



August 17, 2021

Morgan Will
Development Manager, Acquisitions & Development
Stafford Development Co., LLC
8840 SW Holly Lane
Wilsonville, OR 97070-9800

RE: Smith Creek Phase 2A (Tax Lot 052W13 0000109) final plat app "Smith Creek P.U.D. No. 4"
(FSUB 21-01)

Dear Mr. Will:

This letter outlines items needing resolution regarding the application materials received June 17, 2021.

Section references are to the [Woodburn Development Ordinance \(WDO\)](#).

- A. Resolve the common area improvement items per the letter of August 11.
- B. Tract 'AA': Instead of dedication to the City:
 1. PUE: Revise the streetside public utility easement (PUE) to cover the whole tract.
 2. Access: Grant a public access (ingress/egress) easement across the whole tract to the benefit of Partition Plat 2010-033, Parcel 2, Acres 6.00, 19-20 (Tax Lot 052W130000300; 15227 Stubb Road NE).

Within the instrument that grants this, include the text: "Pursuant to Woodburn Development Ordinance (WDO) 3.04.03B.3, a public shared access (ingress and egress) easement is revocable only with the written concurrence of the Community Development Director." In the re-submittal cover letter, identify the instrument and sheet or page number or numbers that grant the access easement and where the revocability text is.

- C. Tract 'AB': Tract 'AB' is territory that is part of 5 lots split between Phases 2A & 3A as seen on Exhibits C-4 & Y-1. How does Stafford Land Development Co. intend to manifest these lots?

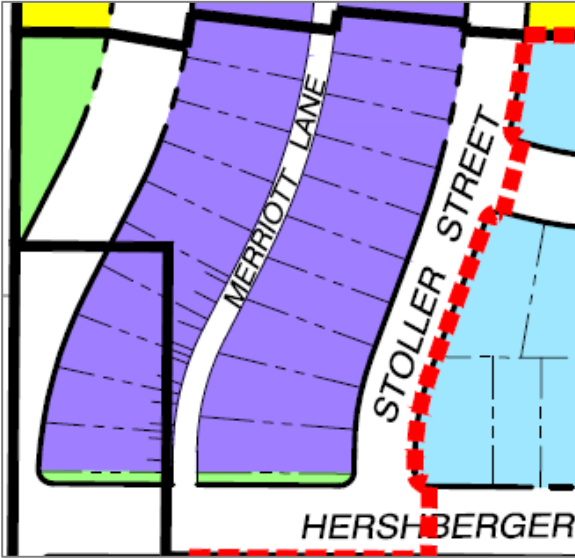


Exhibit C-4 excerpt

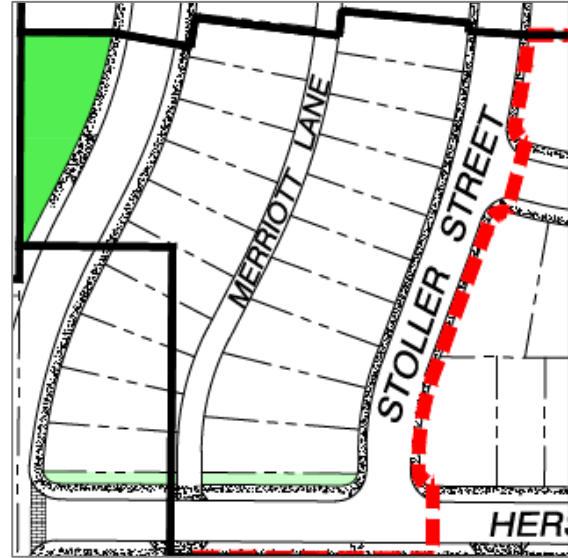
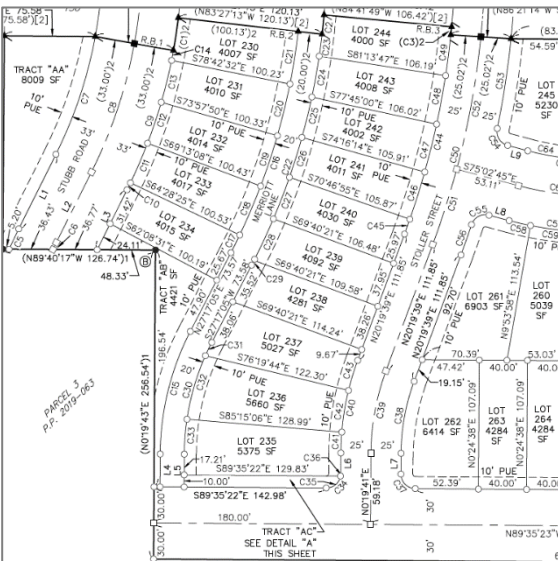


Exhibit Y-1 excerpt



Final plat draft Sheet 2 excerpt

- D. Tract 'AH' (greenway). Sheet 1 Plat Note 3) incorrectly includes the greenway tract among tracts dedicated as common areas (to the homeowners association). Revise to remove from this note. If the County Surveyor would allow, also add a Note 4) indicating that Tract 'AH' is for the City.
- E. Tract labels: Revise notation to be consistent with the Phase 1A plat ("Smith Creek") notation, specifically, to put within each common area tract label "common area" and within each public tract label "C.O.W" with each sheet that has a C.O.W. reference also having a legend indicating that, "C.O.W. = City of Woodburn". Revise Sheets 2, 3, 4, & 5. For example, on Sheet 2, for Tract 'AC', the label would read, "Tract "AC" common area See Detail "A" This Sheet". As another example, on Sheet 4, for Tract 'AH', the label would read, "Tract "AH" C.O.W. 28598 SF", and the Sheet 4 legend revised to add "C.O.W. = City of Woodburn".

- F. Street names: Either change the Halter Avenue suffix to “Drive” per 3.01.06C.1c, or designate Halter west of Simon Street as “Avenue” per 3.01.06C.1b and east of Simon as “Drive”.
- G. Public utility easements: The drawings delineate and note streetside 10-ft public utility easements (PUEs), but only 5 ft is required per 3.01.04 & 3.02.01B.
1. Small lots: 10-ft PUEs unduly constrain buildable envelopes on small lots already constrained by size. It also would constrain the minimum front porch setback of 6 ft that Condition PUD-3d (Final Order, p. 54) grants to houses on these small lots, the condition having assumed conventional 5-ft PUEs. Narrow the streetside PUEs to 5 ft across these lots.
 2. Alleys. Several lots are through lots abutting both streets and public alleys, and the proposal includes 10-ft PUEs along the alleys. All alley lots are small lots. This means these small lots are doubled-burdened with 10-ft PUEs. Second, the alley 10-ft PUEs conflict with Condition PUD-2c (p.53), which establishes a minimum alley setback of 5 ft if any PUE exists. The condition was premised on the WDO PUE width. Narrow the alley PUEs to 5 ft.
- H. Public improvements:
1. Civil engineering plans: Provide to the attention of the Planning Division a copy of the set of civil engineering plans that the Public Works Department approved. Planning staff too would look to these as a basis of comparison when inspecting improvements.
 2. Inspection and acceptance: Construction and City inspection(s) and acceptance(s) remain outstanding. (The term is broad, including street, off-street, and off-site improvements and both surface and subsurface/underground improvements.) Construct and contact for City inspections, providing Planning Division staff in particular at least three (3) business days notice.
- J. Because applicant has been working with Administration to supplement dedication of public tracts through platting per ORS 92.175(1)(a) by also using the instrument of deeds and additional City process as the County Surveyor directs, be sure to draft or update deeds and legal descriptions after first updating drawings and other documents as necessary.

In closing:

- Materials: Provide to my attention all revised and additional materials as an Adobe PDF file or files through a file sharing service as well as through three (3) plan size paper copies of the final plat drawings and a smaller size or sizes for other documents. (The applicant may e-mail PDF files if the attachments remain under 10MB in total size. A fileshare hyperlink is preferable.)
- Don't piecemeal submittal of materials.

- Letter: Include a dated cover or transmittal letter referencing case file number FSUB 21-01 and Smith Creek Phase 2A, citing each revision item code, and for each item directing staff to the applicable and specific plan sheet or document and page number.
- Delivery: Regarding visits by couriers or others who would deliver paper submittals to the Community Development Department, contact Alyssa Nichols, Permit Technician and department receptionist, at (503) 982-5246 or alyssa.nichols@ci.woodburn.or.us.

Please contact me at 503-980-2485 or <colin.cortes@ci.woodburn.or.us> with questions.

Sincerely,

A handwritten signature in blue ink that reads "Colin Cortes". The signature is written in a cursive, flowing style.

Colin Cortes, AICP, CNU-A
Senior Planner

Enclosure:

- Final plat drawings (submitted June 17, 2021; Sheets 1-5 & 7)

cc: Chris Kerr, AICP, Community Development Director
Dago Garcia, P.E., City Engineer
Greg Wilson, President, Barker Surveying, 3657 Kashmir Way SE, Salem, OR 97317
Gabe Lewman, Project Manager, Barker Surveying

SMITH CREEK P.U.D. NO. 4

REPLAT OF PARCEL 3, PARTITION PLAT 2019-40
 LOCATED IN THE N.W. & N.E. 1/4 OF SEC. 13, T. 5 S., R. 2 W., W.M.,
 CITY OF WOODBURN, MARION COUNTY, OREGON
 _____, 2021

SHEET INDEX

SHEET 1 - SHEET INDEX, NARRATIVE, OVERALL BOUNDARY, LEGEND, PLAT NOTES, SURVEY REFERENCES, FOUND MONUMENT LIST, RADIAL BEARING TABLE

SHEET 2 - WESTERLY LOTS, LEGEND, DETAIL "A"

SHEET 3 - EASTERLY LOTS, LEGEND, DETAIL "B"

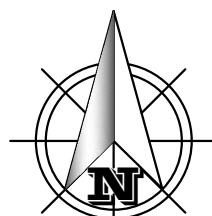
SHEET 4 - SOUTHERLY LOTS, LEGEND, DETAILS "C" AND "D"

SHEET 5 - DETAILS "E", "F", AND "G"

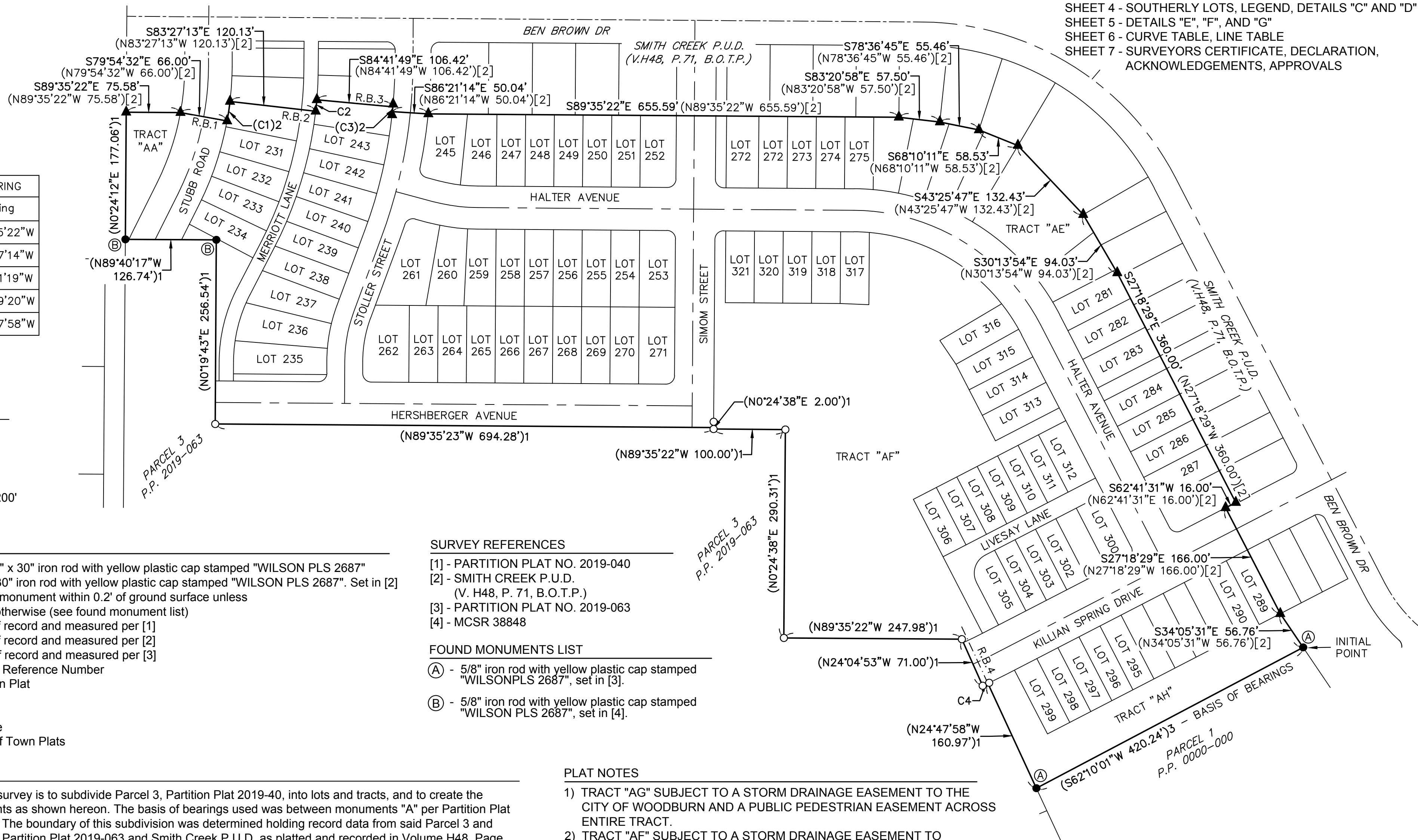
SHEET 6 - CURVE TABLE, LINE TABLE

SHEET 7 - SURVEYORS CERTIFICATE, DECLARATION, ACKNOWLEDGEMENTS, APPROVALS

RADIAL BEARING	
R.B. #	Bearing
R.B.1	N79°35'22"W
R.B.2	N83°27'14"W
R.B.3	N84°41'19"W
R.B.4	N24°49'20"W
(R.B.4)[1]	N24°47'58"W



SCALE: 1" = 200'



LEGEND:

- = Set 5/8" x 30" iron rod with yellow plastic cap stamped "WILSON PLS 2687"
- ▲ = 5/8" x 30" iron rod with yellow plastic cap stamped "WILSON PLS 2687". Set in [2]
- = Found monument within 0.2' of ground surface unless noted otherwise (see found monument list)
- ()1 = Data of record and measured per [1]
- ()2 = Data of record and measured per [2]
- ()3 = Data of record and measured per [3]
- [#] = Survey Reference Number
- P.P. = Partition Plat
- R. = Reel
- P. = Page
- V. = Volume
- B.O.T.P. = Book of Town Plats

SURVEY REFERENCES

- [1] - PARTITION PLAT NO. 2019-040
- [2] - SMITH CREEK P.U.D. (V. H48, P. 71, B.O.T.P.)
- [3] - PARTITION PLAT NO. 2019-063
- [4] - MCSR 38848

FOUND MONUMENTS LIST

- Ⓐ - 5/8" iron rod with yellow plastic cap stamped "WILSON PLS 2687", set in [3].
- Ⓑ - 5/8" iron rod with yellow plastic cap stamped "WILSON PLS 2687", set in [4].

NARRATIVE

The purpose of this survey is to subdivide Parcel 3, Partition Plat 2019-40, into lots and tracts, and to create the streets and easements as shown hereon. The basis of bearings used was between monuments "A" per Partition Plat 2019-063 as shown. The boundary of this subdivision was determined holding record data from said Parcel 3 and monuments found in Partition Plat 2019-063 and Smith Creek P.U.D. as platted and recorded in Volume H48, Page 71, Book of Town Plats for Marion County, Oregon.

PLAT NOTES

- 1) TRACT "AG" SUBJECT TO A STORM DRAINAGE EASEMENT TO THE CITY OF WOODBURN AND A PUBLIC PEDESTRIAN EASEMENT ACROSS ENTIRE TRACT.
- 2) TRACT "AF" SUBJECT TO A STORM DRAINAGE EASEMENT TO THE CITY OF WOODBURN LYING SOUTHERLY OF THE SOUTH EDGE OF THE 16' WIDE PEDESTRIAN EASEMENT OF THIS PLAT.
- 3) TRACTS "AA", "AB", "AC", "AD", "AE", "AF", "AG", and "AH", KNOWN AS COMMON AREAS, ARE FOR THE USE AND BENEFIT OF ALL LOTS CREATED IN THIS PLAT AND THOSE LOTS IN SMITH CREEK P.U.D. AS OUTLINED IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SMITH CREEK P.U.D.



BARKER SURVEYING
 3657 KASHMIR WAY SE
 SALEM, OREGON 97317
 PHONE (503) 588-8800
 FAX (503) 363-2469
 EMAIL: INFO@BARKERWILSON.COM

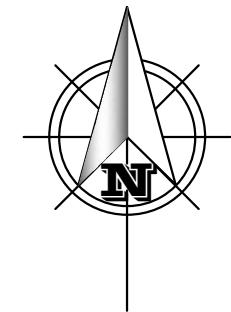
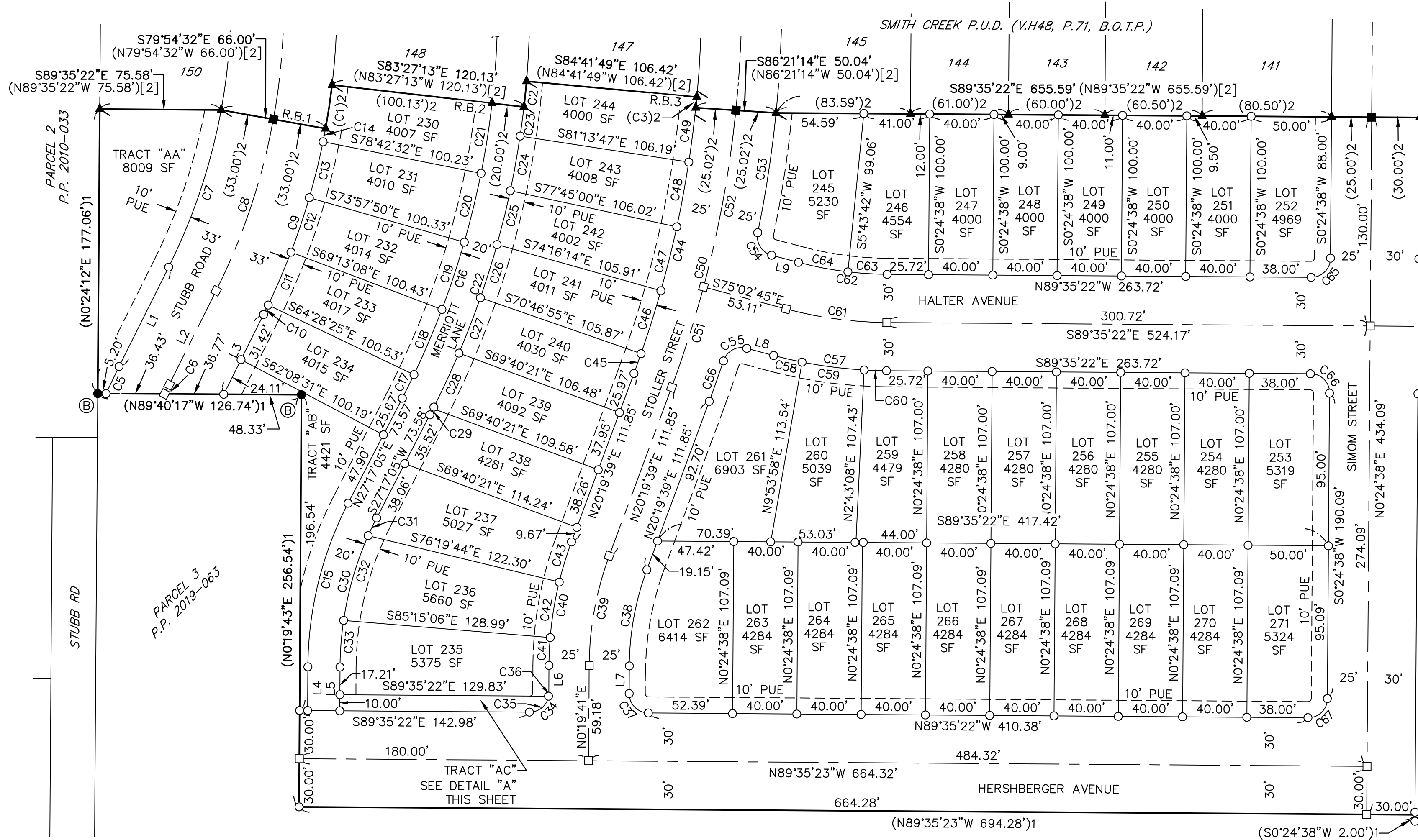
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 19, 1994
GREGORY L. WILSON
 2687

EXPIRES: 6/30/2022

SMITH CREEK P.U.D. NO.4

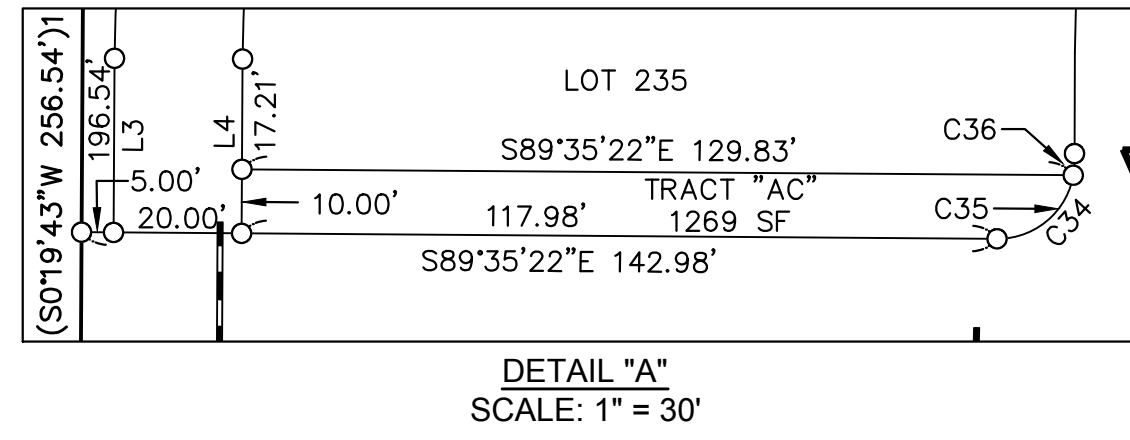
REPLAT OF PARCEL 3, PARTITION PLAT 2019-40
 LOCATED IN THE N.W. & N.E. 1/4 OF SEC. 13, T. 5 S., R. 2 W., W.M.,
 CITY OF WOODBURN, MARION COUNTY, OREGON
 _____, 2021



SCALE: 1" = 50'

LEGEND:

- = Set 5/8" x 30" iron rod with yellow plastic cap stamped "WILSON PLS 2687"
- = Set 5/8" x 30" iron rod with aluminum cap stamped "WILSON PLS 2687"
- ▲ = 5/8" x 30" iron rod with yellow plastic cap stamped "WILSON PLS 2687". Set in [2]
- = 5/8" x 30" iron rod with aluminum cap stamped "WILSON PLS 2687". Set in [2]
- ()1 = Data of record and measured per [1]
- ()2 = Data of record and measured per [2]
- [#] = Survey Reference Number
- P.P. = Partition Plat
- R. = Reel
- P. = Page
- V. = Volume
- B.O.T.P. = Book of Town Plats
- SF = Square Feet
- PUE = Public Utility Easement



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

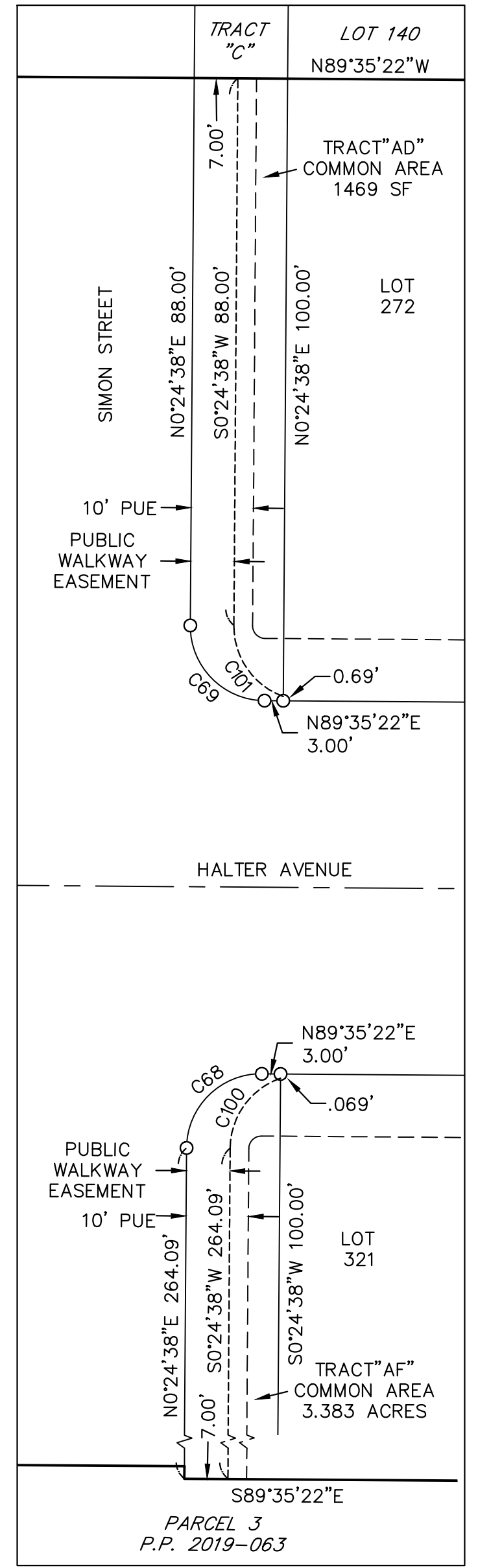
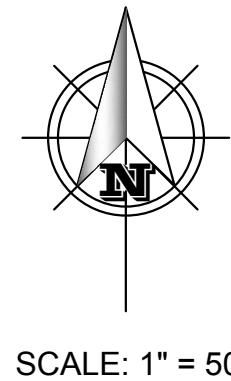
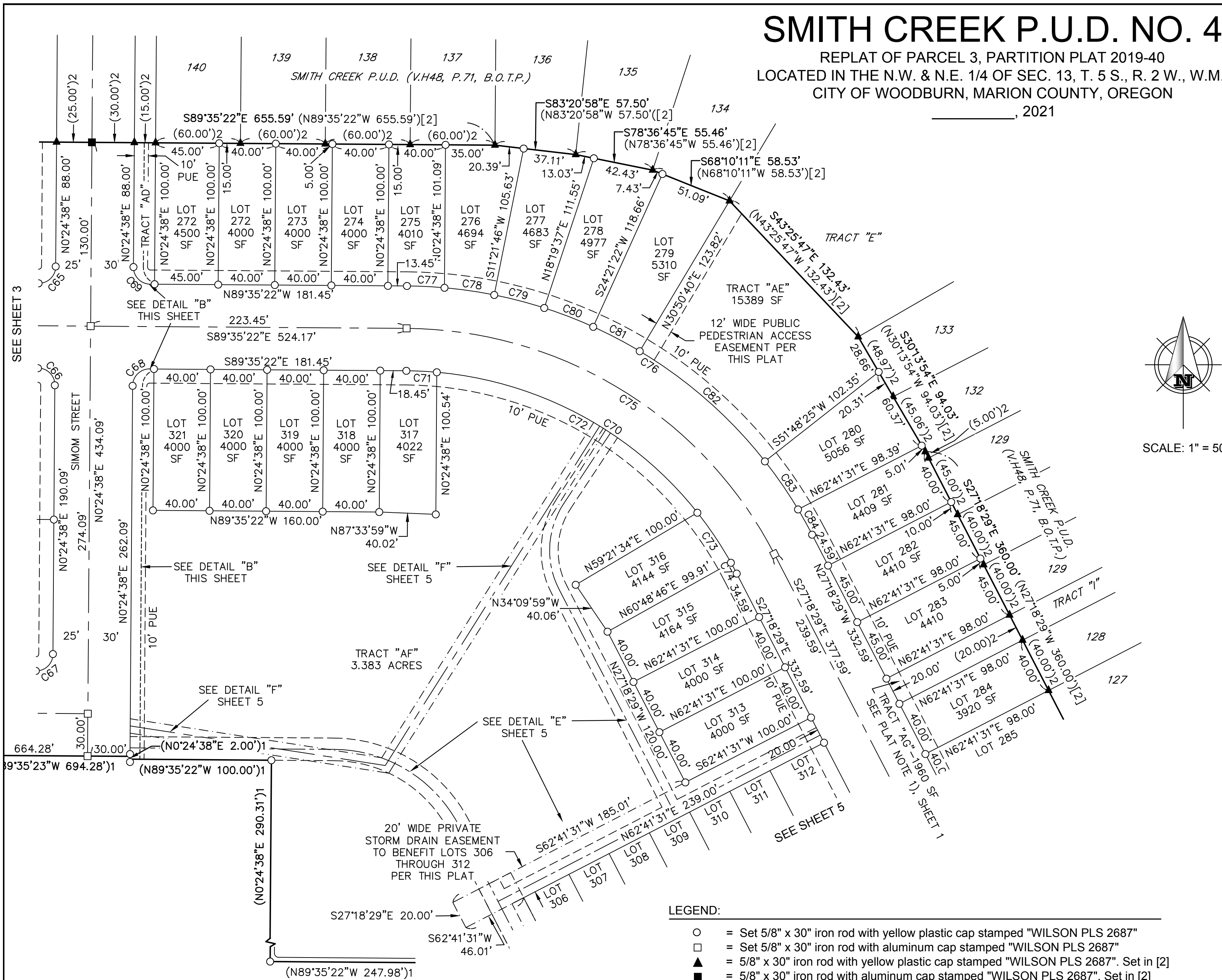
OREGON
 JULY 19, 1994
GREGORY L. WILSON
 2687
 EXPIRES: 6/30/2022



3657 KASHMIR WAY SE
 SALEM, OREGON 97317
 PHONE (503) 588-8800
 FAX (503) 363-2469
 EMAIL: INFO@BARKERWILSON.COM

SMITH CREEK P.U.D. NO. 4

REPLAT OF PARCEL 3, PARTITION PLAT 2019-40
 LOCATED IN THE N.W. & N.E. 1/4 OF SEC. 13, T. 5 S., R. 2 W., W.M.,
 CITY OF WOODBURN, MARION COUNTY, OREGON
 _____, 2021



- LEGEND:**
- = Set 5/8" x 30" iron rod with yellow plastic cap stamped "WILSON PLS 2687"
 - = Set 5/8" x 30" iron rod with aluminum cap stamped "WILSON PLS 2687"
 - ▲ = 5/8" x 30" iron rod with yellow plastic cap stamped "WILSON PLS 2687". Set in [2]
 - = 5/8" x 30" iron rod with aluminum cap stamped "WILSON PLS 2687". Set in [2]
 - ()1 = Data of record and measured per [1]
 - ()2 = Data of record and measured per [2]
 - [#] = Survey Reference Number
 - P.P. = Partition Plat
 - R. = Reel
 - P. = Page
 - V. = Volume
 - B.O.T.P. = Book of Town Plats
 - SF = Square Feet
 - PUE = Public Utility Easement

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

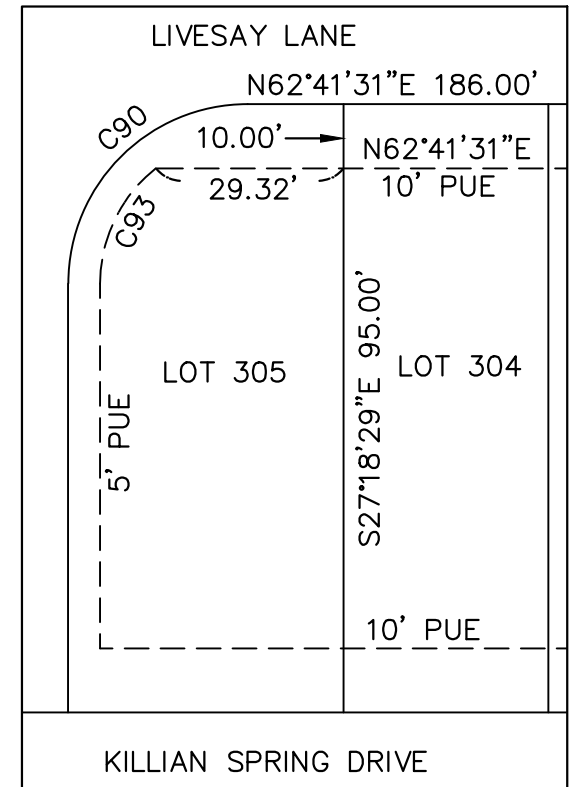
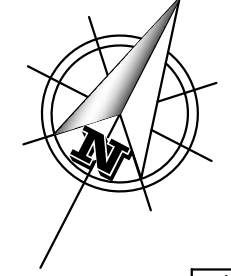


OREGON
 JULY 19, 1994
 GREGORY L. WILSON
 2687
 EXPIRES: 6/30/2022

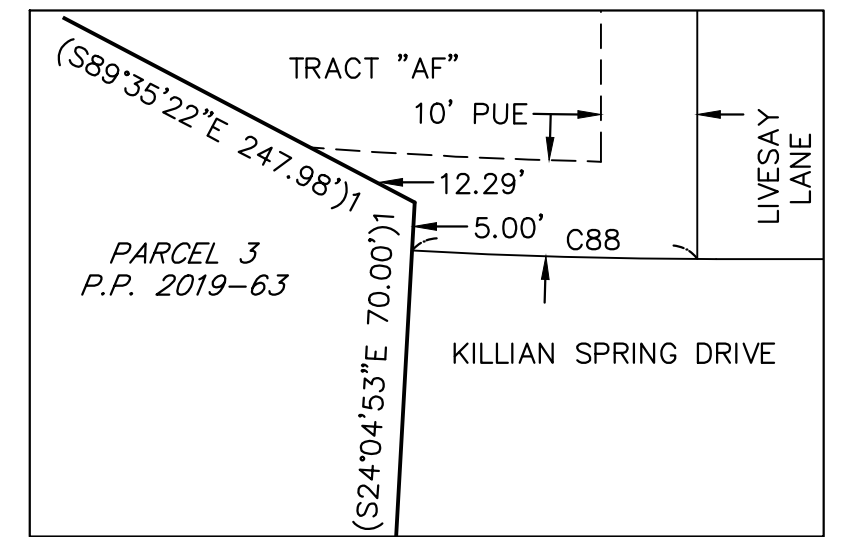
3657 KASHMIR WAY SE
 SALEM, OREGON 97317
 PHONE (503) 588-8800
 FAX (503) 363-2469
 EMAIL: INFO@BARKERWILSON.COM

SMITH CREEK P.U.D. NO.4

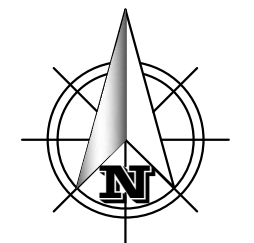
REPLAT OF PARCEL 3, PARTITION PLAT 2019-40
 LOCATED IN THE N.W. & N.E. 1/4 OF SEC. 13, T. 5 S., R. 2 W., W.M.,
 CITY OF WOODBURN, MARION COUNTY, OREGON
 _____, 2021



DETAIL "C"
SCALE: 1" = 30'



DETAIL "D"
SCALE: 1" = 20'



SCALE: 1" = 50'

- LEGEND:**
- = Set 5/8" x 30" iron rod with yellow plastic cap stamped "WILSON PLS 2687"
 - = Set 5/8" x 30" iron rod with aluminum cap stamped "WILSON PLS 2687"
 - ▲ = 5/8" x 30" iron rod with yellow plastic cap stamped "WILSON PLS 2687". Set in [2]
 - = 5/8" x 30" iron rod with aluminum cap stamped "WILSON PLS 2687". Set in [2]
 - ()1 = Data of record and measured per [1]
 - ()2 = Data of record and measured per [2]
 - [#] = Survey Reference Number
 - P.P. = Partition Plat
 - R. = Reel
 - P. = Page
 - V. = Volume
 - B.O.T.P. = Book of Town Plats
 - SF = Square Feet
 - PUE = Public Utility Easement

REGISTERED
PROFESSIONAL
LAND SURVEYOR

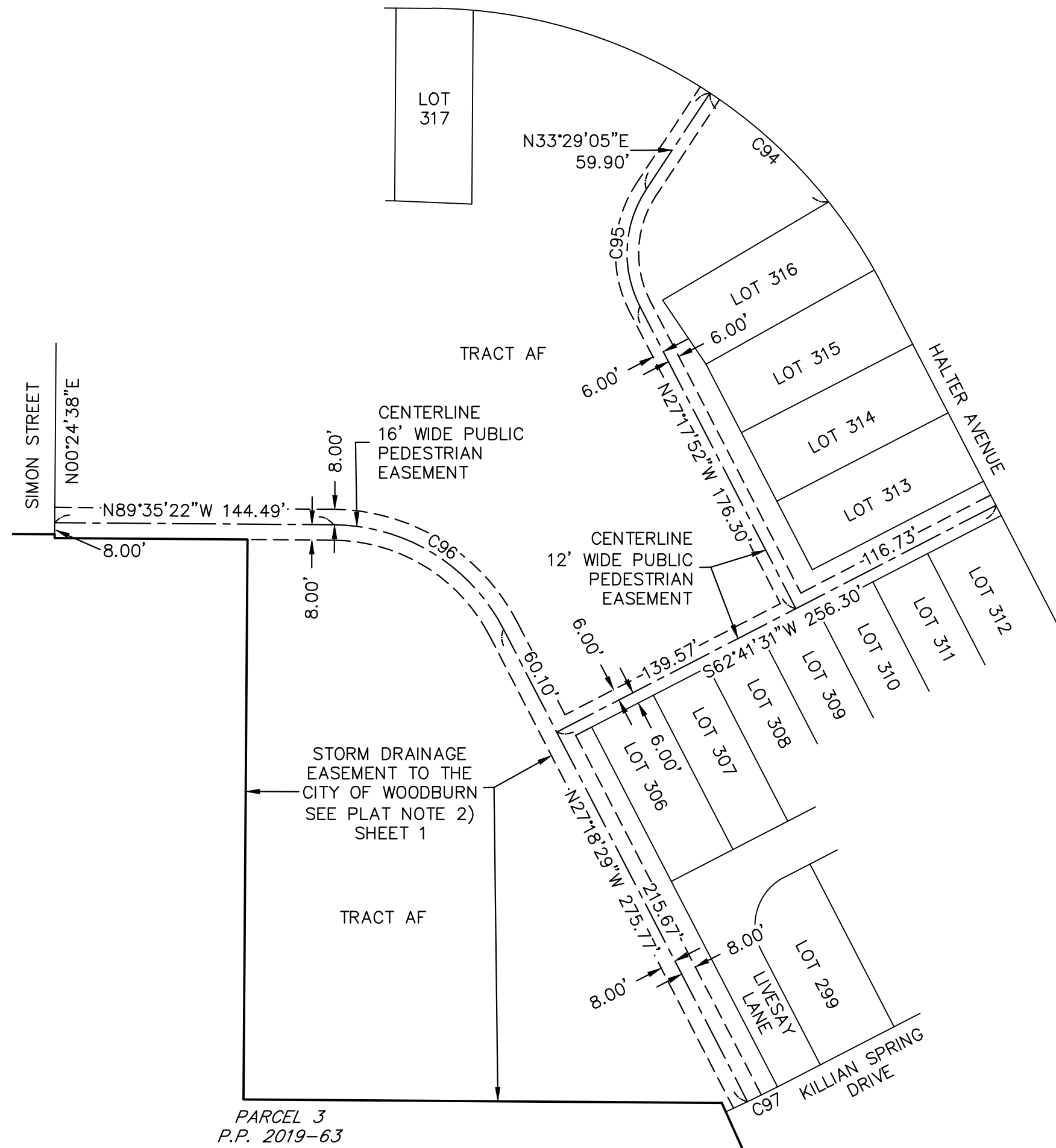
OREGON
JULY 19, 1994
GREGORY L. WILSON
2687
EXPIRES: 6/30/2022

BARKER SURVEYING

3657 KASHMIR WAY SE
SALEM, OREGON 97317
PHONE (503) 588-8800
FAX (503) 363-2469
EMAIL: INFO@BARKERWILSON.COM

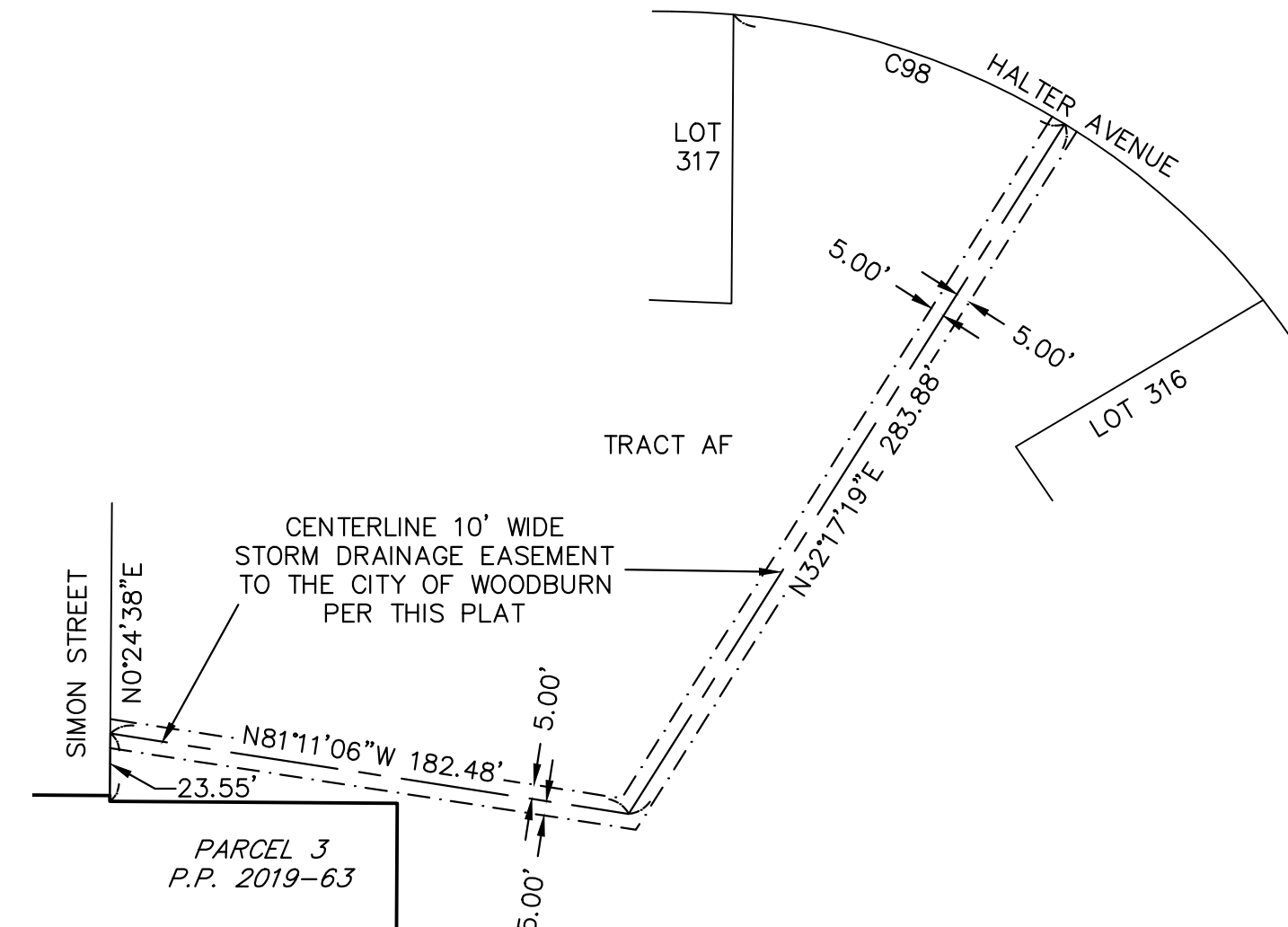
SMITH CREEK P.U.D. NO.4

REPLAT OF PARCEL 3, PARTITION PLAT 2019-40
 LOCATED IN THE N.W. & N.E. 1/4 OF SEC. 13, T. 5 S., R. 2 W., W.M.,
 CITY OF WOODBURN, MARION COUNTY, OREGON
 _____, 2021



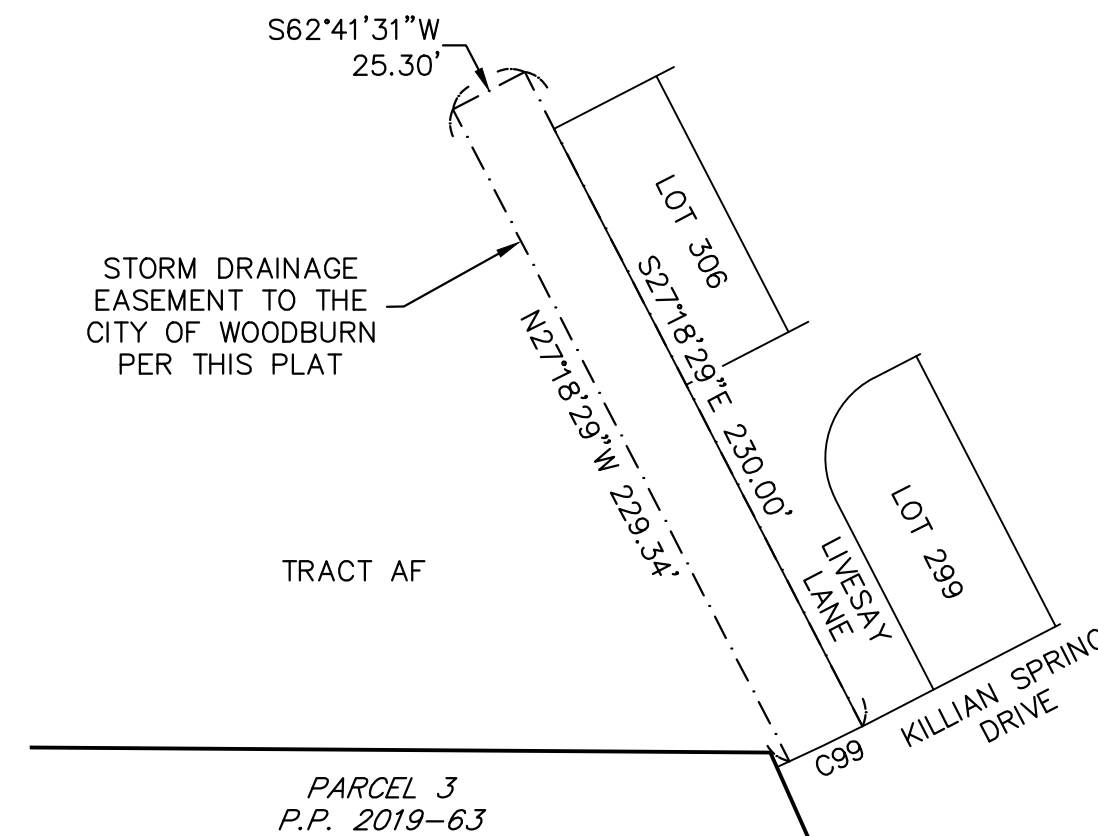
PARCEL 3
 P.P. 2019-63

DETAIL "E"
 SCALE: 1" = 60'



PARCEL 3
 P.P. 2019-63

DETAIL "F"
 SCALE: 1" = 60'



PARCEL 3
 P.P. 2019-63

DETAIL "G"
 SCALE: 1" = 60'

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 19, 1994
 GREGORY L. WILSON
 2687
 EXPIRES: 6/30/2022

BARKER SURVEYING
 3657 KASHMIR WAY SE
 SALEM, OREGON 97317
 PHONE (503) 588-8800
 FAX (503) 363-2469
 EMAIL: INFO@BARKERWILSON.COM

SMITH CREEK P.U.D. NO. 4

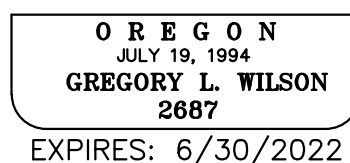
REPLAT OF PARCEL 3, PARTITION PLAT 2019-40
LOCATED IN THE N.W. & N.E. 1/4 OF SEC. 13, T. 5 S., R. 2 W., W.M.,
CITY OF WOODBURN, MARION COUNTY, OREGON
_____, 2021

SURVEYOR'S CERTIFICATE:

I, Gregory L. Wilson, a Registered Professional Land Surveyor in Oregon, do hereby depose and say that I did accurately survey and mark with proper monuments the lands represented on the attached map, situated in the northeast one-quarter of Section 13, Township 5 South, Range 2 West of the Willamette Meridian and the northwest one-quarter of Section 18, Township 5 South, Range 1 West of the Willamette Meridian, in the City of Woodburn, Marion County, Oregon, being described as follows:

Parcel 3, Partition Plat 2019-040, as platted and recorded in Marion County Book of Partition Plats, containing 18.41 acres of land, more or less. The Initial Point of this subdivision plat is marked with a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687" found at the southeasterly corner of said Parcel 3.

Gregory L. Wilson
Registered Professional Land Surveyor No. 2687
License expires June 30, 2022



APPROVALS AND ACCEPTANCE OF DEDICATION:

Community Development Director, City of Woodburn Date _____
Case Numbers PUD 2017-01, SUB 2017-01,
EXCP 2017-03, VAR 2017-14, PP 2017-01

Marion County Surveyor Date _____

Marion County Assessor Date _____

Taxes and assessments on the above described property as provided by ORS 92-095 have been paid through _____.

Marion County Tax Collector Date _____

Chairperson or Vice Chairperson Date _____
Marion County Board of Commissioners

STATE OF OREGON
S.S.
COUNTY OF MARION

I do hereby certify that this Subdivision Plat Volume _____, Page _____ was received for recording on this ___ day of _____, 2020, at ___ o'clock __ .m., and recorded in the Book of Town Plats. It is recorded in Marion County Deed Records in Reel _____, Page _____.

Bill Burgess, Marion County Clerk

By: _____
Deputy County Clerk

DECLARATION:

Know all people by these presents that STAFFORD DEVELOPMENT COMPANY, LLC, an Oregon limited liability company, being the owner of the land described in the Surveyor's Certificate hereon made and desiring to dispose of the same in lots and tracts, has caused the same to be subdivided in accordance with the provisions of O.R.S Chapter 92. We hereby dedicate the streets and alleys as shown to the public forever. We hereby grant the public easements as shown hereon.

In witness whereof, I set my hand and seal this ___ day of _____, 20__.

STAFFORD DEVELOPMENT COMPANY, LLC

By: _____
Gordon Root - Manager

STATE OF OREGON
S.S.
COUNTY OF _____

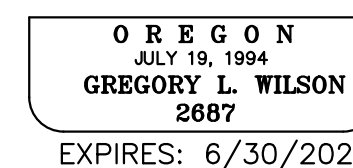
On this ___ day of _____, 2020, personally appeared before me, a Notary Public for said County and State, the above named Gordon Root, as Manager of STAFFORD DEVELOPMENT COMPANY, LLC, an Oregon limited liability company, who acknowledged to me that he executed the above instrument on behalf of said company freely and voluntarily for the uses and purposes stated therein and without fear or compulsion from anyone.

NOTARY PUBLIC - STATE OF OREGON

(PRINT NAME)

COMMISSION NO. _____

MY COMMISSION EXPIRES _____



3657 KASHMIR WAY SE
SALEM, OREGON 97317
PHONE (503) 588-8800
FAX (503) 363-2469
EMAIL: INFO@BARKERWILSON.COM