CONTRACTOR SHALL MAINTAIN THE BOUNDARIES OF THE CLEANING AREA, VEGETATIVE BUFFER, AND ANY IMPERVIOUS AREAS SHOWN ON THIS PLAN THROUGHOUT THE PROJECT.
 21. WATERWAY FENCING MUST BE MAINTAINED TO PREVENT MATERIALS FROM ENTERING WATERWAYS. APPROVED EQUIPMENT IS TO CLEAN THE SOIL ON THE WAYSIDE. LOCATION MUST BE MAINTAINED THROUGHOUT THE PROJECT.
 22. ALL MATERIALS OF SEDIMENT CONTROL MEASURES MUST BE MAINTAINED THROUGHOUT THE PROJECT.
 23. ALL APPROVED SEEDS MUST BE COVERED DURING WEATHER PROTECT.

STANDARD EROSION CONTROL NOTES
 FOR SITES LESS THAN 1 ACRE
 DRAWING NO. 242
 REVISED 12-06



SEDIMENT FENCE
 DRAWING NO. 875
 REVISED 12-08



INLET PROTECTION TYPE 5
 DRAWING NO. 920
 REVISED 12-06

OWNER
 JEWETT-CAMERON LUMBER CORP.
 PO BOX 1010
 NORTH PLAINS, OR 97133
 503-647-0110

ENGINEER AND APPLICANT
 ZAROSINSKI ENGINEERING AND DESIGN, INC.
 1400 NW 15TH CIRCL
 VANCOUVER, WA 98685
 CONTACT: DEAN P. ZAROSINSKI PE
 360-513-2746 dpzsk@hotmail.com

LAND USE CASE FILE
 NORTH PLAINS LAND USE CASEFILE

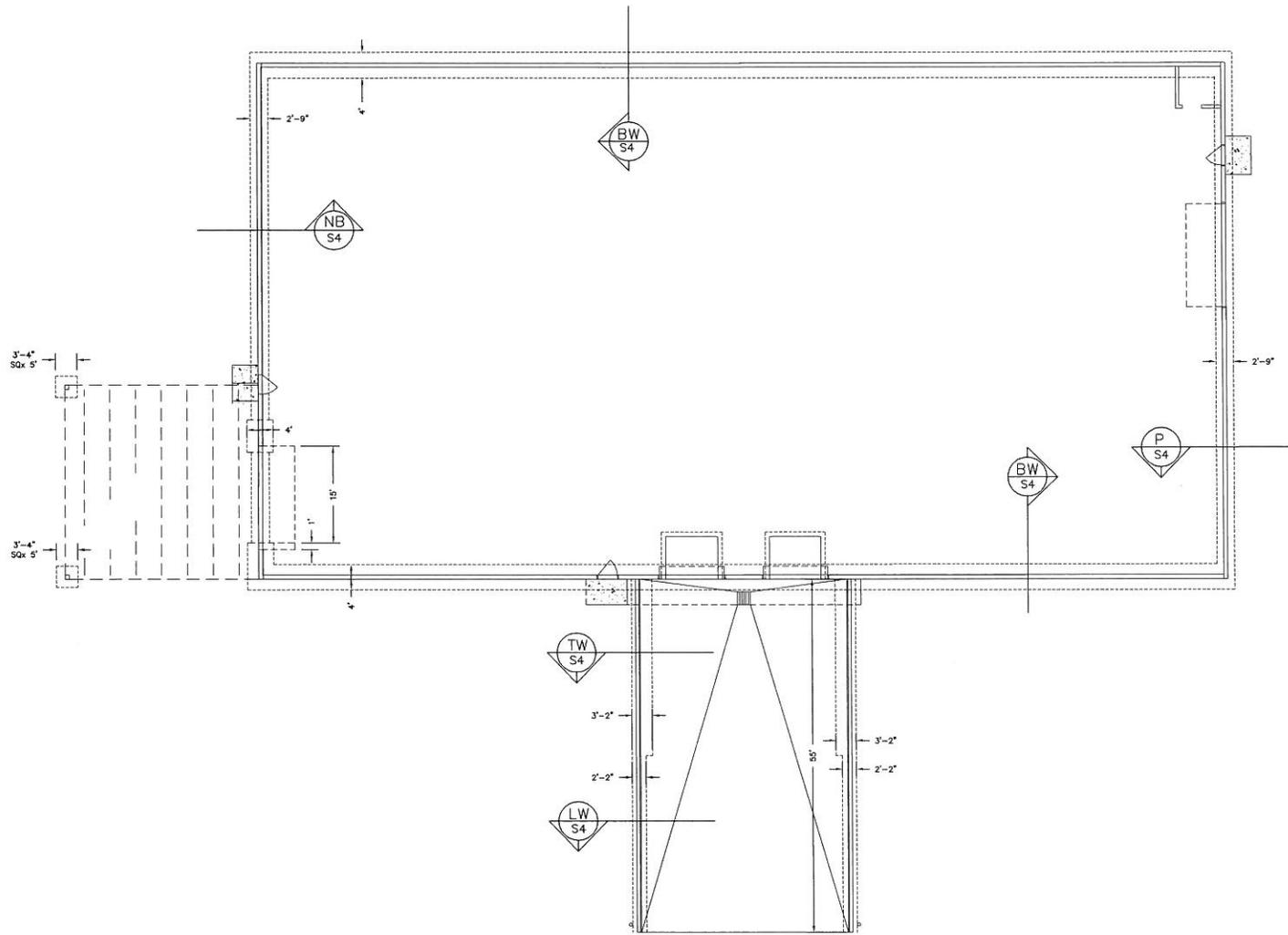
IMPERVIOUS AREA TABLE

BUILDINGS	EXISTING	NEW
BUILDINGS	EXISTING 37,198 SQ. FT.	ADDITIONS =12,900 SQ. FT.
PARKING, DRIVES, ECT.	EXISTING 51,201 SQ. FT.	



NO.	DATE	REVISION	BY	APPROVED	DATE	JOB NO.
1	4/21/15					MO205-1
2	4/21/15					MO205-1
3	4/21/15					MO205-1
4	4/21/15					MO205-1
5	4/21/15					MO205-1
6	4/21/15					MO205-1
7	4/21/15					MO205-1
8	4/21/15					MO205-1
9	4/21/15					MO205-1
10	4/21/15					MO205-1

ESCP



REVISED BY	DATE	REVISION	BY	APPROVED	DATE	JOB NO.
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						MO205-1
						1/8"=1'-0"

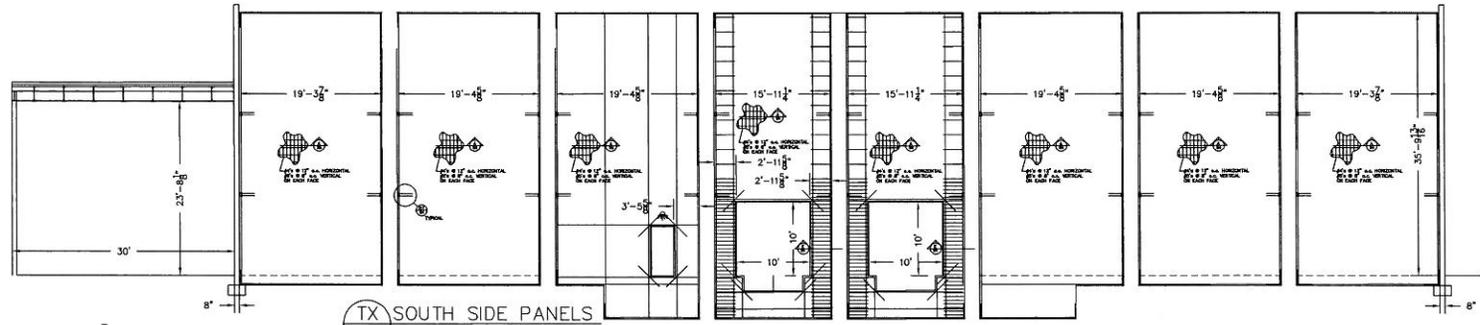
DESIGNED BY	3/24/15
CHECKED BY	
DATE	3/24/15

S1
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 ENC. NO.: MO205-1
 SCALE: 1/8"=1'-0"
 SHEET:

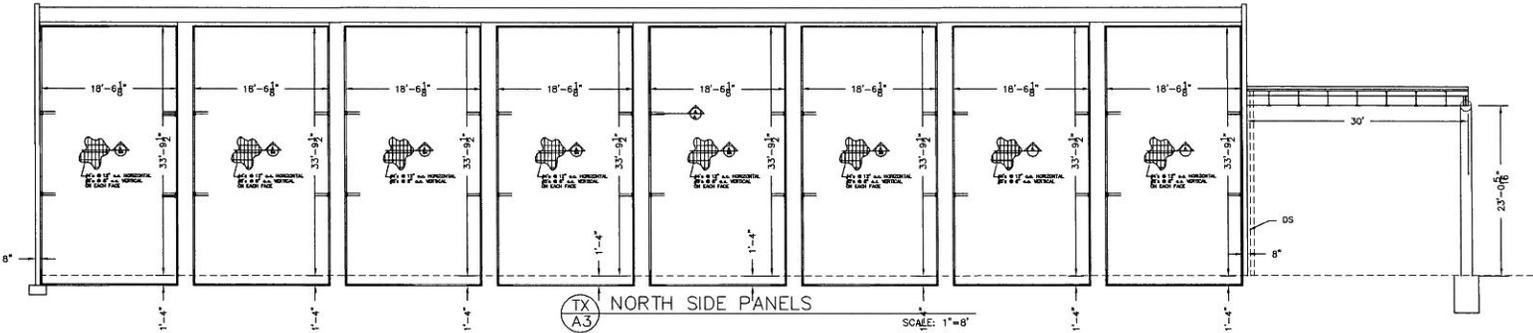
Zarosinski Engineering & Design
 • Structural • Design
 • Civil •
 1400 NW 15th Circle
 Vancouver, WA 98685
 PHONE: (360) 513-2746
 EMAIL: dzar@zaroseng.com

WAREHOUSE FOUNDATION PLAN
 JEWETT-CAMERON
 32275 NW HILLCREST ST.
 NORTH PLAINS, OREGON

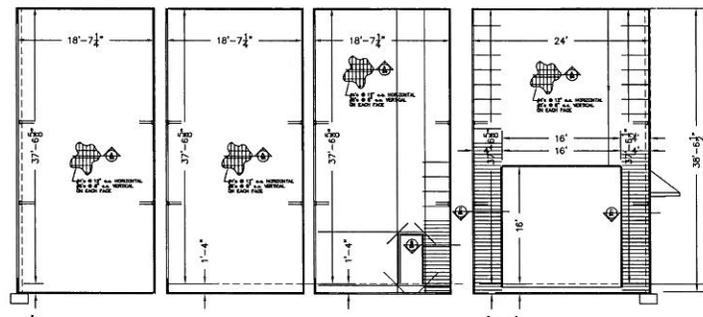
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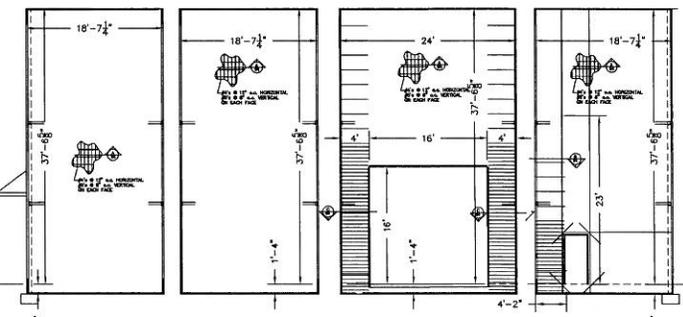
TX SOUTH SIDE PANELS
A3 SCALE: 1"=8'



TX NORTH SIDE PANELS
A3 SCALE: 1"=8'

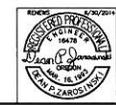


TX WEST SIDE PANELS
A3 SCALE: 1"=8'



TX EAST SIDE PANELS
A3 SCALE: 1"=8'

PANELS ARE 8" THICK



REVISED	DATE	BY	REVISION	BY	APPROVED	DATE	JOB NO.
							M0205-1
							M0205-1
							Noted
							S3

Zarosinski Engineering & Design

Civil • Structural • Design
1400 NW 155th Circle
Vancouver, WA 98685
PHONE: (360) 513-2746
EMAIL: dzaros@zengr.com

PROPOSED WAREHOUSE PANEL ELEVATIONS

JEWETT-CAMERON WAREHOUSE
32275 NW HILLCREST ST.
NORTH PLAINS, OREGON

DATE: 3-24-15
DRAWN BY: DPZ
CHECKED BY: DPZ
SCALE: 3/24-15
JOB NO.: M0205-1
DATE: M0205-1
SCALE: Noted
SHEET: S3

PLOTTED 5/12/15 ZARO CAD FILE M0205-1.DWG

Zarosinski Engineering & Design, Inc.
1400 NW 155th Circle
Vancouver, WA 98685
Phone: (360) 513-2746
Email: dpzski@hotmail.com



July 12, 2015

Ms. Margaret Ray
City of North Plains
31360 NW Commercial Street
North Plains, Oregon 97133

Jewett-Cameron Lumber Products Warehouse Building and Covered Loading Area Narrative Statement

The following narrative statement addresses the development criteria for a new building in North Plains, Oregon. The existing site is currently developed with a warehouse building and attached offices, car parking, truck access area for the loading and offloading of the company's various products.

Physical Description

The existing site has two main buildings; the main building on the western portion of the lot is a tilt up concrete warehouse building with wood framed offices on the south side and a metal sided warehouse addition on the north side totaling 36,125 square feet. On the Eastern portion of the site is a wood processing building that is a partially open metal frame structure with an elevated sawdust collection metal silo on the west side with an area of 15,282 square feet..

The site is mostly paved for truck maneuvering and material storage. On the west side is a landscaped portion that has a water quality feature that handles the stormwater runoff for the site. It includes a grass lined pretreatment swale and a detention pond with an outflow orifice sized to limit the outflow per Clean Water Services criteria. The site is buffered with a continuous border planting of arbor-vitae trees that have formed a continuous buffer on the sites northern and eastern sides which abut a residential zone. The south and west sides abut an M-2 Zone which does not require buffering.

The proposed building is to be approximately in the middle of the site in the east-west direction and the north side is setback from the north property line is 23'. The existing site has 32 existing parking on the east and west of the western building and additional parallel parking available along the side of the recently vacated Hillcrest Street. This currently provides ample parking of the 30 people employed per shift. Accessible parking is currently located onsite at the closest point to the main building entrance and has an accessible route to the entryway. The building is to be unpainted concrete with a white membrane roof. The structure on the west is a steel framed building painted to match the blue trim on the existing building. Exterior lights at man doors and loading docks shall have "cut-off" fixtures preventing light pollution across property lines.

This building's floor plan is to be as close to the existing grade as possible. The site drainage is unaffected as the existing site drains away from the proposed building pad and the impervious area of the proposed building is paved or compacted gravel that was considered impervious area in the earlier design of the water quality treatment facility. The canopy covers the existing loading dock which helps isolate the loading area from rainwater and will help keep any material spills from being mixed with rainwater and washed downstream into the water quality facility, As the roof area replaces truck maneuvering area there is a reduction in area requiring pretreatment so the existing water quality design is still adequate.

The site is completely within the M2 Zone and the building's entrances and the orientation of the loading dock places the activity within and around the building furthest from the adjacent properties.

No entrances are proposed on the north side of the structure.

The proposed grading requires excavation and haul off. Material handling will be conducted with the best sediment transportation prevention techniques which include keeping the hauling vehicles out of the disturbed areas and having the loading take place in one location. The best management practice to prevent sediment from transporting from the construction site to the public right of way when hauling construction debris is to maintain a construction entrance and clean loading area so spilled soil will not collect on truck tires to be transported into the right of way. Prompt cleaning of spills is encouraged and sweeping of the existing pavement is required if soil is transported into street.

While placing the fill granular material in the building site for the final base course, conventional construction techniques will be utilized to minimize the creation of sediment. One such practice is to off load the finish grade rock onto the existing base rock, push the rock into place from a single dump location while always having the construction equipment traveling over the cleaner base rock instead of tracking up the soil on the sub grade. If during the excavation it is necessary to stockpile the excavated soil prior to export, it shall be protected from wet weather. The stockpiles in this project, if any, should be small enough to drape with visquene and weighted to prevent them from blowing away during windy conditions.

Erosion and sediment control measures shall remain in place until the fill and required paved patched areas are completed. In the event this process extends into the wet weather months, additional sediment and erosion control measures may be required

Narrative Statement Details

The following narrative details will address the Type III Design Review Requirements per Sec. 16.175.050

A. Relation of Site Plan Elements to the Environment

1. The elements of the site plan shall be compatible with the natural environment and existing buildings and structures having a visual relationship with the site.

The Proposed Building 37' tall x 150' x 80' is located between the two main buildings on site in a manner that maximizes the open space and reduces the scale of the structure. The construction materials match the existing tilt up concrete panels of the building to the west and the steel

frameworks of the covered loading area are to be painted to match the metal siding on the recent addition to the building to the west. No additional impervious area is added to the site and the stormwater from the rooftop going into the functioning water quality treatment will arrive cleaner than when it came from the uncovered loading areas and truck maneuvering areas.

2. The elements of the site plan should promote energy conservation, and provide protection from adverse climatic conditions, noise and air pollution.

The Proposed Building 37' tall x 150' x 80' is in a manner that the large door openings of the unheated warehouse will maximize the sunlight and ventilation by being on the south side and locate across from one another. White membrane roofing is being used to minimize heat gain. No openings are proposed to the north to minimize loading dock noise. The design places the truck maneuvering and unloading activity facing the industrial area and the train tracks to the south rather than the residential zoned area to the north. The covered loading area aids in loading cargo out of the elements and LED lighting will be provided inside to minimize energy use.

3. Each element of the site plan shall effectively, efficiently and attractively serve its function. The elements shall be on a human scale, interrelated, and shall provide spatial variety and order.

The placement of the building utilizes existing conditions such as the existing exterior loading dock, makes it more suitable for the workers by providing a cover. The loading area cover is not as tall as the building helping to reduce the scale of the structure. The building is an efficient use of space in that it is constructed in a fashion that maximizes the storage capacity of the material anticipated to be stored inside, thereby minimizing the footprint of the building. The building differs from the other two structures providing variety.

4. In commercial and industrial zones adjacent to State or Federal highways, and/or lying in County jurisdiction within urban growth boundaries, a coordinated circulation and access plan shall be submitted for the site and all properties in the immediate vicinity (no more than 1/4 mile to each site) to assure the public's safety in entering or leaving the site, as well as when traveling through the area. This requirement may be waived by the Planning Staff if adequate access control and efficient and safe circulation can be obtained without the development and approval of a coordinated circulation and access plan.

The existing site has one entry and exit that is NW Hillcrest Street. This is a straight drive to the intersection of NW Glencoe Road and thereby to the interstate. The trucks delivering and shipping from this site have used this route for years as it minimizes the impact to neighborhoods. Speed limits are consistently 25 miles per hour and the route parallels the train tracks.

5. Safety and Privacy. The site plan should be designed to provide a safe environment while offering appropriate opportunities for privacy and transitions from public to private spaces

The site plan has existing fencing and screening. The entrance is gated to prevent access when the site is not occupied. The office area and the employee parking is separated from the truck maneuvering area by distance and existing landscaping

6. Preservation of Natural Landscape. The landscape and existing grade shall be preserved to the maximum practical degree, considering development constraints and suitability of the landscape or grade to serve the applicant's functions. Preserved trees and shrubs shall be protected during construction.

This site is a fully developed industrial site with a wetland buffer planted with natural landscape on the western portion. Adjacent to the buffer is a water quality feature sized for the entire site. The buffer planting has used native species and meets Clean Water Services criteria. This area is to be untouched and is separated from construction activity by over 200 feet with a large building and parking areas in between.

7. Pedestrian and Vehicular Circulation and Parking. The location and number of points of access to the site, the interior circulation patterns, the separations between pedestrians and moving and parked vehicles, and arrangement of parking areas in relation to building and structures, shall be harmonious with proposed and neighboring buildings and structures

The one entrance has a gate with stripping and signage directing passenger vehicles to their parking area and the truck traffic to their separate truck maneuvering area. Sidewalks along the building and ADA Parking provide access to the office building portion of the site. The proposed building has no parking and the man doors thresholds are a maximum of 1/2" above the exterior grade meeting Accessibility standards. All facilities for personnel are located in the building on the west side of the site.

8. Drainage. Surface drainage systems shall be designed so as to not adversely affect neighboring properties, streets and/or surface and subsurface water quality. All surface water shall be contained on-site.

Surface drainage is not affected by this development. What was paved truck area is now roof and the stormwater is not changed in quantity or quality and is to still be discharged into the wet pond infiltration facility on site.

9. Buffering and Screening. Areas, structures, and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be designed, located, buffered, or screened to minimize adverse impact on the site and neighboring properties.

Existing Arborvitae shrubs have been planted long the property boundaries and have grown to provide the code required screening from adjacent residential areas. There is no requirement for a screening buffer from the adjacent railroad tracks or the adjacent industrial property.

10. Utilities. All utility installations above ground, if such are allowed, shall be located so as to minimize adverse impacts on the site and neighboring properties.

Electricity to this new structure shall be in underground conduit from the transformers on site.

11. For any access within the Light Industrial (M-1) zone, the access shall be spaced a minimum of 200 feet from the nearest access on the same side of 16.175-10 the street; this is to be coordinated between O.D.O.T., Washington County and the City of North Plains.

The existing access is at the end of a street at the intersection of NW Hillcrest and NW 319th with no further access points.

B. Required Landscaping

The code has no minimum landscape requirements for General Industrial Sites. The code does address the following:

6. Other Landscape Areas. All areas utilized for subsurface sewage disposal land treatment, except for single-family residences are required to be landscaped and maintained.

The storm water disposal /infiltration area is landscaped to the Clean Water Services standard and is irrigated and maintained. This development does not affect this facility or its landscaping.

C. Landscaping in Parking and Loading Areas

In addition to the above provisions, the following landscape requirements apply to parking and loading areas.

1. *A parking or loading area shall be separated from any lot line adjacent to a roadway by a landscaped strip at least 5 feet in width.*

The existing 5' wide buffer strip of arborvitae separates all parking and loading areas from adjacent roadways and is unchanged by this development.

2. *A landscaped strip separating a parking or loading area from a street shall contain: 16.175-11 a) Street trees spaced as appropriate to the species, not to exceed 50 feet apart, on the average; and b) Low shrubs, not to reach a height greater than 3'0", spaced no more than 8 feet apart, on the average; and*
3. *Vegetative ground cover if required.*

An existing landscape strip is adjacent to the parking which is all onsite. This strip has mature apple trees spaced closer than 50' and lawn for ground cover. Recent improvements to what was Hillcrest and now has been vacated by the city and now owned by Jewett-Cameron have improved the existing onsite landscaping.

4. *Landscaping in a parking or loading area shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area.*
The parking area boundaries have defined landscaping around the parking area and it is unchanged by this development.
5. *The landscaping in a parking area shall have a width of not less than three feet.*
The landscape strip in the front of the parking is typically more than 5' wide

D. Irrigation Provisions shall be made for watering planting areas where such care is required. Underground sprinklers may be required.

The existing landscaping is irrigated with underground sprinklers and is unchanged by this development.

E. Maintenance Required landscaping shall be continuously maintained.

The building owner occupies this building and continuously maintains their property

F. Special Requirements

The Planning Commission may require the following, in addition to the minimum requirements and standards of this ordinance, as a condition of Design Review Approval.

- 1. An increase in building separation, to afford improvement in light reception or air circulation or to afford greater fire resistance, based on building structural and fire flow requirements.*
- 2. Additional off-street parking, according to specific requirements for the type of development.*
- 3. Screening of the proposed use by a fence, or landscaping.*
- 4. Limitations on the size, location, intensity and number of exterior lights.*
- 5. Limitations on the number, and location of curb cuts.*
- 6. Improvement or enlargement of utilities serving the proposed use, where existing facilities will be burdened by the proposed use.*
- 7. Landscaping, or increases in landscaping requirements for the site.*
- 8. Limitations on the number and size of signs.*
- 9. Review of and adjustments in design for conformance with the historic architectural design theme.*
- 10. Any other limitations or conditions it considers necessary to achieve the purposes of this ordinance and the Comprehensive Plan.*

If there are additional requirements that the planning commission deems necessary than they can make their desires known in the planning commission meeting

General Industrial District -M216.55.005 Permitted Uses *Permitted uses are subject to the requirements of the Design Review section of this chapter, if applicable. Refer to Zoning Code Use Table.*

The existing use for the western building is Table Items I, R and O, The existing uses for the western building are H. The new buildings use is R, all these uses fit the zone.

16.55.015 Limitations on Use

The following conditions and limitations apply to development in the M-2 District.

A. *Vehicular Access 1. Access points to an industrial site shall be located to minimize traffic congestion and, to the extent possible, to avoid directing traffic into residential areas.*

As there is only one way into the site and this also is the only exit for the traffic, which has already established their routes, the access point currently minimizes traffic congestion and avoids direction traffic into residential areas. This is unchanged by this development.

2. Where possible within industrial districts, access shall be designed to serve more than one industrial site.

This lone access point serves one site but three different buildings for the same owner and is unchanged by this development.

B. Landscaping

1. Properties abutting a residential zone shall provide and maintain a dense evergreen landscape buffer that will attain a mature height of at least seven feet or such other screening measures as

may be prescribed by the Commission in the event differences in elevation should defeat the purpose of this requirement.

Existing Mature Arborvitae closely planted provides the dense evergreen landscape buffer and is unchanged by this development

2. Yards adjacent to streets shall be planted and continuously maintained with lawn, shrubs or trees suited to the site and climate.

The yards adjacent to the public streets have existing Mature Arborvitae that are closely planted, providing the dense evergreen landscape buffer and is unchanged by this development.

3. Other yards and unused property shall be maintained in grass or other suitable ground cover.

All areas not paved for parking and truck maneuvering area, covered in buildings or landscaped for Clean Water Services stream buffer have existing grass groundcover and are unchanged by this development.

16.55.020 Dimensional Standards.

- A. *Lot Size 1. The minimum lot size shall be 5,000 square feet. 2. The minimum lot width shall be 50 feet at the front building line.*

At 242,993 sq. ft. in area and 230 feet in width prior to the vacation of NE Hillcrest, the lot size and width exceed the minimums.

B. Setback Requirements

1. Front Yard Adjacent to a Residential Zone 20 feet Adjacent to any other zone None required

2. Side Yard Adjacent to a Residential Zone 20 feet Adjacent to any other zone None required Adjacent to street 20 feet

3. Rear Yard Adjacent to a Residential Zone 20 feet Adjacent to any other zone None required Adjacent to street 20 feet

Front, side and rear setbacks exceed the 20' setback from a residential zone

- B. *Height of Buildings: Buildings in the M-2 District shall not exceed a height of 80 feet.*

The 37 foot building height is less than 80'

16.145.010 Public Facility Standards

The following public facility standards shall be applicable to all development as specified in the Application Review section of this chapter.

A. Streets Street improvements required by Chapter 16.145.005 Public Facility & Service Standards shall be provided in compliance with Street Standards of this ordinance.

The frontage is improved with a landscaped buffer

B. Storm Drainage No development permit shall be approved for any property until the City has reviewed and approved provisions for storm water drainage in accordance with the following criteria:

1. For storm drainage across or over the property on which the development is located, there are storm drainage facilities available which are capable of handling a one-hundred year flood without

damage to any improvement on the property, or inundation of the lowest habitable floor of any residential structure thereon.

The site drains to the creek after passing through the clean water services approved water quality facility and is above the 100 year flood plan. This was established for the site on previous permits and the 100 year flood elevation has not changed since and is unchanged by this development.

2. For storm drainage along or from streets adjacent to the property on which the development is located, there are storm drainage facilities available in accordance with the City of North Plains adopted street standard. 16.145 – 3

Grassed lined swales convey surface runoff towards the creek to the west and this is unchanged by this development.

C. Sewage Disposal No development permit shall be approved until the City and Clean Water Services has reviewed and approved provisions for connection to the public sewer system

This proposed building has no facilities and the existing site is currently served by sanitary sewer

Chapter 16.150 Street Standards

The dead end nature of this site and the recent vacation of NW Hillcrest along with the location of the site and the existing streets do not trigger frontage improvements.

16.155.015 Automotive Parking Requirements

G. Industrial 1. Storage warehouse; One space per employee on manufacturing establishment; largest shift. rail or trucking freight terminal

The facility has a maximum of 32 employees in any one shift there are more than enough stalls existing and this is unchanged by this development.

16.155.020 Off-Street Loading Requirements

All other commercial or industrial buildings shall require a minimum loading 16.155 - 6 space of 12 feet wide, 20 feet long, and 14 feet high in the following amounts:

3. For buildings containing up to 5,000 square feet of gross floor area, one space; for each additional 10,000 square feet of gross floor area, or any portion thereof, one space. All other commercial or industrial buildings shall require a minimum loading 16.155 - 6 space of 12 feet wide, 20 feet long, and 14 feet high in the following amounts: 3. For buildings containing up to 5,000 square feet of gross floor area, one space; for each additional 10,000 square feet of gross floor area, or any portion thereof, one space.

There is one loading bay that is to be covered and 2 new loading bays. There is ample paved area that is used for loading and unloading material using forklifts accessing the trucks from their sides. The combined 62, 763 square feet of structures has 3 dedicated loading docks with space for more than 8 trucks to be parked and offloaded without backing up vehicles on public right of way.

16.155.025 Parking and Loading Area Development Requirements

All parking and loading areas shall be developed and maintained as follows:

A. Surfacing: Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all weather use and drained to avoid flow of water across public sidewalks.

All existing areas that vehicles access are paved and currently subject to heavy truck traffic thus showing their durability, Storm water is collected in catch basins and piped to water quality facility without draining across public sidewalks.

B. Screening: When any public parking or loading area is within or adjacent to a residential zone, such parking or loading area shall be screened from all residential properties with an ornamental fence, wall or hedge of at least five feet in height but not more than six feet in height, except where vision clearance is required.

Existing Mature Arborvitae closely planted provides the dense evergreen landscape buffer and is unchanged by this development

C. Periphery: Parking spaces along the outer boundaries of a parking lot shall be contained by a bumper rail or a curb at least four inches high and set back a minimum of four feet from the property line.

Outer boundaries of the parking have a curb or bumper and well over the four feet from a property line.

D. Lighting: Artificial lighting which may be provided shall not create or reflect substantial glare in a residential zone or on an adjacent dwelling.

Cut off fixtures are called out on the building plans to minimize the potential for glare in a residential zone. Exact lighting specification is called and a specification sheet is accompanying this submittal.

E. Design of Parking Spaces and Driveways Off-street parking lots shall be designed in accordance with City Standards for stalls and aisles as set forth in the following drawing and table:

There is no change to the parking layout that was approved on the last building project on this site and is unchanged by this development as now new parking is required.

16.160 Clear Vision Areas Requirements

Except in the C-1 zone, a clear vision area shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a driveway providing vehicular access to a public street, including alleys.

A vision clearance area has been labeled on the site plan at the intersection of NW 319 and NW Hillcrest on Sheet C1

Section 16.175.025 – Application – *Requires the applicant to submit the appropriate application materials, including an application form. Please submit an application form that contains both the applicant and the property owner's signature.*

Another application has been provided with the appropriate signatures

3. NPZDO Section 16.175.035.D – Design Review Plan- Submittal Requirements-

Site Development Plan requires the following items that were not found in your submittal. Please revise the plans to include the following items:

- *Legal description of the lot:* Legal Description is on the lower left corner of the plans
- *Boundary dimensions and area of the site:* Sheet C1 has added lot line dimensions and the area, 5.59 Acres, is added to the lower left corner of the sheet
 - *Location of all new structures and existing structures proposed to be retained, including their distances from the property line;* Building dimensions have been added to the site plan including distance to property lines.
 - *Parking and circulation areas, including their dimensions:* Parking area dimensions have been added to the site plan
 - *Locations, descriptions and dimensions of easements (if applicable) NA*
- *Location of areas to be landscaped* No additional areas are to be landscaped. The existing landscape plans are provided.
- *Private and shared outdoor recreation areas (if applicable) NA*
- *Pedestrian circulation Sidewalk from ADA and parking areas shown on Sheet C1 Site Plan*
- *The location of mechanical equipment, garbage disposal areas, utility appurtenances and similar structures* This development, an unheated structure does not have any exterior disposal areas, mechanical equipment or other appurtenances.
- *Exterior lighting on the proposed building, including the type, intensity and area to be illuminated* Cut off fixture from maxLED called on the on architectural elevations. A PDF of the fixture is included in the submittal packet.
- *Location, size and method of illumination of signs (if applicable) NA*
- *Provisions for handicapped persons.* ADA parking stalls are shown and the existing facilities that are to be used by occupants of the proposed warehouse were constructed to be barrier free and are unaffected by this development
- *The location and names of all existing streets within or on the boundary of the proposed development.* Hillcrest and NW 319th are shown on Sheet C1
- *The percentage of the lot covered by structures.* 26.44% shown on the lower middle of sheet C1
- *The percentage of the lot covered by parking areas and the total number of parking spaces:* 23,000 sf = 9.4% of site with 32 spaces and 2 ADA spalls including one van accessible.
 - *The total square footage for all landscaped areas including the percentage consisting of natural materials and the percentage consisting of hard-surfaced areas such as courtyard:* 54,000 square feet equaling 22.16% of the site. This is shown on sheet C1

4. NPZDO Section 16.175.035.E – Landscape Plan - Development proposals with a total project cost exceeding two hundred fifty thousand dollars may be required to shall have the landscape plan prepared by a licensed landscape architect. **Please submit a landscape plan that includes the following items:**

1. *The size, species and locations of plant materials to be retained or placed on the site;*
2. *The layout of proposed irrigation facilities;*
3. *The location and design details of walkways, plaza, courtyards and similar seating areas, including related street furniture and permanent outdoor equipment including sculpture;*
4. *The location, type and intensity of lighting proposed to illuminate outdoor areas;*
5. *The location and design details of proposed fencing, retaining walls and trash collection areas; and*

6. For commercial projects with a total project cost exceeding two hundred fifty thousand dollars, a rendering showing the proposed landscape plan in perspective. Such renderings shall be prepared for each of the project's main elevations.

I have provided the landscape plans for the wetland buffering, water quality feature and pretreatment swale which is established and has been recently approved by Clean Water Services. As the development does not require any landscaping due to the Zone this is the extent of the information that is being provided. As this requirement may be waived I am requesting that it be so waived.

5. NPZDO Section 16.175.035.H – Property Survey **Please submit:**

1. A survey of the property by a licensed land surveyor clearly delineating property boundaries. The city may waive this requirement where there is a recent survey which can be used to establish the applicant's property boundaries;
 2. Prior to the Planning Commission meeting, the applicant will have clearly marked the corners of proposed buildings and other significant features proposed for the site.
- Please note: This property appears to be in the location of many lots of record from the original 1910 plat of North Plains. **A title report is needed in addition to the required survey to assess the property.** The proposed building straddles a tax lot line that will need to be consolidated prior to construction permits.

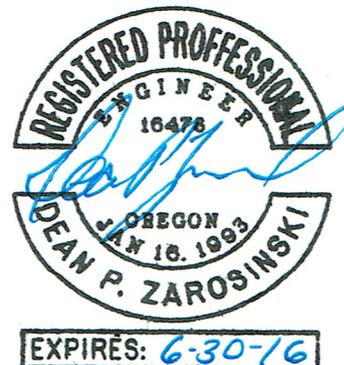
This property is adjacent to a newly vacated street and this process has involved recent surveys. The tax lot line will be removed and the lots consolidated into 1 lot upon approval of our development and prior to obtaining building permits. To combine all lots, including the newly vacated street into one lot will probably justify a complete boundary survey. As the proposed structure is further setback from a well-established property line than the previously approved building, providing a property survey to verify setbacks should not be required. As this requirement may be waived I am requesting that it be so waived.

Prior to the commission meeting, the building corners will be marked using a professional land surveyor working off of control points used in the original topographic survey that was acceptable for all three building additions I have been involved in on this site.

Please contact me if you need any further information.

Sincerely,

Dean P. Zarosinski PE



CITY OF NORTH PLAINS PLANNING COMMISSION

AGENDA ITEM NO. 6B

Subject: Verboort Gordon Road Minor Land Partition
From: Heather Austin, AICP, Consulting Land Use Planner

City Staff Report
July 20, 2015

City File: #15-037

Application Purpose: An application for approval of a two-parcel minor land partition. The existing home will be retained on one of the parcels.

Public Hearing Date: July 27, 2015

Applicant/Property Owner: **Laurie Verboort**
11440 NW Gordon Road
North Plains, OR 97133

Site Location: 11440 NW Gordon Road

Tax Lot: 1N301BC00202

Size: 2.35 acres

City Land Use Classification: R-2.5 (High Density Residential)

Pre-Application Meeting Date: None
Application Submitted: May 14, 2015
Application Deemed Complete: June 16, 2015
Public Notice mailed: June 16, 2015
Public Notice Published: July 8, 2015
120-Day Deadline: October 14, 2015

EXHIBITS

1. Applicant's submitted materials

REQUEST

The Applicant requests approval of a minor land partition to divide a 2.35 acre site into two parcels. This request is subject to a Type III process for quasi-judicial review by the

Planning Commission.

Summary Conclusions

The City accepts many of the Applicant's findings. Areas where information was missing from the Applicant's submittal or inconsistent with code criteria have been addressed with a recommended condition of approval of the partition application.

SITE DESCRIPTION

This property is on the southeast corner of NW North Avenue and NW Gordon Road. The project site is 2.35 acres and is located within the City of North Plain. The property is zoned R-2.5 for high-density residential development is developed with one single-family detached home that was constructed in 1935 and will be retained.

This lot was created by Deed Number 79-035006, recorded on August 28, 1979, prior to current land partition laws in Washington County or North Plains. Laurie Verboort has demonstrated ownership of this parcel.

The site is within the City of North Plains but adjacent to the City Limits and Urban Growth Boundary (UGB). Adjacent land to the south and east is within the City and zoned R-2.5 and adjacent land to the west and north is outside of the City limits and UGB.

Compliance with City of North Plains Municipal Code

ZONES

16.30 ZONING DISTRICT R-2.5

16.30.005 Permitted Uses

Permitted uses are subject to the requirements of the Design Review section of this chapter, if applicable. Refer to Zoning Code Use Table.

L. Residential Homes

Finding: *This application is for partition of residential property for eventual construction of one additional residential home. There is one residential home on the site. The use is permitted on this site.*

16.30.015 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the R-2.5 District except for modifications permitted under Lot, Building, & Yard Exceptions or Planned Unit Development sections of this chapter. In addition, a minor adjustment of up to 10% of the required setback, area, lot size, lot depth or lot width may be granted by the City pursuant to Variance section of this chapter provided the adjustment complies with administrative variance review criteria.

A. Lot/Parcel Size

- Lots created by subdivision: 6,000 square feet maximum lot size per dwelling unit
- Single-family dwelling: 2,500 square feet minimum

- B. Lot/Parcel Depth and Width
- No minimum lot width or depth

Finding: *Both of the proposed parcels meet the 2,500 square foot minimum requirement. As this is a partition and not a subdivision, the maximum lot size is not applicable. This standard is met.*

C. Setback Requirements

Principle structures, accessory dwellings and accessory structures with a floor area greater than 200 square feet shall maintain the following minimum setbacks except that development on flag lots shall be subject to the setback standards for Flag Lots.

D. Front Yard:

- For all structures: 10 feet
- Garage: 20 feet

Garages, carports, accessory dwellings and accessory structures shall be flush with, or recessed behind, the front building elevation of the principle structure.

E. Rear Yard:

- Street-access lots: 10 feet
- Alley-access lots: 6 feet
- Accessory structures and accessory dwellings: 5 feet

F. Side Yard:

- Side yards should be established to create separation between structures and meet fire codes and provide space for pervious surface area
- Single family dwellings created by subdivision must have at least one side yard
- Adjacent to street- 10 feet plus additional necessary to comply with the standards of Clear Vision Areas section of this chapter.
- Accessory Structures and Accessory Dwellings- 5 foot adjacent to street setback, except as provided for in the Accessory Use, Structures and Dwellings section of this chapter.

Finding: *The submitted plans show all parts of the existing home 89 feet from Gordon Road and 139 feet from North Avenue, exceeding the front setback of 10 feet and front garage setback of 20 feet. The Rear and side yards from the existing home and all accessory structures to the new property line are proposed at 10 feet, meeting the requirements of this Code. The new home constructed on the second parcel will be required to meet all applicable setbacks.*

Recommended condition: *Prior to issuance of building permits, review structure placement for compliance with sections 16.30.015.D-F.*

Finding: *Sheet P04 - Preliminary Building Setback Plan illustrates proposed setbacks for all lots. The proposed setbacks were compared with the minimum requirements for the zone. All proposed lots show a minimum rear yard setback of 10 feet. All proposed lots show two side yards and all street side yards are a minimum of 10 feet. Therefore, the proposed preliminary plat meets the standards of 16.30.015.E and 16.30.015.F.*

G. Flag lots approved:

- 10 feet for all yards, except for the yard facing a garage.
- The yard facing the garage shall be a minimum of 20 feet.

H. Height of Buildings:

Buildings shall not exceed a height of 35 feet or two and a half stories, whichever is less. Accessory dwellings (excluding accessory structures) shall not exceed 25 feet in height.

Finding: *No flag lots are proposed as part of this application. The height of the existing home does not exceed 35 feet and the height of the future home is not indicated on the plans; however, compliance with this criterion can be verified at time of building permit submittal. Therefore, subsection 16.30.015.G is not applicable and the proposed preliminary plat can be conditioned to meet the standards of 16.30.015.H.*

Recommended condition: *Prior to issuance of building permits, review structure height for compliance with section 16.30.015.H, ensuring that the building height does not exceed 35 feet or two and a half stories, whichever is less.*

I. Lot/Parcel Coverage

In the R-2.5 District, the maximum lot coverage for impervious surfaces shall not exceed 65%.

Finding: *Parcel coverage is not specifically addressed in the Applicant's submittal; however, the existing home occupies far less than 50% of the parcel on which it will sit. Compliance with this criterion for the new home can be verified at time of building permit submittal. Therefore, the proposed preliminary plat can be conditioned to meet the standards of 16.30.015.I.*

Recommended condition: *Prior to issuance of building permits, review lot coverage for compliance with section 16.30.015.I, ensuring that the maximum lot coverage for impervious surfaces does not exceed 65%.*

16.30.025 Development Standards

The following standards will be applied to all single family dwellings (site-build, modular and manufactured homes) to be constructed or located in the City of North Plains:

- A. All units shall utilize at least two of the following design features to provide visual relief along the front of the home:
1. Dormers;
 2. Gables;
 3. Recessed entries;
 4. Covered porch entries;
 5. Cupolas;
 6. Pillars or posts;
 7. Bay or bow windows;
 8. Eaves (minimum 6" projection)
 9. Offsets on building face or roof (minimum 16");

All manufactured homes shall also comply with the requirements of the Manufactured Homes section of this chapter.

Finding: *The existing home is well built with many of the listed design elements,*

including dormers, gables, covered porch entries, pillars and eaves. Building elevations are not included for any new homes as construction is not planned at this time. However, compliance with this criterion can be verified at time of building permit submittal. Therefore, the proposed preliminary plat can be conditioned to meet the standards of 16.30.025.

Recommended condition: Prior to issuance of building permits, review the front building elevations of any single-family residences for compliance with section 16.30.025, ensuring that at least two of the required design features are provided.

LAND DIVISION

Chapter 16.130 LAND PARTITIONING

16.130.005 GENERAL PROVISIONS

A. All partitions shall conform to all applicable Zoning District Standards, Development Standards of this ordinance and the comprehensive plan.

Finding: This narrative addresses all applicable standards. Compliance with all criteria is either demonstrated or conditioned, as necessary. This standard is met.

B. A master plan for development shall be required for any application which leaves a portion of the subject property capable of redevelopment.

Finding: A master plan has not been submitted even though both parcels are sized in a way that they could be redeveloped in the R-2.5 zone. While the City understands the Applicant wants to build one additional home on the site, a master plan for development should the property be sold in the future can be submitted prior to plat recordation, as conditioned below.

Recommended condition: Prior to recording the final plat, submit a master plan for development which shows the development potential for both parcels in the R-2.5 zone. This master plan should show the total number of lots possible from each parcel as well as access/circulation/connectivity. This master plan shall be included in the official record of this land use decision.

C. Partition approval is valid in perpetuity, upon recording of the final partition plat.

Finding: The approval of this partition shall be valid in perpetuity upon recording of the final partition plat.

D. A parcel within an approved partition may not be re-divided within the same calendar year in which it was recorded except through the subdivision process.

Finding: The City will not accept a partition application on this parcel within the same year that this partition is recorded.

E. A tentative partition that creates a public road to access any of the proposed parcels shall be reviewed at a public hearing of the Planning Commission pursuant to the provisions of Public Hearings in this chapter.

Finding: Both of the proposed parcels have adequate access to both NW North Avenue and NW Gordon Road. However, Section 16.170.000.C.8 lists “Minor Land Partition Permit” as a Type III Quasi-Judicial Permit by the Planning Commission and, therefore, this application is being reviewed by the Planning Commission.

F. Notice of the public hearing shall be provided in accordance with the provisions of Public Notice Requirements in this chapter.

Finding: The public hearing scheduled for July 27, 2015 was noticed in accordance with the Public Notice Requirements in this chapter.

G. Approval of a Tentative Map for a partition is valid for one (1) year after the date of the written decision. A final plat map for a partition shall be approved and recorded within this one (1) year time period or the tentative approval shall lapse.

H. Requests for extensions of partition approvals may be made in accordance with the provisions of this chapter.

Finding: The Applicant will be required to record the plat within one (1) year of tentative partition approval or request an extension of the approval.

Recommended condition: The partition plat shall be recorded within one (1) year of approval of the tentative partition plat, unless the Applicant applies for an extension per the standards of this code.

16.130.016 Partition Approval Criteria The City may approve, approve with conditions or deny a preliminary partition plat based on the approval criteria of this chapter including the Subdivisions section.

STANDARDS FOR DEVELOPMENT

16.145 PUBLIC FACILITY AND SERVICE REQUIREMENTS

16.145.005 Application of Public Facility Standards

The provisions of Chapter 16.145 Public Facility and Service Requirements shall apply to development within the City of North Plains as listed in the following table. No development permit shall be approved unless the following required improvements are provided to City standards prior to occupancy or operation unless an exception is approved by the City Council per Chapter 16.145.020 or future provision of the improvement is assured per Chapter 16.145.030.

Finding: The partition of this property into two parcels will require application of public facility standards, as detailed in the subsections of 16.145, below.

16.145.010 Public Facility Standards

The following public facility standards shall be applicable to all development as specified in the Application Review section of this chapter.

A. Streets: Street improvements required by Chapter 16.145.005 Public Facility & Service Standards shall be provided in compliance with Street Standards of this ordinance.

Finding: Streets are discussed in detail in Section 16.150, further in this report.

B. Storm Drainage: No development permit shall be approved for any property until the City Engineer has reviewed and approved provisions for storm water drainage in accordance with the following criteria:

1. For storm drainage across or over the property on which the development is located, there are storm drainage facilities available which are capable of handling a one-hundred year flood without damage to any improvement on the property, or inundation of the lowest habitable floor of any residential structure thereon.
2. For storm drainage along or from streets adjacent to the property on which the development is located, there are storm drainage facilities available in accordance with the City of North Plains adopted street standard.

Finding: *All storm drainage from this site is currently infiltrated on-site and/or conveyed via ditch along NW Gordon Road. Storm drainage for any construction on the second parcel will be required to obtain Clean Water Services approval, as conditioned below.*

Recommended condition: *Prior to issuance of building permits, obtain Clean Water Services approval of storm drainage for any new construction.*

C. Sewage Disposal: No development permit shall be approved until the City Engineer and Clean Water Services has reviewed and approved provisions for connection to the public sewer system.

Finding: *The existing home is served by a septic system that is located on the other proposed parcel. Adequate easements are required to ensure proper use and maintenance of the septic drainage field. Future construction on the second parcel will require connection to public sewer if available at the time of development or a new septic system permit if public sewer is not available.*

Recommended condition: *Prior to recording the final plat, submit documentation of easements adequate to allow the owner of the parcel with the existing home to access the septic system on the other parcel. Obtain the City's approval of this documentation prior to plat recording.*

Recommended condition: *Prior to issuance of building permits, obtain City approval to connect to the public sewer system or obtain a permit to construct a new septic system to serve the site, if public sewer is not available.*

D. Water Supply: No development permit shall be approved for any property unless all affected water mains are either:

1. Fully improved to a standard providing both adequate potable water and fire flows, as established by the applicable State Plumbing Code and approved by the City Engineer; or
2. Improved to a standard providing adequate potable water flows pursuant to the City Water Master Plan and approved by the City Engineer and the Fire Chief for Washington County Fire District No. 2.

Finding: *The existing home is on a well. Public water may be extended to serve the site prior to any new home construction. The new home will be required to connect to public water if available at time of construction, or obtain a well permit, as conditioned below.*

Recommended condition: *Prior to issuance of building permits, obtain City approval to*

connect to the public water system or obtain a permit to construct a new well to serve the site if public water is not available.

16.145.120 Methods to Assure Facilities and Services

A legal and enforceable document, contract or process which assures the City that a public improvement will be accomplished is required. Assurances may include but are not limited to the following:

- A. Cash in escrow, assignment of letter of credit, etc.
- B. Establishment of a Local Improvement District (LID) through the post- remonstrance period. Failure of the City to accept the LID shall constitute a waiver of the assurance requirement.
- C. Evidence of formal action by public or private agencies or companies, including the City of North Plains, appropriating monies for the requisite public improvement.
- D. Any other legally binding arrangement that assures the improvements will be made within the required time frame, including:
 1. Phasing of the development;
 2. Construction of interim improvements;
 3. Construction of improvements on a phased basis.

Finding: *If any public improvements are required, the City will require la legal and enforceable document, contract or process to ensure public improvement completion. This generally occurs prior to issuance of building permits.*

16.145.130 Requirement for Public Work Permit

No person, firm or corporation shall commence construction of improvements within a public right-of-way or upon public property without first obtaining a Public Works Construction Permit on a form or forms provided by the City.

Finding: *The applicant is required to obtain permits from the City of North Plains or Washington County, as applicable, for any work performed in the right of way.*

16.150 STREET STANDARDS

16.150.010 GENERAL PROVISIONS

The following general provisions shall apply to the dedication, construction, improvement or other development of all public streets in the City of North Plains:

- A. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets.
- B. Development proposals shall provide for the continuation of existing principal streets where necessary to promote appropriate traffic circulation in the vicinity of the development.

C. Reserve strips: Reserve strips or street plugs controlling the access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights, and in these cases they may be required. The control and disposal of the land composing such strips shall be placed within the jurisdiction of the City under conditions approved by the Planning Commission.

Finding: *This site is adjacent to fully connected streets. No additional continuation of public right-of-way is necessary adjacent to this site. No reserve strips are proposed. These standards are met.*

D. Alignment: All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuation of the center lines thereof. The staggering of street alignments resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 100 feet.

E. Future extension of streets: Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of a tract being developed and the resulting dead-end streets may be approved without turnarounds. Reserve strips and street plugs may be required to preserve the objectives of street extensions.

F. Intersection angles: Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angle, but in no case shall the acute angle be less than 80 degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least 100 feet of centerline tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Intersections which contain an acute angle of less than 80 degrees or which include an arterial or collector street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line. All other intersections shall have a minimum corner radius sufficient to allow for a roadway radius of 10 feet and maintain a uniform width between the roadway and the right-of-way line. Ordinarily, the intersection of more than two streets at any one point will not be approved.

Finding: *Subsections D., E. and F., above, apply to developments proposing or required to construct new streets. These standards are not applicable as no new streets are proposed or necessary to serve this development.*

G. Existing streets: Whenever existing public streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision or development.

Finding: *All existing streets are of adequate width. This standard is met.*

H. Cul-de-sacs: Cul-de-sacs shall be as short as possible, and shall have maximum lengths of 600 feet and shall not serve more than 20 dwelling units. All cul-de-sacs shall terminate with circular turnarounds. Commercial and industrial cul-de-sacs shall have a minimum 55' bulb radius. Additional cul-de sac specifications, including specifications for residential cul-de-sacs, are contained within the most recently adopted public works/street standards of the City of North Plains and/or Washington County development standards.

I. Street names: No street names shall be used which will duplicate or be confused with the names of existing streets, except for extensions of existing streets. Street names and number shall conform to the established pattern in the City and shall be subject to the approval of the Planning Commission.

J. Grades and curves: Grades shall not exceed 6 percent on arterials, 10 percent on collector streets or 12 percent on any other street. Center line radii of curves shall not be less than 300 feet on arterials, 200 feet on collectors or 100 feet on other streets, and shall be to an even 10 feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable sites, the Planning Commission may accept steeper grades and sharper curves. In flat areas, allowance shall be made for finished street grades having a minimum slope of 0.5 percent.

Finding: Subsections H., I. and J. above apply to developments proposing new streets and are therefore not applicable.

K. Marginal access streets: If a development abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

Finding: NW Gordon Road and NW North Avenue are both classified as collector streets. There are no arterials adjacent to this site and, as such, this standard is not applicable.

L. Alleys: Alleys shall be provided in commercial and industrial districts unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the Planning Commission. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have radii of not less than 10 feet.

Finding: This site is not in commercial or industrial districts and, therefore, alleys are not required.

M. Sidewalks shall be a minimum of five feet in width. Curbs and sidewalks shall be required along both sides of all public streets. All new development upon lots, tracts or parcels of land adjacent to a public street will be required to construct curbs and sidewalks.

Finding: This site is adjacent to both Gordon Road and North Avenue. Sidewalks are specifically discussed for these street frontages in section 16.31.070 below.

N. Street trees, where provided, shall not be of a species which has a shallow spreading root system which is likely to disturb sidewalk or street improvements.

Finding: Street trees are present along the right-of-way on the north side of the property and along portions of the southern boundary of the site. These trees are well established and are not of a species with a shallow spreading root system. This standard is met.

O. Access Spacing Standards shall, to the greatest extent possible, comply with Washington County's standards and the most recently adopted public works/street standards of the City of North Plains. Washington County's access spacing standards by street functional classification are as follows:

- Major Arterial: 1,000 feet
- Minor Arterial: 600 feet
- Major Collector: 150 feet
- Minor Collector: 50 feet
- Local Street: 10 feet

Finding: The existing home takes access from NW Gordon Road, approximately 139 feet from the intersection with NW North Avenue, exceeding the minor collector standard. The access of the development on the other parcel will be required to meet all access spacing standards, as conditioned below.

Recommended condition: *Prior to issuance of building permits, demonstrate compliance with access spacing standards found in Section 16.150.010.O of the North Plains Development Code.*

16.150.115 General Right-of-Way and Improvement Widths

Construction specifications for all street and right-of-way improvement widths shall comply with the criteria of the most recently adopted public works/street standards of the City of North Plains, the North Plains Transportation System Plan, and/or Washington County standards. These standards shall be the minimum requirements for all streets, except where modifications are permitted under this chapter or the Street Standard adopted by the City Council of North Plains, whichever is less restrictive. Refer to Figures 5-2A-5-2P in the Transportation System Plan for detailed diagrams depicting street right-of-way, improved, and roadway width requirements.

16.150.025 Construction Specifications

Construction specifications for all public improvements shall comply with the criteria of the most recently adopted public works/street standards of the City of North Plains.

Finding: *Much of the right-of-way adjacent to this site has been or is being vacated. No additional right-of-way dedication or improvement is required by this addition of a warehouse building on an industrial site.*

16.31.070 Bikeways and Sidewalks Required on Arterials and Collectors

A. Glencoe Road: Include bicycle lanes and sidewalks on both sides of the road. This would provide connectivity to the existing sidewalks and future growth to the east of Glencoe Road.

B. Commercial Street: Include bicycle lanes and sidewalks on both sides of the road. A detailed plan should be developed to make sure these facilities coexist with parking demand in the downtown area.

C. North Avenue: On the near term a sidewalk should be constructed on the south side of North Avenue to connect the existing sidewalk to Gordon Road. Sidewalks should also be added on the south side of North Avenue between NW 309th Avenue and Glencoe Road. These improvements would complete a system of sidewalks on North Avenue in addition to providing connectivity to the adjacent street system. In the Long term sidewalks should be added to the north side of North Avenue also.

D. Gordon Road: Provide sidewalk on the east side. This improvement will facilitate a connection to the future extension of sidewalk on the south side of North Avenue and to sidewalks along Commercial Street.

Finding: *The proposed partition abuts both North Avenue and Gordon Road. However, partition of the property into two parcels is not proportional to construction of sidewalk for the length of street frontage. To address this code requirement, the City will require a waiver of remonstrance against a future Local Improvement District (LID) for construction of sidewalks along the Gordon and North frontages, as conditioned below.*

Recommended condition: *Prior to recording the final plat, submit to the City a signed waiver of remonstrance against future creation of a Local Improvement District for the construction of sidewalks on Gordon Road and North Avenue.*

16.155 OFF STREET PARKING AND LOADING

Finding: Section 16.155.015 requires two parking spaces per detached single family dwelling. The parcels resulting from this minor land partition will include ample space for off-street parking, exceeding this standard.

16.160 CLEAR VISION AREAS

16.160.000 Requirements

Except in the C-1 zone, a clear vision area shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a driveway providing vehicular access to a public street, including alleys.

A. Lots or parcels on street corners (public and/or private) shall maintain a sight triangle with no sight obstruction between three (3) feet and ten (10) feet in height as measured from street grade. Sight obstructions include, but are not limited to, fences, vegetation, berms, signs and structures. The sight triangle shall be measured from the street corner (apex), to a distance of twenty (20) feet along each street side (see Figure 1). For the purpose of this Section, a street corner is defined as that point where the extended edges of the road surface of two intersecting streets meet. The City may require additional vision clearance based on a hazard identified by the City. However, tree trunks and sign poles not exceeding 12 inches in diameter may be located within the vision clearance area, provided the diameter does not exceed 24 inches.

B. A private access shall be treated as a public street for the purpose of this section. The vision clearance area shall be determined in the manner set forth form in Chapter 16.160.000.010(A). The edge of the paved surface area of the private access, be it roadway, curb or sidewalk, shall be treated as the right-of-way line in determining the vision clearance area.

Finding: No construction on residential lots or parcels that would create any sight obstruction is proposed with this application. Compliance with 16.160.000 will be addressed through subsequent construction plans.

16.170 APPLICATION REQUIREMENTS AND REVIEW PROCEDURES

Administrative, Limited Land Use, Quasi-Judicial & Legislative Decisions

16.170.000 General Provisions

C. Type III Quasi-Judicial Permits by Planning Commission

8. Minor Land Partition Permit

Finding: This application is classified as Type III because it is for a minor land partition permit.

16.170.001 Pre-application Conference

A pre-application conference is required for Type II, III and IV permits. The applicant

shall file the appropriate application, pay the review fee and meet with the City Planner, other city staff and affected agencies. At the conference the City Planner shall identify the relevant comprehensive plan policies, map designations, zone and development standards and procedural requirements applicable to the application. The planner and affected agencies shall provide technical data and identify opportunities or constraints concerning the application.

Failure of the City to provide any information required by this section does not constitute a waiver of any of the standards, criteria or requirements for the application. Due to possible changes in federal, state, regional and local law, the applicant is responsible for assuring the application complies with all applicable laws on the day the application is deemed complete.

Finding: *The City found that partition of this lot into two parcels did not require a pre-application meeting.*

16.170.002 Neighborhood Meeting

Applicants or their representatives are encouraged to meet with adjacent property owners and neighborhood representatives prior to submitting an application to the City in order to solicit input and exchange information about the proposed development. The applicant for a Type III application is encouraged to hold a neighborhood meeting with a recognized neighborhood or community organization. If no organization exists, then the applicant is encouraged to hold a meeting with adjacent property owners within a radius of 250 feet who will receive public notice.

Finding: *The Applicant did not provide evidence of a neighborhood meeting regarding this development. Because a neighborhood meeting is encouraged but not required, this standard is met.*

16.170.012 Type III Quasi-Judicial Decisions by the Planning Decision

A. Pre-application conference. A pre-application conference is required for all Type III quasi-judicial applications under this Section. The requirements and procedures for a pre-application conference are described in Chapter 16.170.001.

Finding: *The City found that partition of this lot into two parcels did not require a pre-application meeting.*

B. Application Requirements.

1. Application form. A quasi-judicial application shall be made on forms provided by the City Planner or designee. The application shall include the property owner's signature of consent. Entities with condemnation authority are not required to provide a consent signature.

2. Submittal Information. When a quasi-judicial application is required, it shall include:

- a. The information requested on the application form;
- b. One copy of a narrative statement that explains how the application satisfies each of the relevant criteria and standards insufficient detail for review and decision-making.

- c. The required fee pursuant to Chapter 16.00.070; and
- d. One set of pre-stamped and pre-addressed envelopes for all real property owners of record who will receive a notice of the application within 250 feet. The records of the Washington County Assessor's office are the official records for determining ownership. The applicant shall produce the notice list. At the applicant's request, and upon payment of a fee noted on the City's fee list, the City may prepare the public notice mailing list. The City or the applicant shall use the most current County real property assessment records to produce the notice list. The City shall mail the notice of application.

Finding: *The applicant has met the requirements of 16.170.020 and was deemed to have submitted a complete application on June 16, 2015.*

CONCLUSIONS

The Planning Commission is considering approval of the Minor Land Partition Request for the Verboort property on Gordon Road.

Staff recommends approval of the application with conditions of approval outlined below.

CONDITIONS OF APPROVAL

Prior to Final Plat approval, the Applicant shall:

1. Submit a master plan for development which shows the development potential for both parcels in the R-2.5 zone. This master plan should show the total number of lots possible from each parcel as well as access/circulation/connectivity. This master plan shall be included in the official record of this land use decision.
2. Submit documentation of easements adequate to allow the owner of the parcel with the existing home to access the septic system on the other parcel. Obtain the City's approval of this documentation prior to plat recording.
3. Submit for review and approval a partition plat consistent with the proposed plans, but revised to show an 8-foot Public Utility Easement (PUE) along the frontage of both NW North Avenue and NW Gordon Road.
4. Submit to the City a signed waiver of remonstrance against future creation of a Local Improvement District for the construction of sidewalks on Gordon Road and North Avenue.
5. Obtain approval of the Public Improvement Plans and construct all public improvements or adequately guarantee completion of public improvements consistent with Development Code Section 16.145.120.

Prior to Issuance of Building Permits, the Applicant shall:

1. Submit building permit applications which identify:
 - A. Structure placement in compliance with sections 16.30.015.D-F Structure height in compliance with section 16.30.015.H, ensuring that the building height does not exceed 35 feet or two and a half stories, whichever is less.

- B. Lot coverage in compliance with section 16.30.015.I, ensuring that the maximum lot coverage for impervious surfaces does not exceed 65%.
 - C. The front building elevations of any single-family residences in compliance with section 16.30.025, ensuring that at least two of the required design features are provided.
 - D. Compliance with access spacing standards found in Section 16.150.010.O of the North Plains Development Code.
2. Obtain Clean Water Services approval of storm drainage for any new construction.
 3. Obtain City approval to connect to the public sewer system or obtain a permit to construct a new septic system to serve the site, if public sewer is not available.
 4. Obtain City approval to connect to the public water system or obtain a permit to construct a new well to serve the site, if public water is not available.

Ongoing Conditions:

1. An 8' public utility easement should be located across all lot and tract frontages adjacent to public right-of-way.
2. Applicant shall comply with Washington County Fire District No. 2 regarding hydrant locations and other district requirements.
3. Applicant shall comply with the development standards of the City Zoning and Development Code Chapter 16.30 R-2.5 High-Density Residential.
4. Applicant shall comply with City Zoning and Development Code Chapter 16.130.020 Process for Final Partition Approval.
5. All conditions of approval must be completed within one year of the date of this approval or the approval is void, unless specifically modified by an approved phased construction schedule, approval of an extension, or unless the applicant/owners provides assurances otherwise.
6. Prior to obtaining approval to begin construction of any public improvements, the applicant/owner shall provide a performance bond to the City in the amount of 125% of the total cost of such construction. Upon completion of all public improvements, the applicant/owner shall provide a maintenance bond to the City, in the amount of 40% of the total cost of such construction, guaranteeing said improvements for a period of one (1) year following City acceptance of said improvements. Comply with the recommended conditions of the Public Works Director.
7. Street lights on city local streets shall be installed as per IES standards and the PGE "Acorn" fixture. The developer is to contact PGE outdoor Lighting services 503-844-5361.

8. All utilities shall be constructed underground.
9. The applicant/owners shall have a licensed land surveyor prepare a Final Plat of the proposed partition and submit it to the City for City approval, and then record it with the Washington County Surveyor's Office and County Clerk's Office. The applicant/owners shall then send a copy of the recorded Plat to the City Recorder.
10. The applicant/owners agree to waive their right to remonstrate against the formation of a local improvement district or other mechanism to construct future improvements to the streets, storm water, water and sewer systems that may be assessed against the subject property.
11. Prior to City approval of the final partition plat for the subject property, the applicant/owners shall sign and record a Development Agreement with the City, covering all of the conditions of approval and pay all fees.
12. The applicant shall be responsible for reimbursing the City for the reasonable costs associated with inspection of public works improvements.
13. It shall be the responsibility of the Developer or his representative to coordinate all design requirements with the appropriate agencies and utilities. In addition to the City of North Plains, Clean Water Services (CWS) must review and approve the proposed sanitary sewer /storm water sewer improvements. Also, the Fire District must review and approve the site plan for emergency access vehicles. Approval must be obtained in written form and any coordination work with all agencies shall be the Developers sole responsibility. Documentation of all written approvals and permits from affected agencies should be provided to the City for their records.
14. Approved plans do not guarantee the adequacy of the design, or guarantee that there will not be any design conflicts during construction. The design engineer should be notified of any design conflicts that are noted during construction and he/she should then immediately notify the City of North Plains. Modifications to the design must be approved by the City of North Plains and the appropriate Agency prior to continuing with any relevant construction activities.
15. After Planning Commission review the Applicant must submit separate construction plans that meet all Conditions of Approval, City of North Plains Public Works Design Standards, 1990 APWA Standard Specifications for Public Works Construction with August 1996 revisions, and Clean Water Services to the City for review and approval. Prior to the start of construction the plans must be approved by the City and all City and Agency permits must be obtained.



City of North Plains

31360 NW Commercial St. North Plains, OR 97133

Ph. 503-647-5555 Fax 503-647-2031

Email: info@northplains.org

GENERAL LAND USE APPLICATION

Applicant General Information

Applicant Name: Laurie A. Verboort

Mailing Address: 11440 NW Gordon Road
Street
North Plains Oregon 97133
City State ZIP Code

Email Address: LAVerboort@msn.com Phone: (503) 819-0642

Property Owner: Laurie A. Verboort

Mailing Address: 11440 NW Gordon Road
Street
North Plains Oregon 97133
City State ZIP Code

Email Address: LAVerboort@msn.com Phone: (503) 819-0642

Property Description

Address: 11440 NW Gordon Road
Street
North Plains Oregon 97133
City State ZIP Code

Tax Lot ID: NW 1/4 Sect. 1, T1N, R3E TL 202 Existing Zoning: R-2.5

Property Area: 1.1 Existing Land Use: SINGLE-FAMILY RESIDENTIAL

General Development Description: MINOR PARTITION OF PROPERTY INTO 2-LOTS.

Fees

Land Use Process	Fee	Land Use Process	Fee
<input type="checkbox"/> Annexation	\$10,000 deposit*	<input type="checkbox"/> Non-Conforming Use	\$265
<input type="checkbox"/> Appeal	\$315	<input type="checkbox"/> Subdivision	\$2,880
<input type="checkbox"/> Comp Plan Amendment, Text	\$8,000	<input type="checkbox"/> Manu Home Park	\$4,000
<input type="checkbox"/> Comp Plan Amendment, Map	\$5,000	<input type="checkbox"/> Modification - Minor	\$150
<input type="checkbox"/> Conditional Use, Residential	\$395	<input type="checkbox"/> Modification - Major	\$2,125
<input type="checkbox"/> Conditional Use, Ind. & Comm.	\$745	<input type="checkbox"/> SNR Permit	\$1,640
<input type="checkbox"/> Design Review Type II	\$185	<input type="checkbox"/> Similar Use	\$615
<input type="checkbox"/> Design Review Type III	\$890	<input type="checkbox"/> Street Vacation	\$1,675
<input type="checkbox"/> Floodplain Permit	\$1,925	<input type="checkbox"/> UGB Expansion	\$28,000
<input type="checkbox"/> Partition, with street dedication	\$640	<input type="checkbox"/> Variance, Administrative	\$145
<input checked="" type="checkbox"/> Partition, no street dedication	\$400	<input type="checkbox"/> Variance, PC Hearing	\$1,115
<input type="checkbox"/> Lot Line Adjustment	\$275	<input type="checkbox"/> Zoning Code Amendment	\$2,825
<input type="checkbox"/> Other:			

* plus \$9,000 election deposit

Information to Include with Your Application

- Narrative describing the Development Proposal and addressing the Decision Criteria. *All applications will be reviewed based on the criteria of North Plains Zoning Ordinance.* Ask Staff for the applicable chapters to address in your narrative.
- Application and fee
- Plans drawn to scale showing:
 - ✓ - All property boundaries in which development is occurring
 - ✓ - All adjacent roads (with names and dimensions)
 - ✓ - Location and dimensions of all existing and proposed access ways/driveways
 - ✓ - Location, number, dimensions, setbacks, and types of existing and proposed utilities, including water, sewer, storm water, electric, gas, phone, and cable
 - (NONE AVAILABLE) - Location, size (area), and setbacks of all existing and proposed fire hydrants
 - (NONE AVAILABLE) - Location, size (area), and setbacks of all existing and proposed buildings and structures
 - (WAY OVER REQ'D MIN) - Location, size (area), and layout of existing and proposed landscaping
 - ✓ - Location, number and dimensions of existing and proposed parking areas, including handicapped spaces
 - (NOT APPLICABLE) - Location, number and dimensions of existing and proposed loading areas
 - (NOT APPLICABLE) - Location, number, dimensions, and types of existing and proposed lighting
 - ✓ - Location, number, dimensions, setbacks, and types of existing and proposed fencing and or/screening
 - (NOT APPLICABLE) - Location, number, dimensions, setbacks, and types of existing and proposed mechanical equipment, such as rooftop equipment and transformer boxes. Show any screening of proposed equipment.
 - (NOT APPLICABLE) - Pedestrian circulation
 - ✓ - Outdoor seating areas
 - (NOT APPLICABLE) - Flood plains (SEE NORTH PLAINS LOCAL WETLANDS INVENTORY AND SIGNIFICANT NATURAL RESOURCES MAPS.)
 - (NONE APPLICABLE) - Water courses
 - (NONE APPLICABLE) - Significant vegetation
 - (NONE APPLICABLE) - Easements
- If required, mailing labels for all property owners and residents within 250 feet of the subject property or properties. A list of property owners/site addresses may be obtained from a title insurance company. Please ask staff if mailing labels are required for your application.
- If required, a traffic study shall be submitted. Please ask staff if a traffic study is required.

After initial review, the City may require additional information.

Additional Information

In order to expedite and complete the processing of this application, the City of North Plains requires that all pertinent material required for review of this application be submitted at the time application is made. If the application is found to be incomplete, review and processing of the application will not begin until the application is made complete.

I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application.

I understand that there may be additional costs of processing this application including, but not limited to, planning, engineering, city attorney and administration. The City will notify the applicant if there will be additional costs.

Date: 5-13-2015 Signature of Applicant: Jamie Verboort

Date: 5-13-2015 Signature of Property Owner: Jamie Verboort

FOR OFFICE USE

Received by: Sarah ABaker Date: 5/14/2015

Fee paid: 400 Receipt No. 026887 Application No. _____

June 15, 2015

City of North Plains
Attn: Land Use Planning Department
31360 NW Commercial Street
North Plains, Oregon 97133

Subject: Minor Land Partition to split lot into 2 parcels for property description 1N3 01 BC Tax Lot 00202

Dear Planning Department and Planning Commission,

In response to the Land Use "Completeness Review" response from the City and its consultant, 3J Consulting, dated May 29, 2015, I submit the following:

In Paragraph 1, it's stated that this application was evaluated as a "Type III Land Use" review needing "Quasi-Judicial" decision making requirements of Development Code Section 16.172.012.B.2. However, being instructed by the City Planning department to use this process for a simple splitting of one lot into two seemed a bit overkill, but I followed their direction. Regardless, it's in the process now so I'll do my best to fulfill the requirements for your assessment of the true needs in this creation of two parcels from one at the outermost rural NW outskirt of the City Limits.

Section I, Item 1:

Development Code Chapter/Section 16.170.012.B.2 is identified as requesting a "Narrative" that describes the necessary conformances. The City's "Incomplete Application" Notice then goes on to stipulate that the "Narrative" respond to City Development Code "16.175.130.005" which this applicant and property Owner cannot find within Chapter 16 of the City of North Plains Development Code. Regardless of that aspect, I'll take a moment to briefly describe the scenario for compliance with **Development Code Section 16.175:**

Currently the subject property contains an existing home that was originally built in 1935 and later relocated on this property, at its current position and orientation along with a water well and septic system. At some point in time the garage was added along with the parking areas, landscaping, decks, patios, underground power and phone utilities, and fencing behind and to the side of the home. It's currently in alignment with the City of North Plains Development Code in that it is a single-family residence, has a water well and pump shed, outdoor entertainment area, adequate parking for at least 5 cars on hard surfaces and overflow parking in the large spaces around the home, safe access/egress (to/from) NW Gordon Road, it boasts extensive landscaping, safety and security lighting, adequate and effective on-site drainage, and a modern adequately sized septic system since there are no readily available City or County Water or Sewer Systems adjacent to the property at this time. But this subject application is requesting a simple Minor Land Partition with no change to Use, Occupancy, Lot Coverage, Accessory Structures, Parking, nor Traffic Impact. So this applicant and Owner is unsure as to why it's not being considered a "Limited Land Use – Type II" design review per Development Code 16.175.010.A, Items 1 through 7, and approved by the subsequent Items 1 through 3, and more specifically Item #2 of those 3. If future plans to change the Use or Development aspects of the property are desired, the mandatory re-application process will address all the Type III requirements applicable at that point in time.

Development Code Chapter/Section 16.30: The Applicant/Owner does not intend to, and is not currently requesting, any changes to the zoning district of R-2.5. Applicant/Owner just wants to separate the house and accessory structures, etc., while complying with the applicable minimum set-back

requirements, from the remainder of the property. An easement will be created for the septic drain field distribution lines and diversion box to allow for typical repairs and maintenance as needed; and Applicant/Owner will agree to connect to any sewer system that is created by a development of the requested Parcel 2 when one becomes a part of that Land Use Development activity.

Development Code Chapter/Section 16.145: If needed, this Applicant/Owner requests an exception from this Development Code per Section 16.145.115, by incorporating Section 16.145.120.D.3 to phase requirements of this Development Code to a point in time when either the newly created Parcel 1 or Parcel 2 become proposed either combined or individually as a Type III development activity.

Development Code Chapter/Section 16.150: Based on the fact that this subject property is in the very NW outermost corner of the City Limits, with rural County property across the streets to both my North and West, the Applicant/Owner's property does not "circulate" traffic within the City of North Plains. Only half of "North Street" is within the City Limits, and all of the "NW Gordon Road" Right-of-Way is Washington County property. Beyond the North and West Right-of-Ways is Rural Washington County properties with "Effective Farm Use (EFU) Zoning" which is strictly identified for agricultural, livestock, and other farming uses only. Those county properties are also not within the Urban Growth Boundary (UGB) or even the UGB Reserves, so there is likely no city or other type development expansion into those areas for many decades, if ever.

This Applicant/Owner, however, agrees that with any future development application to either proposed Parcel 1 or Parcel 2 Type III request, that any necessary improvements will be addressed at that time.

In summary, This Applicant/Owner requests that all of the aspects of this Development Code Section be exempted within this Land Use Decision, and deferred till that (or those) future Development Application submission(s) and their outcome(s).

Development Code Chapter/Section 16.155: The Applicant/Owner is not proposing any "improvements" to the property within this Minor Land Partition application. Future improvement developers will re-apply for those whenever that occurs.

Currently there is adequate "off-street parking" for at least 5 or 6 vehicles in front of, and to the side of, the existing house and its garage. Additionally, the Applicant/Owner utilizes the lawns and field on the property for overflow parking when needed.

In summary, This Applicant/Owner requests that all of the aspects of this Development Code Section be exempted within this Land Use Decision, and deferred till future Development Application submission(s) occur.

Development Code Chapter/Section 16.160: The Applicant/Owner considers all requirements of this section are currently being met, and will continue to be met following this approval.

Section I, Item #2, requests the applicable Neighboring properties notifications within 250 feet. Attached hereto are the Title Company County records and map for said notifications, with self addresses and stamped envelopes for City of North Plains distribution.

Section I, Item #3, requests revisions to the initially provided Preliminary Minor Land Partition Map. Responses to those are as follows:

Sub-items #1, 2, 3, 4, 5, & 8 have been fully complied with and applied to the drawing as revisions.

Sub-item #6: At the time of this submission, the surveyor's Preliminary Plat has not been completed but remains "in process" for application once Preliminary Plat CADD documents have been generated for this Minor Land Partition. These will be submitted as a supplement to this application as quickly as possible, and in no event later than July 7, 2015. And although the exact square footage or acreage of this property or its proposed Minor Land Partition are unknown, the Minor Land Partition parcels should each be in excess of 1 acre, while concurrently providing equal access/egress to both NW Gordon Road and North Street upon Agency approval and completion as presented.

Sub-item #7: At the time of this submission there are no adjacent properties Owned by this applicant.

Sub-item #9: The exact location and size of the underground power, phone, and other utilities will be included within the surveyor's Preliminary Plat when it is completed. The document will be submitted as a supplement to this application as quickly as possible, and in no event later than July 7, 2015.

Sub-items #10: The exact location and set-back of each building will be included within the surveyor's Preliminary Plat when it is completed. The document will be submitted as a supplement to this application as quickly as possible, and in no event later than July 7, 2015. What is evident from a rough measurement performed this past week is that all structures and improvements are well in excess of the minimum set-back requirements established by the Development Code for this property's zoning of R-2.5.

Sub-items #11: Following review and application of the City of North Plains "on-line" maps, their overlays for Natural Drainage Ways, Streams, Wetlands, and other Significant Natural features there appears to be no current impacts that would cause any related concern(s) to this property and this specific Minor Land Partition application.

Sub-items #12: At the time of this submission, the surveyor's Preliminary Plat has not been completed but remains "in process" for application once Preliminary Plat CADD documents have been generated for this Minor Land Partition. This subject Plat will include any necessary easements for underground utilities, septic system lines, diversion box, etc. that would extend into the Parcel 2 property. This subject Preliminary Plat will be submitted as a supplement to this application as quickly as possible, and in no event later than July 7, 2015.

The Title Report requested within the final paragraph of Section I, Item#3, and its associated Deed(s) have additionally been attached hereto.

Section II, Items #1 through 3 have been responded to in the above elements narratives for Section I of this, the City's Development Review "Completeness Application" request.

I, as the Applicant/Owner, sincerely appreciate your consideration for approval of my requested Minor Land Partition activity.

Respectfully yours,



Laurie A. Verboort, Owner and Minor Land Partition Land Use Applicant

CC: Mr. Blake Boyles, North Plains City Manager



OWNERSHIP INFORMATION

Owner	: Verboort Laurie Anne	Bldg #	1	Of	1
CoOwner	:	Ref Parcel Number	: 1N301BC 00202		
Site Address	: 11440 NW Gordon Rd North Plains 97133	Parcel Number	: R1049449		
Mail Address	: 11440 NW Gordon Rd North Plains Or 97133	T: 01N	R: 03W	S: 01	Q: NW QQ: SW
County	: Washington (OR)				

PROPERTY DESCRIPTION

Map Page Grid :
 Census Tract : 327.00 Block: 2
 Neighborhood : 4TL1
 School District : North Plains
 Subdivision/Plat : North Plains
 Building Use : Single Family Res
 Land Use : 1910 Res,Potential Development,Improved
 Legal : NORTH PLAINS, LOT PT 19
 :
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$386,400
 Mkt Structure : \$114,040
 Mkt Total : \$500,440
 %Improved : 23
 M50AssdTotal : \$302,520
 Levy Code : 07014
 14-15 Taxes : \$4,558.27
 Millage Rate : 15.0676
 Zoning : R10

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Year Built	: 1935	Patio SqFt	:
Bathrooms	: 3.00	EffYearBlt	: 1935	Deck SqFt	:
Heat Method	: Electric	BsmFin SF	:	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud'shtg
Lot Acres	: 2.13	BldgSqFt	: 2,536	Roof Shape	: Gable
Lot SqFt	: 92,691	1stFlrSF	: 1,048	Roof Matl	: Comp Shingle
Garage Type	: Attached	UpperFISF	: 1,488	Porch SqFt	:
Garage SF	: 440	Attic SqFt	:	Paving Matl	:

TRANSFER INFORMATION

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Verboort Laurie Anne	:05/12/2003	74766	:	:Bargain & Sal	:	:
:Verboort Todd A/Laurie A	:05/21/1996	45553	:\$227,500	:Warranty	:\$182,000	:Conven
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



00329778200300747660020024

I, Jerry Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Jerry Hanson
Jerry R. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk



After Recording Return to:
Barbara P. McFarland
Attorney at Law
9600 SW Barnes Road, Ste. 325
Portland, OR 97225

Mail Tax Statements to:
As previously sent before

BARGAIN AND SALE DEED

Todd Anthony Verboort, Grantor, conveys to Laurie Anne Verboort, Grantee, the following-described real property:

That portion of Lot 19, Block 1, NORTH PLAINS, in the City of North Plains, County of Washington and State of Oregon described as follows:

Beginning at the Northwest corner of that tract of land conveyed to Brian K. Wulf, et ux, by deed recorded May 3, 1977, in Book 1162, Page 835, Records of Washington County, said point also being North 75°degrees 38' West 47 feet, more or less, from the Northwest corner of the Charles McKay Donation Land Claim No. 73; thence continuing North 75° 35' West 236 feet to the Northwest corner of Lot 19; thence South 15° 30' West 410.85 feet to the Northwest corner of Lot 18, NORTH PLAINS; thence South 83° East 280 feet, ore or less, to the Southwest corner of said Wulf Tract; thence North 5° 48' East along the West line of said Wulf Tract, 385 feet, more or less to the true point of beginning.

This conveyance is made pursuant to a judgment of dissolution of the parties marriage in Washington County Circuit Court case No. C01-4401DRB. There is no other consideration for the transfer.

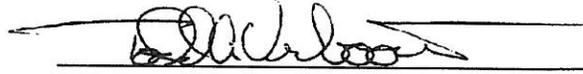
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE

REAL\11429FJD.doc



CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 6 day of MAY, 2003.


TODD ANTHONY VERBOORT

STATE OF OREGON)
) ss.
County of Washington)

Signed or attested before me on this 6 day of May, 2003, by Todd Anthony Verboort.




NOTARY PUBLIC FOR OREGON
My Commission Expires: 1-23-04

Todd Anthony Verboort, Grantor

Laurie Anne Verboort, Grantee
11440 NW Gordon Road
North Plains, OR 97133

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WFG Title 13001044-4C

After Recording Return To:

PACIFIC RESIDENTIAL MORTGAGE, LLC
4949 MEADOWS RD. STE 350
LAKE OSWEGO, OREGON 97035
Loan Number: 01A-0021764

Washington County, Oregon **2013-015477**
D-M
Stn=4 A STROM **02/19/2013 01:33:05 PM**
\$80.00 \$11.00 \$5.00 \$15.00 **\$111.00**
I, Richard Hobernicht, Director of Assessment and Taxation and Ex-
Officio County Clerk for Washington County, Oregon, do hereby
certify that the within instrument of writing was received and
recorded in the book of records of said county.
Richard Hobernicht, Director of
Assessment and Taxation, Ex-Officio

[Space Above This Line For Recording Data]

DEED OF TRUST

MIN: 100409600000099186

MERS Phone: 888-679-6377

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

- (A) "Security Instrument" means this document, which is dated FEBRUARY 11, 2013, together with all Riders to this document.
- (B) "Borrower" is LAURIE ANNE VERBOORT

Borrower is the trustor under this Security Instrument.

(C) "Lender" is PACIFIC RESIDENTIAL MORTGAGE, LLC

Lender is a OREGON LIMITED LIABILITY COMPANY organized
and existing under the laws of OREGON
Lender's address is 4949 MEADOWS RD. STE 350, LAKE OSWEGO, OREGON 97035

(D) "Trustee" is WFG NATIONAL TITLE
1625 NE WEIDLER STREET, PORTLAND, OREGON 97232

(E) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is the beneficiary under this Security Instrument. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.

(F) "Note" means the promissory note signed by Borrower and dated FEBRUARY 11, 2013 . The Note states that Borrower owes Lender TWO HUNDRED THIRTY-FOUR THOUSAND AND 00/100 Dollars (U.S. \$ 234,000.00) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than MARCH 1, 2028

(G) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(H) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(I) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

- | | |
|--|---|
| <input type="checkbox"/> Adjustable Rate Rider | <input type="checkbox"/> Planned Unit Development Rider |
| <input type="checkbox"/> Balloon Rider | <input type="checkbox"/> Biweekly Payment Rider |
| <input type="checkbox"/> 1-4 Family Rider | <input type="checkbox"/> Second Home Rider |
| <input type="checkbox"/> Condominium Rider | <input type="checkbox"/> Other(s) [specify] |

(J) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(K) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(L) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(M) "Escrow Items" means those items that are described in Section 3.

(N) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(O) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(P) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(Q) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. §2601 et seq.) and its implementing regulation, Regulation X (12 C.F.R. Part 1024), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(R) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

The beneficiary of this Security Instrument is MERS (solely as nominee for Lender and Lender's successors and assigns) and the successors and assigns of MERS. This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the COUNTY of WASHINGTON :

[Type of Recording Jurisdiction]

[Name of Recording Jurisdiction]

~~SEE PRELIM~~ See Exhibit "A" attached hereto.
A.P.N.: R1049449

which currently has the address of 11440 NORTHWEST GORDON ROAD

[Street]

NORTH PLAINS
[City]

, Oregon 97133
[Zip Code]

("Property Address"):

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for Lender and Lender's successors and assigns) has the right: to exercise any or all of those interests, including, but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing and canceling this Security Instrument.

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

UNIFORM COVENANTS. Borrower and Lender covenant and agree as follows:

1. **Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges.** Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S. currency. However, if any check or other instrument received by Lender as payment under the Note or this Security Instrument is returned to Lender unpaid, Lender may require that any or all subsequent payments due under the Note and this Security Instrument be made in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality, or entity; or (d) Electronic Funds Transfer.

Payments are deemed received by Lender when received at the location designated in the Note or at such other location as may be designated by Lender in accordance with the notice provisions in Section 15. Lender may return any payment or partial payment if the payment or partial payments are insufficient to bring the Loan current. Lender may accept any payment or partial payment insufficient to bring the Loan current, without waiver of any rights hereunder or prejudice to its rights to refuse such payment or partial payments in the future, but Lender is not obligated to apply such payments at the time such payments are accepted. If each Periodic Payment is applied as of its scheduled due date, then Lender need not pay interest on unapplied funds. Lender may hold such unapplied funds until Borrower makes payment to bring the Loan current. If Borrower does not do so within a reasonable period of time, Lender shall either apply such funds or return them to Borrower. If not applied earlier, such funds will be applied to the outstanding principal balance under the Note immediately prior to foreclosure. No offset or claim which Borrower might have now or in the future against Lender shall relieve Borrower from making payments due under the Note and this Security Instrument or performing the covenants and agreements secured by this Security Instrument.

2. Application of Payments or Proceeds. Except as otherwise described in this Section 2, all payments accepted and applied by Lender shall be applied in the following order of priority: (a) interest due under the Note; (b) principal due under the Note; (c) amounts due under Section 3. Such payments shall be applied to each Periodic Payment in the order in which it became due. Any remaining amounts shall be applied first to late charges, second to any other amounts due under this Security Instrument, and then to reduce the principal balance of the Note.

If Lender receives a payment from Borrower for a delinquent Periodic Payment which includes a sufficient amount to pay any late charge due, the payment may be applied to the delinquent payment and the late charge. If more than one Periodic Payment is outstanding, Lender may apply any payment received from Borrower to the repayment of the Periodic Payments if, and to the extent that, each payment can be paid in full. To the extent that any excess exists after the payment is applied to the full payment of one or more Periodic Payments, such excess may be applied to any late charges due. Voluntary prepayments shall be applied first to any prepayment charges and then as described in the Note.

Any application of payments, insurance proceeds, or Miscellaneous Proceeds to principal due under the Note shall not extend or postpone the due date, or change the amount, of the Periodic Payments.

3. Funds for Escrow Items. Borrower shall pay to Lender on the day Periodic Payments are due under the Note, until the Note is paid in full, a sum (the "Funds") to provide for payment of amounts due for: (a) taxes and assessments and other items which can attain priority over this Security Instrument as a lien or encumbrance on the Property; (b) leasehold payments or ground rents on the Property, if any; (c) premiums for any and all insurance required by Lender under Section 5; and (d) Mortgage Insurance premiums, if any, or any sums payable by Borrower to Lender in lieu of the payment of Mortgage Insurance premiums in accordance with the provisions of Section 10. These items are called "Escrow Items." At origination or at any time during the term of the Loan, Lender may require that Community Association Dues, Fees, and Assessments, if any, be escrowed by Borrower, and such dues, fees and assessments shall be an Escrow Item. Borrower shall promptly furnish to Lender all notices of amounts to be paid under this Section. Borrower shall pay Lender the Funds for Escrow Items unless Lender waives Borrower's obligation to pay the Funds for any or all Escrow Items. Lender may waive Borrower's obligation to pay to Lender Funds for any or all Escrow Items at any time. Any such waiver may only be in writing. In the event of such waiver, Borrower shall pay directly, when and where payable, the amounts due for any Escrow Items for which payment of Funds has been waived by Lender and, if Lender requires, shall furnish to Lender receipts evidencing such payment within such time period as Lender may require. Borrower's obligation to make such payments and to provide receipts shall for all purposes be deemed to be a covenant and agreement contained in this Security Instrument, as the phrase "covenant and agreement" is used in Section 9. If Borrower is obligated to pay Escrow Items directly, pursuant to a waiver, and Borrower fails to pay the amount due for an Escrow Item, Lender may exercise its rights under Section 9 and pay such amount and Borrower shall then be obligated under Section 9 to repay to Lender any such amount. Lender may revoke the waiver as to any or all Escrow Items at any time by a notice given in accordance with Section 15 and, upon such revocation, Borrower shall pay to Lender all Funds, and in such amounts, that are then required under this Section 3.

Lender may, at any time, collect and hold Funds in an amount (a) sufficient to permit Lender to apply the Funds at the time specified under RESPA, and (b) not to exceed the maximum amount a lender can require under RESPA.

Lender shall estimate the amount of Funds due on the basis of current data and reasonable estimates of expenditures of future Escrow Items or otherwise in accordance with Applicable Law.

The Funds shall be held in an institution whose deposits are insured by a federal agency, instrumentality, or entity (including Lender, if Lender is an institution whose deposits are so insured) or in any Federal Home Loan Bank. Lender shall apply the Funds to pay the Escrow Items no later than the time specified under RESPA. Lender shall not charge Borrower for holding and applying the Funds, annually analyzing the escrow account, or verifying the Escrow Items, unless Lender pays Borrower interest on the Funds and Applicable Law permits Lender to make such a charge. Unless an agreement is made in writing or Applicable Law requires interest to be paid on the Funds, Lender shall not be required to pay Borrower any interest or earnings on the Funds. Borrower and Lender can agree in writing, however, that interest shall be paid on the Funds. Lender shall give to Borrower, without charge, an annual accounting of the Funds as required by RESPA.

If there is a surplus of Funds held in escrow, as defined under RESPA, Lender shall account to Borrower for the excess funds in accordance with RESPA. If there is a shortage of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the shortage in accordance with RESPA, but in no more than 12 monthly payments. If there is a deficiency of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the deficiency in accordance with RESPA, but in no more than 12 monthly payments.

Upon payment in full of all sums secured by this Security Instrument, Lender shall promptly refund to Borrower any Funds held by Lender.

4. Charges; Liens. Borrower shall pay all taxes, assessments, charges, fines, and impositions attributable to the Property which can attain priority over this Security Instrument, leasehold payments or ground rents on the Property, if any, and Community Association Dues, Fees, and Assessments, if any. To the extent that these items are Escrow Items, Borrower shall pay them in the manner provided in Section 3.

Borrower shall promptly discharge any lien which has priority over this Security Instrument unless Borrower: (a) agrees in writing to the payment of the obligation secured by the lien in a manner acceptable to Lender, but only so long as Borrower is performing such agreement; (b) contests the lien in good faith by, or defends against enforcement of the lien in, legal proceedings which in Lender's opinion operate to prevent the enforcement of the lien while those proceedings are pending, but only until such proceedings are concluded; or (c) secures from the holder of the lien an agreement satisfactory to Lender subordinating the lien to this Security Instrument. If Lender determines that any part of the Property is subject to a lien which can attain priority over this Security Instrument, Lender may give Borrower a notice identifying the lien. Within 10 days of the date on which that notice is given, Borrower shall satisfy the lien or take one or more of the actions set forth above in this Section 4.

Lender may require Borrower to pay a one-time charge for a real estate tax verification and/or reporting service used by Lender in connection with this Loan.

5. Property Insurance. Borrower shall keep the improvements now existing or hereafter erected on the Property insured against loss by fire, hazards included within the term "extended coverage," and any other hazards including, but not limited to, earthquakes and floods, for which Lender requires insurance. This insurance shall be maintained in the amounts (including deductible levels) and for the periods that Lender requires. What Lender requires pursuant to the preceding sentences can change during the term of the Loan. The insurance carrier providing the insurance shall be chosen by Borrower subject to Lender's right to disapprove Borrower's choice, which right shall not be exercised unreasonably. Lender may require Borrower to pay, in connection with this Loan, either: (a) a one-time charge for flood zone determination, certification and tracking services; or (b) a one-time charge for flood zone determination and certification services and subsequent charges each time remappings or similar changes occur which reasonably might affect such determination or certification. Borrower shall also be responsible for the payment of any fees imposed by the Federal Emergency Management Agency in connection with the review of any flood zone determination resulting from an objection by Borrower.

If Borrower fails to maintain any of the coverages described above, Lender may obtain insurance coverage, at Lender's option and Borrower's expense. Lender is under no obligation to purchase any particular type or amount of coverage. Therefore, such coverage shall cover Lender, but might or might not protect Borrower, Borrower's equity in the Property, or the contents of the Property, against any risk, hazard or liability and might provide greater

or lesser coverage than was previously in effect. Borrower acknowledges that the cost of the insurance coverage so obtained might significantly exceed the cost of insurance that Borrower could have obtained. Any amounts disbursed by Lender under this Section 5 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

All insurance policies required by Lender and renewals of such policies shall be subject to Lender's right to disapprove such policies, shall include a standard mortgage clause, and shall name Lender as mortgagee and/or as an additional loss payee. Lender shall have the right to hold the policies and renewal certificates. If Lender requires, Borrower shall promptly give to Lender all receipts of paid premiums and renewal notices. If Borrower obtains any form of insurance coverage, not otherwise required by Lender, for damage to, or destruction of, the Property, such policy shall include a standard mortgage clause and shall name Lender as mortgagee and/or as an additional loss payee.

In the event of loss, Borrower shall give prompt notice to the insurance carrier and Lender. Lender may make proof of loss if not made promptly by Borrower. Unless Lender and Borrower otherwise agree in writing, any insurance proceeds, whether or not the underlying insurance was required by Lender, shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such insurance proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such insurance proceeds, Lender shall not be required to pay Borrower any interest or earnings on such proceeds. Fees for public adjusters, or other third parties, retained by Borrower shall not be paid out of the insurance proceeds and shall be the sole obligation of Borrower. If the restoration or repair is not economically feasible or Lender's security would be lessened, the insurance proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such insurance proceeds shall be applied in the order provided for in Section 2.

If Borrower abandons the Property, Lender may file, negotiate and settle any available insurance claim and related matters. If Borrower does not respond within 30 days to a notice from Lender that the insurance carrier has offered to settle a claim, then Lender may negotiate and settle the claim. The 30-day period will begin when the notice is given. In either event, or if Lender acquires the Property under Section 22 or otherwise, Borrower hereby assigns to Lender (a) Borrower's rights to any insurance proceeds in an amount not to exceed the amounts unpaid under the Note or this Security Instrument, and (b) any other of Borrower's rights (other than the right to any refund of unearned premiums paid by Borrower) under all insurance policies covering the Property, insofar as such rights are applicable to the coverage of the Property. Lender may use the insurance proceeds either to repair or restore the Property or to pay amounts unpaid under the Note or this Security Instrument, whether or not then due.

6. Occupancy. Borrower shall occupy, establish, and use the Property as Borrower's principal residence within 60 days after the execution of this Security Instrument and shall continue to occupy the Property as Borrower's principal residence for at least one year after the date of occupancy, unless Lender otherwise agrees in writing, which consent shall not be unreasonably withheld, or unless extenuating circumstances exist which are beyond Borrower's control.

7. Preservation, Maintenance and Protection of the Property; Inspections. Borrower shall not destroy, damage or impair the Property, allow the Property to deteriorate or commit waste on the Property. Whether or not Borrower is residing in the Property, Borrower shall maintain the Property in order to prevent the Property from deteriorating or decreasing in value due to its condition. Unless it is determined pursuant to Section 5 that repair or restoration is not economically feasible, Borrower shall promptly repair the Property if damaged to avoid further deterioration or damage. If insurance or condemnation proceeds are paid in connection with damage to, or the taking of, the Property, Borrower shall be responsible for repairing or restoring the Property only if Lender has released proceeds for such purposes. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. If the insurance or condemnation proceeds are not sufficient to repair or restore the Property, Borrower is not relieved of Borrower's obligation for the completion of such repair or restoration.

Lender or its agent may make reasonable entries upon and inspections of the Property. If it has reasonable cause, Lender may inspect the interior of the improvements on the Property. Lender shall give Borrower notice at the time of or prior to such an interior inspection specifying such reasonable cause.

8. Borrower's Loan Application. Borrower shall be in default if, during the Loan application process, Borrower or any persons or entities acting at the direction of Borrower or with Borrower's knowledge or consent gave materially false, misleading, or inaccurate information or statements to Lender (or failed to provide Lender with material information) in connection with the Loan. Material representations include, but are not limited to, representations concerning Borrower's occupancy of the Property as Borrower's principal residence.

9. Protection of Lender's Interest in the Property and Rights Under this Security Instrument. If (a) Borrower fails to perform the covenants and agreements contained in this Security Instrument, (b) there is a legal proceeding that might significantly affect Lender's interest in the Property and/or rights under this Security Instrument (such as a proceeding in bankruptcy, probate, for condemnation or forfeiture, for enforcement of a lien which may attain priority over this Security Instrument or to enforce laws or regulations), or (c) Borrower has abandoned the Property, then Lender may do and pay for whatever is reasonable or appropriate to protect Lender's interest in the Property and rights under this Security Instrument, including protecting and/or assessing the value of the Property, and securing and/or repairing the Property. Lender's actions can include, but are not limited to: (a) paying any sums secured by a lien which has priority over this Security Instrument; (b) appearing in court; and (c) paying reasonable attorneys' fees to protect its interest in the Property and/or rights under this Security Instrument, including its secured position in a bankruptcy proceeding. Securing the Property includes, but is not limited to, entering the Property to make repairs, change locks, replace or board up doors and windows, drain water from pipes, eliminate building or other code violations or dangerous conditions, and have utilities turned on or off. Although Lender may take action under this Section 9, Lender does not have to do so and is not under any duty or obligation to do so. It is agreed that Lender incurs no liability for not taking any or all actions authorized under this Section 9.

Any amounts disbursed by Lender under this Section 9 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

If this Security Instrument is on a leasehold, Borrower shall comply with all the provisions of the lease. Borrower shall not surrender the leasehold estate and interests herein conveyed or terminate or cancel the ground lease. Borrower shall not, without the express written consent of Lender, alter or amend the ground lease. If Borrower acquires fee title to the Property, the leasehold and the fee title shall not merge unless Lender agrees to the merger in writing.

10. Mortgage Insurance. If Lender required Mortgage Insurance as a condition of making the Loan, Borrower shall pay the premiums required to maintain the Mortgage Insurance in effect. If, for any reason, the Mortgage Insurance coverage required by Lender ceases to be available from the mortgage insurer that previously provided such insurance and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to obtain coverage substantially equivalent to the Mortgage Insurance previously in effect, at a cost substantially equivalent to the cost to Borrower of the Mortgage Insurance previously in effect, from an alternate mortgage insurer selected by Lender. If substantially equivalent Mortgage Insurance coverage is not available, Borrower shall continue to pay to Lender the amount of the separately designated payments that were due when the insurance coverage ceased to be in effect. Lender will accept, use and retain these payments as a non-refundable loss reserve in lieu of Mortgage Insurance. Such loss reserve shall be non-refundable, notwithstanding the fact that the Loan is ultimately paid in full, and Lender shall not be required to pay Borrower any interest or earnings on such loss reserve. Lender can no longer require loss reserve payments if Mortgage Insurance coverage (in the amount and for the period that Lender requires) provided by an insurer selected by Lender again becomes available, is obtained, and Lender requires separately designated payments toward the premiums for Mortgage Insurance. If Lender required Mortgage Insurance as a condition of making the Loan and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to maintain Mortgage Insurance in effect, or to provide a non-refundable loss reserve, until Lender's requirement for Mortgage Insurance ends in accordance with any written agreement between Borrower and Lender providing for such termination or until termination is required by Applicable Law. Nothing in this Section 10 affects Borrower's obligation to pay interest at the rate provided in the Note.

Mortgage Insurance reimburses Lender (or any entity that purchases the Note) for certain losses it may incur if Borrower does not repay the Loan as agreed. Borrower is not a party to the Mortgage Insurance.

Mortgage insurers evaluate their total risk on all such insurance in force from time to time, and may enter into agreements with other parties that share or modify their risk, or reduce losses. These agreements are on terms and conditions that are satisfactory to the mortgage insurer and the other party (or parties) to these agreements. These agreements may require the mortgage insurer to make payments using any source of funds that the mortgage insurer may have available (which may include funds obtained from Mortgage Insurance premiums).

As a result of these agreements, Lender, any purchaser of the Note, another insurer, any reinsurer, any other entity, or any affiliate of any of the foregoing, may receive (directly or indirectly) amounts that derive from (or might be characterized as) a portion of Borrower's payments for Mortgage Insurance, in exchange for sharing or modifying the mortgage insurer's risk, or reducing losses. If such agreement provides that an affiliate of Lender takes a share of the insurer's risk in exchange for a share of the premiums paid to the insurer, the arrangement is often termed "captive reinsurance." Further:

(a) Any such agreements will not affect the amounts that Borrower has agreed to pay for Mortgage Insurance, or any other terms of the Loan. Such agreements will not increase the amount Borrower will owe for Mortgage Insurance, and they will not entitle Borrower to any refund.

(b) Any such agreements will not affect the rights Borrower has - if any - with respect to the Mortgage Insurance under the Homeowners Protection Act of 1998 or any other law. These rights may include the right to receive certain disclosures, to request and obtain cancellation of the Mortgage Insurance, to have the Mortgage Insurance terminated automatically, and/or to receive a refund of any Mortgage Insurance premiums that were unearned at the time of such cancellation or termination.

11. Assignment of Miscellaneous Proceeds; Forfeiture. All Miscellaneous Proceeds are hereby assigned to and shall be paid to Lender.

If the Property is damaged, such Miscellaneous Proceeds shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such Miscellaneous Proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may pay for the repairs and restoration in a single disbursement or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such Miscellaneous Proceeds, Lender shall not be required to pay Borrower any interest or earnings on such Miscellaneous Proceeds. If the restoration or repair is not economically feasible or Lender's security would be lessened, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such Miscellaneous Proceeds shall be applied in the order provided for in Section 2.

In the event of a total taking, destruction, or loss in value of the Property, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is equal to or greater than the amount of the sums secured by this Security Instrument immediately before the partial taking, destruction, or loss in value, unless Borrower and Lender otherwise agree in writing, the sums secured by this Security Instrument shall be reduced by the amount of the Miscellaneous Proceeds multiplied by the following fraction: (a) the total amount of the sums secured immediately before the partial taking, destruction, or loss in value divided by (b) the fair market value of the Property immediately before the partial taking, destruction, or loss in value. Any balance shall be paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is less than the amount of the sums secured immediately before the partial taking, destruction, or loss in value, unless Borrower and Lender otherwise agree in writing, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument whether or not the sums are then due.

If the Property is abandoned by Borrower, or if, after notice by Lender to Borrower that the Opposing Party (as defined in the next sentence) offers to make an award to settle a claim for damages, Borrower fails to respond to

Lender within 30 days after the date the notice is given, Lender is authorized to collect and apply the Miscellaneous Proceeds either to restoration or repair of the Property or to the sums secured by this Security Instrument, whether or not then due. "Opposing Party" means the third party that owes Borrower Miscellaneous Proceeds or the party against whom Borrower has a right of action in regard to Miscellaneous Proceeds.

Borrower shall be in default if any action or proceeding, whether civil or criminal, is begun that, in Lender's judgment, could result in forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. Borrower can cure such a default and, if acceleration has occurred, reinstate as provided in Section 19, by causing the action or proceeding to be dismissed with a ruling that, in Lender's judgment, precludes forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. The proceeds of any award or claim for damages that are attributable to the impairment of Lender's interest in the Property are hereby assigned and shall be paid to Lender.

All Miscellaneous Proceeds that are not applied to restoration or repair of the Property shall be applied in the order provided for in Section 2.

12. Borrower Not Released; Forbearance By Lender Not a Waiver. Extension of the time for payment or modification of amortization of the sums secured by this Security Instrument granted by Lender to Borrower or any Successor in Interest of Borrower shall not operate to release the liability of Borrower or any Successors in Interest of Borrower. Lender shall not be required to commence proceedings against any Successor in Interest of Borrower or to refuse to extend time for payment or otherwise modify amortization of the sums secured by this Security Instrument by reason of any demand made by the original Borrower or any Successors in Interest of Borrower. Any forbearance by Lender in exercising any right or remedy including, without limitation, Lender's acceptance of payments from third persons, entities or Successors in Interest of Borrower or in amounts less than the amount then due, shall not be a waiver of or preclude the exercise of any right or remedy.

13. Joint and Several Liability; Co-signers; Successors and Assigns Bound. Borrower covenants and agrees that Borrower's obligations and liability shall be joint and several. However, any Borrower who co-signs this Security Instrument but does not execute the Note (a "co-signer"): (a) is co-signing this Security Instrument only to mortgage, grant and convey the co-signer's interest in the Property under the terms of this Security Instrument; (b) is not personally obligated to pay the sums secured by this Security Instrument; and (c) agrees that Lender and any other Borrower can agree to extend, modify, forbear or make any accommodations with regard to the terms of this Security Instrument or the Note without the co-signer's consent.

Subject to the provisions of Section 18, any Successor in Interest of Borrower who assumes Borrower's obligations under this Security Instrument in writing, and is approved by Lender, shall obtain all of Borrower's rights and benefits under this Security Instrument. Borrower shall not be released from Borrower's obligations and liability under this Security Instrument unless Lender agrees to such release in writing. The covenants and agreements of this Security Instrument shall bind (except as provided in Section 20) and benefit the successors and assigns of Lender.

14. Loan Charges. Lender may charge Borrower fees for services performed in connection with Borrower's default, for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument, including, but not limited to, attorneys' fees, property inspection and valuation fees. In regard to any other fees, the absence of express authority in this Security Instrument to charge a specific fee to Borrower shall not be construed as a prohibition on the charging of such fee. Lender may not charge fees that are expressly prohibited by this Security Instrument or by Applicable Law.

If the Loan is subject to a law which sets maximum loan charges, and that law is finally interpreted so that the interest or other loan charges collected or to be collected in connection with the Loan exceed the permitted limits, then: (a) any such loan charge shall be reduced by the amount necessary to reduce the charge to the permitted limit; and (b) any sums already collected from Borrower which exceeded permitted limits will be refunded to Borrower. Lender may choose to make this refund by reducing the principal owed under the Note or by making a direct payment to Borrower. If a refund reduces principal, the reduction will be treated as a partial prepayment without any prepayment charge (whether or not a prepayment charge is provided for under the Note). Borrower's acceptance of any such refund made by direct payment to Borrower will constitute a waiver of any right of action Borrower might have arising out of such overcharge.

15. Notices. All notices given by Borrower or Lender in connection with this Security Instrument must be in writing. Any notice to Borrower in connection with this Security Instrument shall be deemed to have been given to

Borrower when mailed by first class mail or when actually delivered to Borrower's notice address if sent by other means. Notice to any one Borrower shall constitute notice to all Borrowers unless Applicable Law expressly requires otherwise. The notice address shall be the Property Address unless Borrower has designated a substitute notice address by notice to Lender. Borrower shall promptly notify Lender of Borrower's change of address. If Lender specifies a procedure for reporting Borrower's change of address, then Borrower shall only report a change of address through that specified procedure. There may be only one designated notice address under this Security Instrument at any one time. Any notice to Lender shall be given by delivering it or by mailing it by first class mail to Lender's address stated herein unless Lender has designated another address by notice to Borrower. Any notice in connection with this Security Instrument shall not be deemed to have been given to Lender until actually received by Lender. If any notice required by this Security Instrument is also required under Applicable Law, the Applicable Law requirement will satisfy the corresponding requirement under this Security Instrument.

16. Governing Law; Severability; Rules of Construction. This Security Instrument shall be governed by federal law and the law of the jurisdiction in which the Property is located. All rights and obligations contained in this Security Instrument are subject to any requirements and limitations of Applicable Law. Applicable Law might explicitly or implicitly allow the parties to agree by contract or it might be silent, but such silence shall not be construed as a prohibition against agreement by contract. In the event that any provision or clause of this Security Instrument or the Note conflicts with Applicable Law, such conflict shall not affect other provisions of this Security Instrument or the Note which can be given effect without the conflicting provision.

As used in this Security Instrument: (a) words of the masculine gender shall mean and include corresponding neuter words or words of the feminine gender; (b) words in the singular shall mean and include the plural and vice versa; and (c) the word "may" gives sole discretion without any obligation to take any action.

17. Borrower's Copy. Borrower shall be given one copy of the Note and of this Security Instrument.

18. Transfer of the Property or a Beneficial Interest in Borrower. As used in this Section 18, "Interest in the Property" means any legal or beneficial interest in the Property, including, but not limited to, those beneficial interests transferred in a bond for deed, contract for deed, installment sales contract or escrow agreement, the intent of which is the transfer of title by Borrower at a future date to a purchaser.

If all or any part of the Property or any Interest in the Property is sold or transferred (or if Borrower is not a natural person and a beneficial interest in Borrower is sold or transferred) without Lender's prior written consent, Lender may require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if such exercise is prohibited by Applicable Law.

If Lender exercises this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is given in accordance with Section 15 within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

19. Borrower's Right to Reinstate After Acceleration. If Borrower meets certain conditions, Borrower shall have the right to have enforcement of this Security Instrument discontinued at any time prior to the earliest of: (a) five days before sale of the Property pursuant to any power of sale contained in this Security Instrument; (b) such other period as Applicable Law might specify for the termination of Borrower's right to reinstate; or (c) entry of a judgment enforcing this Security Instrument. Those conditions are that Borrower: (a) pays Lender all sums which then would be due under this Security Instrument and the Note as if no acceleration had occurred; (b) cures any default of any other covenants or agreements; (c) pays all expenses incurred in enforcing this Security Instrument, including, but not limited to, reasonable attorneys' fees, property inspection and valuation fees, and other fees incurred for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument; and (d) takes such action as Lender may reasonably require to assure that Lender's interest in the Property and rights under this Security Instrument, and Borrower's obligation to pay the sums secured by this Security Instrument, shall continue unchanged. Lender may require that Borrower pay such reinstatement sums and expenses in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality or entity; or (d) Electronic Funds Transfer. Upon reinstatement by Borrower, this Security Instrument and obligations

secured hereby shall remain fully effective as if no acceleration had occurred. However, this right to reinstate shall not apply in the case of acceleration under Section 18.

20. Sale of Note; Change of Loan Servicer; Notice of Grievance. The Note or a partial interest in the Note (together with this Security Instrument) can be sold one or more times without prior notice to Borrower. A sale might result in a change in the entity (known as the "Loan Servicer") that collects Periodic Payments due under the Note and this Security Instrument and performs other mortgage loan servicing obligations under the Note, this Security Instrument, and Applicable Law. There also might be one or more changes of the Loan Servicer unrelated to a sale of the Note. If there is a change of the Loan Servicer, Borrower will be given written notice of the change which will state the name and address of the new Loan Servicer, the address to which payments should be made and any other information RESPA requires in connection with a notice of transfer of servicing. If the Note is sold and thereafter the Loan is serviced by a Loan Servicer other than the purchaser of the Note, the mortgage loan servicing obligations to Borrower will remain with the Loan Servicer or be transferred to a successor Loan Servicer and are not assumed by the Note purchaser unless otherwise provided by the Note purchaser.

Neither Borrower nor Lender may commence, join, or be joined to any judicial action (as either an individual litigant or the member of a class) that arises from the other party's actions pursuant to this Security Instrument or that alleges that the other party has breached any provision of, or any duty owed by reason of, this Security Instrument, until such Borrower or Lender has notified the other party (with such notice given in compliance with the requirements of Section 15) of such alleged breach and afforded the other party hereto a reasonable period after the giving of such notice to take corrective action. If Applicable Law provides a time period which must elapse before certain action can be taken, that time period will be deemed to be reasonable for purposes of this paragraph. The notice of acceleration and opportunity to cure given to Borrower pursuant to Section 22 and the notice of acceleration given to Borrower pursuant to Section 18 shall be deemed to satisfy the notice and opportunity to take corrective action provisions of this Section 20.

21. Hazardous Substances. As used in this Section 21: (a) "Hazardous Substances" are those substances defined as toxic or hazardous substances, pollutants, or wastes by Environmental Law and the following substances: gasoline, kerosene, other flammable or toxic petroleum products, toxic pesticides and herbicides, volatile solvents, materials containing asbestos or formaldehyde, and radioactive materials; (b) "Environmental Law" means federal laws and laws of the jurisdiction where the Property is located that relate to health, safety or environmental protection; (c) "Environmental Cleanup" includes any response action, remedial action, or removal action, as defined in Environmental Law; and (d) an "Environmental Condition" means a condition that can cause, contribute to, or otherwise trigger an Environmental Cleanup.

Borrower shall not cause or permit the presence, use, disposal, storage, or release of any Hazardous Substances, or threaten to release any Hazardous Substances, on or in the Property. Borrower shall not do, nor allow anyone else to do, anything affecting the Property (a) that is in violation of any Environmental Law, (b) which creates an Environmental Condition, or (c) which, due to the presence, use, or release of a Hazardous Substance, creates a condition that adversely affects the value of the Property. The preceding two sentences shall not apply to the presence, use, or storage on the Property of small quantities of Hazardous Substances that are generally recognized to be appropriate to normal residential uses and to maintenance of the Property (including, but not limited to, hazardous substances in consumer products).

Borrower shall promptly give Lender written notice of (a) any investigation, claim, demand, lawsuit or other action by any governmental or regulatory agency or private party involving the Property and any Hazardous Substance or Environmental Law of which Borrower has actual knowledge, (b) any Environmental Condition, including but not limited to, any spilling, leaking, discharge, release or threat of release of any Hazardous Substance, and (c) any condition caused by the presence, use or release of a Hazardous Substance which adversely affects the value of the Property. If Borrower learns, or is notified by any governmental or regulatory authority, or any private party, that any removal or other remediation of any Hazardous Substance affecting the Property is necessary, Borrower shall promptly take all necessary remedial actions in accordance with Environmental Law. Nothing herein shall create any obligation on Lender for an Environmental Cleanup.

NON-UNIFORM COVENANTS. Borrower and Lender further covenant and agree as follows:

22. Acceleration; Remedies. Lender shall give notice to Borrower prior to acceleration following Borrower's breach of any covenant or agreement in this Security Instrument (but not prior to acceleration under Section 18 unless Applicable Law provides otherwise). The notice shall specify: (a) the default; (b) the action required to cure the default; (c) a date, not less than 30 days from the date the notice is given to Borrower, by which the default must be cured; and (d) that failure to cure the default on or before the date specified in the notice may result in acceleration of the sums secured by this Security Instrument and sale of the Property. The notice shall further inform Borrower of the right to reinstate after acceleration and the right to bring a court action to assert the non-existence of a default or any other defense of Borrower to acceleration and sale. If the default is not cured on or before the date specified in the notice, Lender at its option may require immediate payment in full of all sums secured by this Security Instrument without further demand and may invoke the power of sale and any other remedies permitted by Applicable Law. Lender shall be entitled to collect all expenses incurred in pursuing the remedies provided in this Section 22, including, but not limited to, reasonable attorneys' fees and costs of title evidence.

If Lender invokes the power of sale, Lender shall execute or cause Trustee to execute a written notice of the occurrence of an event of default and of Lender's election to cause the Property to be sold and shall cause such notice to be recorded in each county in which any part of the Property is located. Lender or Trustee shall give notice of sale in the manner prescribed by Applicable Law to Borrower and to other persons prescribed by Applicable Law. After the time required by Applicable Law, Trustee, without demand on Borrower, shall sell the Property at public auction to the highest bidder at the time and place and under the terms designated in the notice of sale in one or more parcels and in any order Trustee determines. Trustee may postpone sale of all or any parcel of the Property by public announcement at the time and place of any previously scheduled sale. Lender or its designee may purchase the Property at any sale.

Trustee shall deliver to the purchaser Trustee's deed conveying the Property without any covenant or warranty, expressed or implied. The recitals in the Trustee's deed shall be prima facie evidence of the truth of the statements made therein. Trustee shall apply the proceeds of the sale in the following order: (a) to all expenses of the sale, including, but not limited to, reasonable Trustee's and attorneys' fees; (b) to all sums secured by this Security Instrument; and (c) any excess to the person or persons legally entitled to it.

23. Reconveyance. Upon payment of all sums secured by this Security Instrument, Lender shall request Trustee to reconvey the Property and shall surrender this Security Instrument and all notes evidencing debt secured by this Security Instrument to Trustee. Trustee shall reconvey the Property without warranty to the person or persons legally entitled to it. Such person or persons shall pay any recordation costs. Lender may charge such person or persons a fee for reconveying the Property, but only if the fee is paid to a third party (such as the Trustee) for services rendered and the charging of the fee is permitted under Applicable Law.

24. Substitute Trustee. Lender may from time to time remove Trustee and appoint a successor trustee to any Trustee appointed hereunder. Without conveyance of the Property, the successor trustee shall succeed to all the title, power and duties conferred upon Trustee herein and by Applicable Law.

25. Attorneys' Fees. As used in this Security Instrument and in the Note, attorneys' fees shall include those awarded by an appellate court.

26. Protective Advances. This Security Instrument secures any advances Lender, at its discretion, may make under Section 9 of this Security Instrument to protect Lender's interest in the Property and rights under this Security Instrument.

27. Required Evidence of Property Insurance.

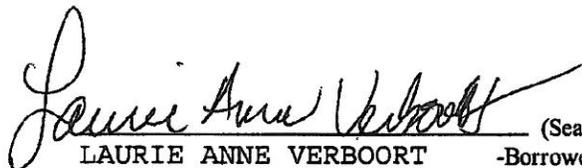
WARNING

Unless you provide us with evidence of the insurance coverage as required by our contract or loan agreement, we may purchase insurance at your expense to protect our interest. This insurance may, but need not, also protect your interest. If the collateral becomes damaged, the coverage we purchase may not pay any claim you make or any claim made against you. You may later cancel this coverage by providing evidence that you have obtained property coverage elsewhere.

You are responsible for the cost of any insurance purchased by us. The cost of this insurance may be added to your contract or loan balance. If the cost is added to your contract or loan balance, the interest rate on the underlying contract or loan will apply to this added amount. The effective date of coverage may be the date your prior coverage lapsed or the date you failed to provide proof of coverage.

The coverage we purchase may be considerably more expensive than insurance you can obtain on your own and may not satisfy any need for property damage coverage or any mandatory liability insurance requirements imposed by Applicable Law.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it.

 (Seal)
LAURIE ANNE VERBOORT -Borrower

_____ (Seal)
-Borrower

Witness:

Witness:

Loan Number: 01A-0021764

CHOICE OF INSURANCE NOTICE

Date: FEBRUARY 11, 2013

Provided By: PACIFIC RESIDENTIAL MORTGAGE, LLC

Borrower(s): LAURIE ANNE VERBOORT

Property Address: 11440 NORTHWEST GORDON ROAD, NORTH PLAINS, OREGON 97133

You have the right to purchase insurance related to the credit extension from an insurer or insurance producer of your choice, subject only to the Lender's right to reject a given insurer or insurance producer as provided in Or. Rev. Stat. § 746.215(1)(d).

Your choice of an insurer or insurance producer will not affect the credit decision or credit terms in any way, except that the Lender may impose reasonable requirements concerning the creditworthiness of the insurer and the extent of coverage chosen as provided in Or. Rev. Stat. § 746.215(1)(d).

Subsection (1)(d) provides:

"A lender that lends money or extends credit may not:

(d) Unreasonably reject an insurance policy furnished by the customer or borrower for the protection of the property securing the credit or loan. A rejection is not considered unreasonable if it is based on reasonable standards that are uniformly applied and that relate to the extent of coverage required and to the financial soundness and the services of an insurer. The standards may not discriminate against any particular type of insurer or call for rejection of an insurance policy because the policy contains coverage in addition to that required in the credit transaction."

By signing below, you acknowledge that you have received and read this notice.

Laurie Anne Verboort 2/12/2013
Borrower LAURIE ANNE VERBOORT Date Borrower Date

Borrower Date Borrower Date

Borrower Date Borrower Date

OREGON CHOICE OF INSURANCE NOTICE
Or. Rev. Stat. § 746.215(1)(d)
ORCOIN.MSC 02/29/12

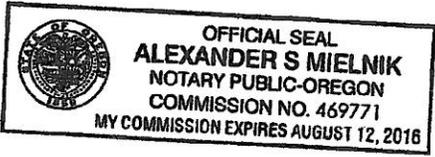
DocMagic Forms
www.docmagic.com

_____[Space Below This Line For Acknowledgment]_____

State of OREGON

County of Multnomah

This instrument was acknowledged before me on 2-12-13
by LAURIE ANNE VERBOORT



(Seal, if any)

Signature of notarial officer

Escrow Officer / Notary Public
Title (and Rank)

My commission expires: 8/12/16

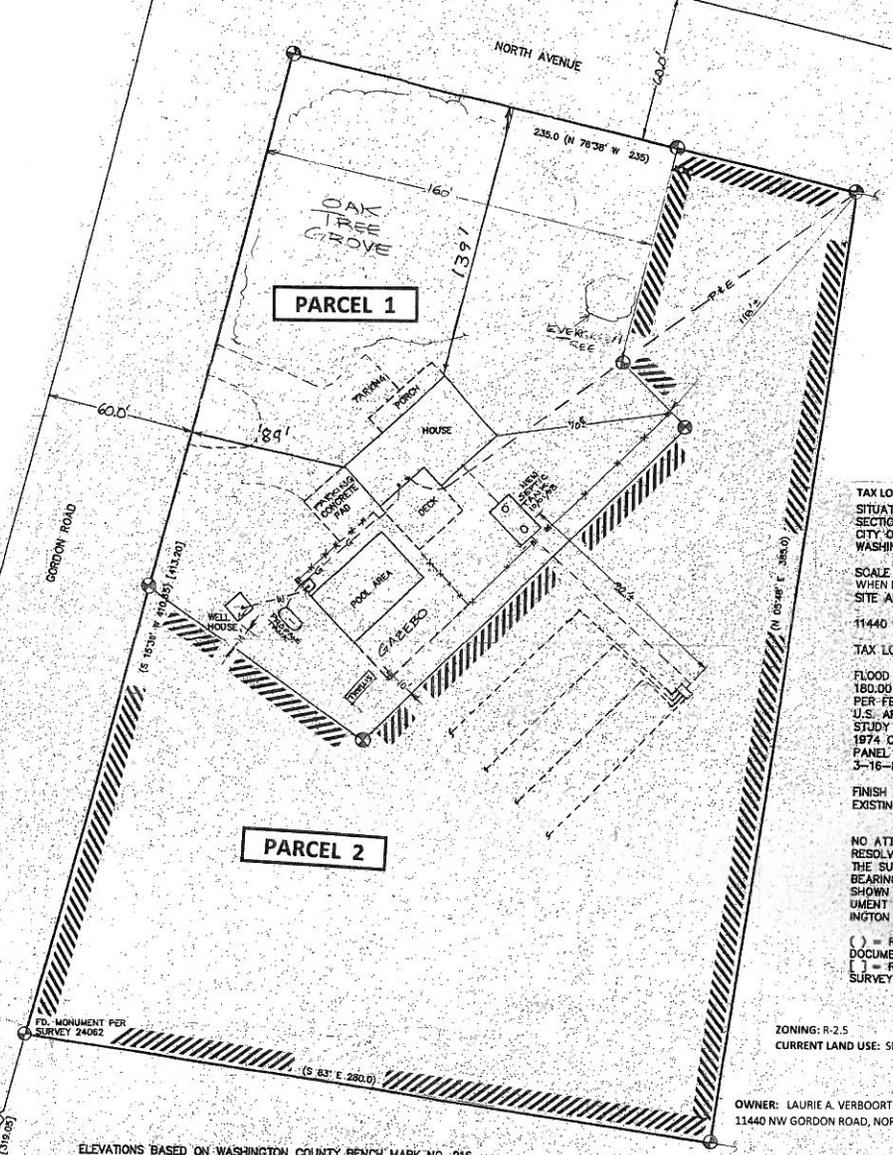
EXHIBIT "A"

That portion of Lot 19, Block 1, North Plains, in the City of North Plains, County of Washington and State of Oregon described as follows:

Beginning at the Northwest corner of that tract of land conveyed to Brian K. Wulf, et ux, by Deed recorded May 3, 1977, in Book 1162, Page 835, Records of Washington County, said point also being North 76°38' West 47 feet, more or less, from the Northwest corner of the Charles Mckay Donation Land Claim No. 73; thence continuing North 76°38' West 235 feet to the Northwest corner of Lot 19; thence South 15°30' West 410.65 feet to the Northwest corner of Lot 18, North Plains; thence South 83° East 280 feet, more or less, to the Southwest corner of said Wulf Tract; thence North 5°48' East, along the West line of said Wulf Tract, 385 feet, more or less to the true point of beginning.

LEGAL DESCRIPTION:

That portion of Lot 19, Block 1, North Plains, in the City of North Plains, County of Washington and State of Oregon described as follows:
 Beginning at the Northwest corner of that tract of land conveyed to Brian K. Wulf, et ux, by Deed recorded May 3, 1977, in Book 1162, Page 835, Records of Washington County, said point also being North 76°38' West 47 feet, more or less, from the Northwest corner of the Charles McKay Donation Land Claim No. 73; thence continuing North 76°38' West 235 feet to the Northwest corner of Lot 19; thence South 15°30' West 410.65 feet to the Northwest corner of Lot 18, North Plains; thence South 81° East 280 feet, more or less, to the Southwest corner of said Wulf Tract; thence North 5°48' East, along the West line of said Wulf Tract, 385 feet, more or less to the true point of beginning.



TAX LOT IDENTIFICATION:
 SITUATED IN THE N.W. 1/4
 SECTION 4, T11N, R37W, N14E
 CITY OF NORTH PLAINS
 WASHINGTON COUNTY, OREGON

SCALE: 1" = 30' JUNE 24, 1996
 WHEN DRAWING IS AT FULL SIZE

SITE ADDRESS:
 11440 GORDON ROAD
 TAX LOT 202, MAP 1N3-1BC
 FLOOD PLAIN ELEVATION =
 180.00 FEET ABOVE M.S.L.
 PER FEMA FLOOD PLAIN MAP
 U.S. ARMY CORPS OF ENGINEERS
 STUDY
 1974 COUNTY MAP SERIES
 PANEL 4102700001B
 3-16-89 MAP 22

**FINISH FLOOR ELEVATION OF
 EXISTING HOUSE = 182.23**

**NO ATTEMPT WAS MADE TO
 RESOLVE THE BOUNDARY OF
 THE SUBJECT PROPERTY. ALL
 BEARINGS AND DISTANCES
 SHOWN ARE PER DEED DOCU-
 MENT 95045553 OF WASH-
 INGTON COUNTY DEED RECORD**

**() = RECORD DATA PER
 DOCUMENT NO. 95045553
 [] = RECORD DATA PER
 SURVEY 24062**

ZONING: R-2.5
CURRENT LAND USE: SINGLE-FAMILY RESIDENTIAL

OWNER: LAURIE A. VERBOORT
 11440 NW GORDON ROAD, NORTH PLAINS, OR 97133-612

ELEVATIONS BASED ON WASHINGTON COUNTY BENCH MARK NO. 216
DESCRIPTION: ELEVATION = 183.968
 BRASS DISC SET IN CONCRETE AT THE NORTHEAST CORNER OF THE INTERSECTION FORMED BY NORTH AVENUE AND GORDON ROAD; A 24" FIR IS 27 FEET EAST; A 15-INCH OAK IS 35 FEET NORTH; AN UNDERGROUND TELEPHONE RISER IS 25 FEET NORTHWEST; THE EDGE OF PAVEMENT IS 14 FEET SOUTH; THE MARK IS LEANING TO THE SOUTH; 4.5 FEET NORTH OF TOP OF BANK; AND 12.5 FEET NORTH OF NORTH END OF A 12" COTG TILE; 41 FEET EAST OF CENTERLINE OF GORDON ROAD, 45 FEET NORTH OF CENTERLINE OF NORTH ROAD.



PRELIMINARY MINOR LAND PARTITION PLAN

- REVISIONS ON 5/14/2015
- REVISIONS ON 6/14/2015

REGISTERED PROFESSIONAL LAND SURVEYOR
 JOHN M. PETERSON
 OREGON
 ALL IN 1975
 JOHN M. PETERSON
 1956
 RENEWAL: 12/31/96

DO DEVELOPMENT & CONSTRUCTION SERVICES

339 W. MAIN STREET
 HILLSBORO, OREGON 97125 (503) 848-4960

JOB # 9605012

TO: **North Plains Planning Commission**

FROM: Heather Austin, AICP, Consulting Land Use Planner

DATE: July 20, 2015

RE: City File # 14-014 McKay Creek Crossing Subdivision-

Proposed Street Name



ISSUE:

AKS Engineering & Forestry, LLC submitted an application to the City requesting the street name of “NW Bartlett Loop” for the new street in the McKay Creek Crossing Subdivision (File #14-014). The submitted materials are included with this memo.

The original subdivision submittal listed the name “NW McKay Creek Loop”, but this was determined to be too similar to another name in North Plains.

Section 16.150.010.I of the North Plains Development Code lists the Planning Commission as the review and approval body for street naming.

RECOMMENDATION:

Staff recommends the Planning Commission approve the name of “NW Bartlett Loop” for the new residential street in the McKay Creek Crossing Subdivision. Alternatively, the applicant has listed “NW Creekside Loop” as a second choice of street name.



City of North Plains

31360 NW Commercial St. North Plains, OR 97133
 Ph. 503-647-5555 Fax 503-647-2031 Email: info@northplains.org

Permit No. _____

Fee: \$ 0

LAND USE APPLICATION -TYPE I PROCESS

Address: 9960 NW 307th Avenue, North Plains, OR 97133
Street Apartment/Unit #

Tax Lot ID: 1N 3 01DD, TL 1601 **Zoning:** R2.5 R5 R7.5 NC C1 C2 M1 M2

General Project Description: Road Name Approval (Bartlett Loop) for McKay Creek Crossing Subdivision

Applicant Name: Biggi Construction, LLC

Mailing Address: 11605 SW Normandy Lane
Street Apartment/Unit #
Wilsonville 97229 97070
City State ZIP Code

Email Address: Contact Applicant's Consultant **Phone:** (503) 816-3243

Signature: _____

If Different **Property Owner:** North Plains Acres, LLC

Mailing Address: 3390 NW 178th Avenue
Street Apartment/Unit #
Portland 97229 97229
City State ZIP Code

Email Address: _____ **Phone:** () -

Signature: _____

Permit(s) Requested and Fees

Permit Type	Fee	Permit Type	Fee
<input type="checkbox"/> Accessory Dwelling/Structure Res	\$70	<input type="checkbox"/> ROW Permit	\$135
<input type="checkbox"/> Accessory Structure (Com/Ind)	\$70	<input type="checkbox"/> Single Family Dwelling	\$70
<input type="checkbox"/> Alteration	\$70	<input type="checkbox"/> Sign New on Building	\$45
<input type="checkbox"/> Addition	\$70	<input type="checkbox"/> Sign New stand alone/perm	\$45
<input type="checkbox"/> Demolition	\$40	<input type="checkbox"/> Sign Replacement	\$45
<input type="checkbox"/> Duplex	\$140	<input type="checkbox"/> Sign Temporary in ROW	\$25
<input type="checkbox"/> Fence	\$40	<input type="checkbox"/> Subdivision Monument	\$45
<input type="checkbox"/> Mechanical	\$15	TOTAL	\$0 per Heather Austin (3J)

Property Description

BUILDINGS: Lot Size: _____ SF Acre Corner Lot? Y N Alley? Y N

Lot coverage: _____ sf _____ % Parking spaces: _____ Existing Structure Size(s): _____

Subdivision Name/Lot #: _____ Flat Plat Approved: Yes No Variance File: _____

FENCE PERMITS ONLY: Height in feet: Side Yard: _____ Front Yard _____ Rear Yard

Clear Vision Standard Met Chap 16.160, NA in C1 Zone): Y N

SIGNS: Dimension of sign: _____ ft high x _____ ft wide x _____ ft depth How many existing signs on site: _____

Type: sandwich board monument pole attached to building Will lights be used? Internal External

ROW Bond: _____ _____ _____

Applicant Consultant Contact:
 AKS Engineering & Forestry, LLC (Paul Sellke)
 2965 SW Herman Road, Suite 100
 Tualatin, OR 97062
 503-563-6151
PaulS@aks-eng.com

Information to Include with Your Application

- **Application**
 - **Fee**
 - **Site plans** drawn to scale **3 copies** on 8.5"x11" or 11"x17" showing and an electronic .pdf file is preferred:
 - All property boundaries of the property, including adjacent roads
 - If applicable location of signs, and area dimensions of the same
 - Location, number, dimensions, setbacks, and types of existing and proposed structures.
 - Location, number, dimensions, and types of existing and proposed lighting
 - Elevation of structures including height and width.
- After initial review, the City may require additional information.*

Permits Expire 180 Days After Date of Issue

Application Review Criteria

All applications are administered per Municipal Code 16.170

Applications Type	Applicable Municipal Code Sections	Applications Type	Applicable Municipal Code Sections
Accessory Dwelling/Structures	16.105	Residential Codes	16.20, 16.25, 16.30, 16.45
Clear Vision	16.160	Right of Way	16.150, 16.160
Commercial Codes	16.35, 16.40	Signs	16.80
Demolition		Single Family Dwelling	16.20 R7.5, 16.25 R5, 16.30 R2.5, 16.45 NC
Fence Permit	16.105, 16.115, 16.160	Temporary Permits	16.120
Industrial Codes	16.50, 16.55		

Additional Information

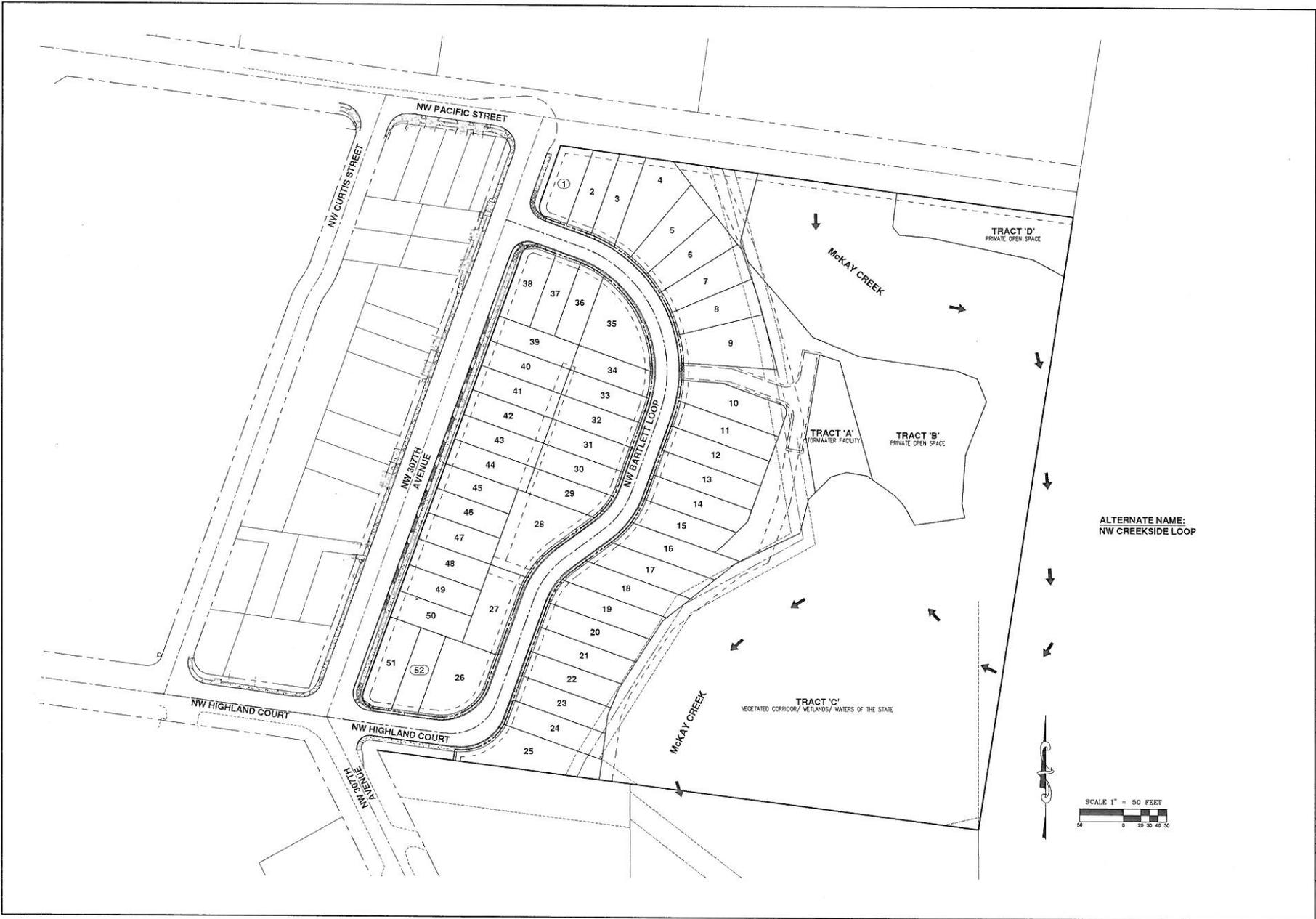
In order to expedite and complete the processing of this application, the City of North Plains requires that all pertinent material required for review of this application be submitted at the time application is made. If the application is found to be incomplete, review and processing of the application will not begin until the application is made complete. ▶ I certify that the statements made in this application are complete and true to the best of my knowledge. ▶ I understand that any false statements may result in denial of this application. ▶ I understand that there may be additional costs of processing this application including, but not limited to, planning, engineering, city attorney and administration. The City will notify the applicant if there will be additional costs. ▶ **Fence and Row permits require City inspection.** ▶ This land use permit acknowledges that applicant has met City of North Plains standards for development. **In order to begin grading or construction on buildings the applicant must obtain building permits from Washington County.**

Date: 5/21/15 Signature of Applicant: 

Date: _____ Signature of Property Owner: _____

**Call 503-647-5555 for City Inspections (48 hours in advance)
and 503-846-3470 for Washington County Inspections (buildings)**

FOR OFFICE USE			
Received by: <u>Approved by Heather Austin-3J</u>		Date: <u>05/21/2015</u>	
Fee paid: <u>0.00</u>	Receipt No. _____	Application No. <u>14-014</u>	
Bond paid: _____	Receipt No. _____	No. _____	
PW Approval: _____	date: _____	Inspector: _____	date: _____



 <p>AKS ENGINEERING AND FORESTRY, LLC 1000 NE HERMAN RD SUITE 100 TIGARD, OR 97138 PHONE: 503.535.8101 FAX: 503.535.8152 www.aks-engineering.com</p>	
<p>McKAY CREEK CROSSING NORTH PLAINS OREGON <small>WASHINGTON COUNTY TAC MAP 30.3.000</small></p>	
<p>PROPOSED SUBDIVISION ROAD NAMES <small>TAC LOT 101</small></p>	
DESIGNED BY:	PAS
DRAWN BY:	SRL
CHECKED BY:	AVH
SCALE:	AS NOTED
DATE:	05/21/2015
	
RENEWAL DATE:	6/30/15
SUBDIVISION:	
JOB NUMBER:	4094
SHEET:	EX1