



August 19, 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 italicizes Items B, E, & H1 needing resolution regarding the application materials received August 19, 2021.

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

A. Resolve the common area improvement items per the letter of August 11.

The Director confirms that, in response to your proposal and the same as was for Phase 1A public improvements, staff will let the developer continue the recordation process up to producing and submitting a Mylar for the Director's signature, by which time the developer will have resolved the common area improvements.

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.

This item remains.

- 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? ...

The Director acknowledges the developer's response that, "After this plat records, Tract AB will be transferred to the owner of Phase 3A's parcel, known as Parcel 3 of Marion County Partition Plat No. 2019-63. That owner will develop Phase 3A which will include above referenced Parcel 3 and this Tract AB and plat them both to create the lots in question within the territory of such future plat."

- 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.

It's corrected.

- 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".*

This item remains. (In response to the developer's response, I e-mailed and spoke with Stephanie Watson, Survey Tech II with Marion County Public Works on August 19. She confirmed that tracts to be dedicated to the City may be labeled to refer to the City, that is, either "City of Woodburn" or "C.O.W." with a separate legend explaining the acronym is acceptable.)

- 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".

The Director acknowledges the developer's response that, "Halter Avenue will be revised on the plat submitted to the County to be Halter 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. ...

The Director acknowledges the developer's response.

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. ...*

The developer responded, "We will provide a copy of the approved engineering plans." It remains for the developer to submit a copy.

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.

The Director confirms that, in response to your proposal and the same as was for Phase 1A public improvements, staff will let the developer continue the recordation process up to producing and submitting a Mylar for the Director's signature, by which time the developer will have constructed improvements and had the City inspect and accept them.

- 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

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