



City of Woodburn
Community Development Department
270 Montgomery Street
Woodburn, OR 97071-4730
(503) 982-5246

Transmittal Form: Plat Paper Check

To: Marion County Surveyor; Attn: Kent Inman

From: Colin Cortes, AICP, CNU-A,
Senior Planner

Date:
February 20,
2024

Cc: Chris Kerr, Community Development Director; Curtis Stultz, Public Works Director; Dago Garcia, P.E., City Engineer; Cole Grube, Project Engineer; Aidan O'Connell, Public Works Management Analyst; Shaun P. Fidler, PLA, CMT Surveying and Consulting, Inc.; Bryan AnDyke, Land Development Project Manager, Lennar Northwest, LLC

Re: Woodburn Subdivision Final Plat App
FSUB 22-01 Smith Creek Phase 4A /
plat Smith Creek P.U.D. 8 (County
SP24-001 "Smith Creek P.U.D. 8")
related to City master/parent land use
case file no. ANX 2017-05

Summary: City of Woodburn staff received the mailed "paper check" on 1/29/2024 that the County Surveyor's office had sent.

The applicant needs to resolve the following items:

- A. Public improvements: What's the status of conformance with [Woodburn Development Ordinance \(WDO\)](#) 5.01.06B.1 – civil engineering plan review led by the Public Works Engineering Division and with the Planning Division as a review group; construction; and inspections. Improvements include not only streets but also greenway improvements including the Mill Creek Greenway Trail, futsal court, and landscaping. Notes: Public Works typically is willing to defer sidewalks and driveway aprons along lots (as opposed to tracts) to dwelling building permit final inspections.
- B. Private common area tracts improvements and landscaping: What's the status of construction? (Planning Division staff awaits applicant submittal of the bond company paperwork for the bond request to the Planning Division for street trees and the private common area tract playground.)
- C. Revise plat name from “Smith Creek P.U.D. 8” to “Smith Creek P.U.D. No. 8” to be consistent with previous platted phases including “No.”.
- D. All sheets: All tract lettering is incorrect. The same as lot numbering, upon the second phase of Smith Creek the County Surveyor had directed that tract lettering continue across all phases of Smith. Re-letter all tracts picking up from the last on the no. 7 plat (Phase 3A).

Send a revised Sheet 1 as soon as ready to Heidi Hinshaw, Associate Planner (heidi.hinshaw@ci.woodburn.or.us) and *state that tract lettering has changed and the sheet is a re-submittal for address assignment*. This is vital because the developer already submitted an address assignment request, address assignments will be for tracts as well as lots, and staff would like to be able to prepare draft assignments ahead of plat recordation to be able to release them upon plat recordation.

- E. Sheet 1: This plat continues the Kirksey Street westerly right-of-way south to Parr Road. Correct the street name misspelled “Kersey”.
- F. Conveyance/dedication: What's the status of the separate draft documentation that the County has required since Phase 3A (plat no. 7) as a plat supplement in order to dedicate tracts to a city? Is review by the City legal counsel finished, similar to as done for previous Smith plats? The contact info is McKenzie Granum, City Attorney, (503) 982-5251, mckenzie.granum@ci.woodburn.or.us. If e-mailing, cc:

- Chris Killmer, Assistant City Attorney, chris.killmer@ci.woodburn.or.us
- Curtis Stultz, Public Works Director, curtis.stultz@ci.woodburn.or.us
- Dago Garcia, P.E., City Engineer, dago.garcia@ci.woodburn.or.us
- Cole Grube, P.E., Project Engineer, cole.grube@ci.woodburn.or.us

My only further involvement is for the developer to alert me when this process is finished (with paperwork ready for recordation) so I can mark this item resolved.

- G. Sheets 2-5: The adjacent land to the north is labeled as “Parcel 3 Partition Plat No. 2019-063”, but this seems outdated because that land is subdivided and recorded as Smith Creek P.U.D. No. 7 in Marion County record 2023-031613 (October 19, 2023), Vol. H49, Page 32. Confirm or revise accordingly.
- H. Sheets 2-6: Revise the Mill Creek Greenway tract label to indicate dedication to City or do whatever the County Surveyor would direct that accomplishes the equivalent. A past example, Smith Phase 3A / P.U.D. No. 7 plat, labels the greenway tract as "Tract “AZ” – C.O.W.", with the cover sheet and any other sheet involving the tract having a legend indicating it means City of Woodburn.
- I. Sheet 3: Public bicycle/pedestrian access or ingress/egress easement: Revise the sheet, and if necessary revise this or another sheet to add a detailed close-up, to grant a public bicycle/pedestrian access or ingress/egress easement over the short path (and it shoulders) spanning between the right-of-way (ROW) elbow of Ruiz Lane and the Parr Road ROW. Assume minimum width equal to path width plus 2 feet each side.
- J. Sheet 5: Public bicycle/pedestrian access or ingress/egress easement: Revise the sheet, and if necessary revise this or another sheet to add a detailed close-up, to grant a public bicycle/pedestrian access or ingress/egress easement over the short path (and it shoulders) spanning between the Sifuentez Court cul-de-sac bulb right-of-way (ROW) and the Parr Road ROW. Assume minimum width equal to path width plus 2 feet each side.

K. Sheet 6

1. Correct the street name misspelled “Kersey” to Kirksey.
2. Move plat notes that are revised (per below) from the last sheet to Sheet 1.
3. Note 1: Replace the blank underlined field with the case file numbers: ANX 2017-05, PUD 2017-01, SUB 2017-01, & FSUB 22-01.
4. Note 3: Correct, “All tracts are for open space, and shall be owned and maintained by the Smith Creek Phase 4-1 homeowners association” to two notes, Note 3 that mimics Smith Creek P.U.D. No. 7 plat Sheet 1 Note 1) (Attachment 1) that cites all but the Mill Creek Greenway tract; and, a Note 4 per the below.
5. Note 4: Add a new Note 4 regarding the Mill Creek Greenway tract that reads, “Tract [*] is to be conveyed to the City of Woodburn by separate document”.

*See Item D above.

The objective is to have CMT Surveying and Consulting mimic the plat drawing approach that Barker Surveying took for the Smith Phase 3A / plat No. 7 so that most Smith phases are similar in plat drawing presentation.

- L. Townhouse lot streetside PUEs: For all townhouse lots (Lots 619-714), which are all alley-loaded, revise the streetside public utility easements (PUEs) and those along the alleys to conform with [WDO 3.02.01F.2](#):

“Streetside PUE maximum width: ...

2. Standards: Exempting any lot or tract subject to Figure 3.01B “Major Arterial”, the following standards are applicable to a lot or tract with:

- a. No alley or shared rear lane: 8 feet streetside.
- b. Alley or shared rear lane: Either 8 feet streetside and 5 feet along alley or shared rear lane, or, 5 feet streetside and 8 feet along alley or shared rear lane.

Nothing in this section precludes a streetside PUE from variable width where necessary such as to expand around public fire hydrants.”

(The purpose per 3.02.01F.1 is to prevent developers and franchise utilities from proposing wider than minimum streetside PUEs along tracts or small lots after land use final decision; to prevent particularly for a tract or lot abutting both a street and an alley; to encourage developers to communicate with franchise utilities and define streetside PUE widths during land use review and how to what is defined; to avoid overly constraining yards, and to avoid such PUEs precluding front roofed patios, porches, or stoops.)

- M. Public Works: See the attached redlines and revise accordingly. Questions? Contact Dago Garcia, P.E., City Engineer, (503) 982 -5248, dago.garcia@ci.woodburn.or.us.

Notes:

These notes are for the developer, not the County:

1. The land use final decision document with the conditions of approval remains on the [City project webpage](#). City project webpages can be found via the gateway webpage at www.woodburn-or.gov/projects.
2. Construction: Prior to delivering a Mylar to the City, the developer is to fully construct public improvements and through the “engineer of record” contact the City for inspections, providing Planning Division staff in particular at least 3 business days notice, and obtain City acceptance of improvements.
3. Copies (PDFs for City GIS): After Mylar signature and recordation and as Woodburn Development Ordinance (WDO) 2.01.05 requires, before building permit application the developer is to forward electronic copies of any and all recorded documents – plat(s), easement(s) if separate from plat(s), and any supplemental conveyance/dedication documents – to the City so that the City may update its geographic information system (GIS). Submit to the attention of both the Public Works Department Engineering Division and Community Development Department Planning Division.)

4. Street addresses: A reminder that the time approaches to submit an [Address Assignment Request](#). It can take up to two weeks for staff to review and issue. I recommend submittal at the same time that the developer gets to production of a plat Mylar, because by the time that the Director would be ready to sign a Mylar, it would be ideal for staff to be ready to issue assigned street addresses.

Assigned street addresses are critical because without them Accela / Oregon ePermitting could not accept building permit applications. Contact Heidi Hinshaw, Associate Planner, (503) 980-2494 with any street address process questions.

My contact info is Colin Cortes, AICP, CNU-A, (503) 980-2485, colin.cortes@ci.woodburn.or.us.

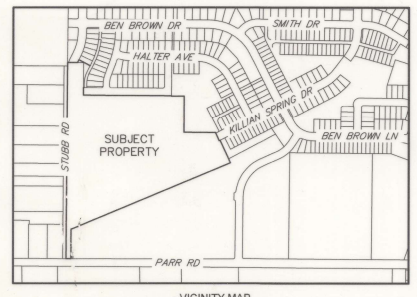
Attachment(s):

- Sheet 1 from plat Smith Creek P.U.D. No. 7, Vol. H49, Page 32, record 2023-031613
- City Engineer redlines (February 15, 2024)

449-32

SMITH CREEK P.U.D. NO. 7

BEING A RE-PLAT OF PARCEL 3, PARTITION PLAT NO. 2019-63
AND TRACT "AB" SMITH CREEK P.U.D. NO. 4
LOCATED IN THE N.E. 1/4, N.W.1/4, AND S.W. 1/4 OF SECTION 13, T. 5 S., R. 2 W., W.M.,
CITY OF WOODBURN, MARION COUNTY, OREGON
NOVEMBER 29, 2022



VICINITY MAP
SCALE: 1" = 500'

SHEET INDEX

- SHEET 1 - VICINITY MAP, SHEET INDEX, NARRATIVE, PLAT NOTES
- SHEET 2 - OVERALL BOUNDARY, MONUMENTS LIST, SURVEY REFERENCES, LEGEND
- SHEET 3 - NORTHWEST LOTS/TRACTS, LEGEND
- SHEET 4 - NORTHEAST LOTS/TRACTS, LEGEND
- SHEET 5 - SOUTHWEST LOTS/TRACTS, LEGEND
- SHEET 6 - DETAILS "A", "B", "C", "D", "E", "F", "G", "H", "I", AND "J", SOUTHWEST LOTS/TRACTS CONTINUATION, LEGEND
- SHEET 7 - CURVE TABLE, LINE TABLE, DETAIL "K"
- SHEET 8 - SURVEYOR'S CERTIFICATE, ACKNOWLEDGMENTS, APPROVALS, DECLARATION

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE PARCEL 3, PARTITION PLAT 2019-63, TOGETHER WITH TRACT "AB" OF SMITH CREEK P.U.D. NO. 4 AS PLATTED AND RECORDED IN VOLUME H48, PAGE 94, BOOK OF TOWN PLATS FOR MARION COUNTY, OREGON, INTO LOTS AND TRACTS, AND TO CREATE THE STREETS AND EASEMENTS AS SHOWN HEREON. THE BASIS OF BEARINGS USED WAS BETWEEN MONUMENTS FOUND ALONG THE SOUTHERLY RIGHT OF WAY OF HERSHBERGER AVENUE, PER THE AFOREMENTIONED SMITH CREEK P.U.D. NO. 4, AS SHOWN. THE BOUNDARY OF THIS SUBDIVISION WAS DETERMINED HOLDING RECORD DATA FROM SAID PARTITION PLAT 2019-63 TOGETHER WITH RECORD DATA AND MONUMENTS FOUND IN SAID SMITH CREEK P.U.D. NO. 4.

PLAT NOTES

- 1) - TRACTS "AL", "AM", "AN", "AO", "AP", "AQ", "AR", "AS", "AT", "AU", "AV", "AW", "AX", "AY", AND "BA" 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.
- 2) - TRACTS "AN", "AO", "AU, AND "AV" SUBJECT TO A STORM DRAINAGE EASEMENT AND SANITARY SEWER EASEMENT TO THE CITY OF WOODBURN ACROSS ENTIRE TRACTS.
- 3) - TRACTS "AQ" AND "AZ" SUBJECT TO A STORM DRAINAGE EASEMENT TO THE CITY OF WOODBURN ACROSS ENTIRE TRACTS.
- 4) - PURSUANT TO ORS 92.090(1), A CONSENT AFFIDAVIT BY STAFFORD DEVELOPMENT COMPANY, LLC, AN OREGON LIMITED LIABILITY COMPANY, ALLOWING THE USE OF THE NAME "SMITH CREEK P.U.D. NO. 7" HAS BEEN EXECUTED AND RECORDED IN REEL 4685, PAGE 3, MARION COUNTY DEED RECORDS.
- 5) - TRACT "AZ" TO BE CONVEYED TO THE CITY OF WOODBURN BY SEPARATE DOCUMENT.
- 6) - PUBLIC PEDESTRIAN ACCESS EASEMENT PER THIS PLAT. SEE SHEETS 3, 4, AND 5.
- 7) - QUIT CLAIM STATEMENT: THAT PORTION OF THE COMMUNICATIONS LINE RIGHT OF WAY EASEMENT RECORDED IN REEL 1766, PAGE 206, REEL 1766, PAGE 208 AND REEL 1766, PAGE 407, MARION COUNTY DEED RECORDS, LYING WITHIN THE RIGHT OF WAY OF STUBB ROAD, HAS BEEN QUIT CLAIMED BY DATAVISION IN THAT DOCUMENT RECORDED IN INSTRUMENT NO. 2023-031610 MARION COUNTY DEED RECORDS.

2023-031610



SMITH CREEK P.U.D. 8

A RE-PLAT OF PARCEL 2 OF PARTITION PLAT NO. 2019-63
 LOCATED IN THE NORTHWEST, SOUTHWEST, NORTHEAST AND SOUTHEAST
 ONE-QUARTERS OF SECTION 13, TOWNSHIP 5 SOUTH, RANGE 2 WEST,
 OF THE WILLAMETTE MERIDIAN, CITY OF WOODBURN, MARION COUNTY, OREGON
 DECEMBER 7, 2023

PUD 22-01
 SUB 22-01
 RECEIVED

JAN 29 2024

COMMUNITY DEVELOPMENT
 DEPARTMENT

RECEIVED
 JAN 19 2024

MARION COUNTY SURVEYOR

LEGEND

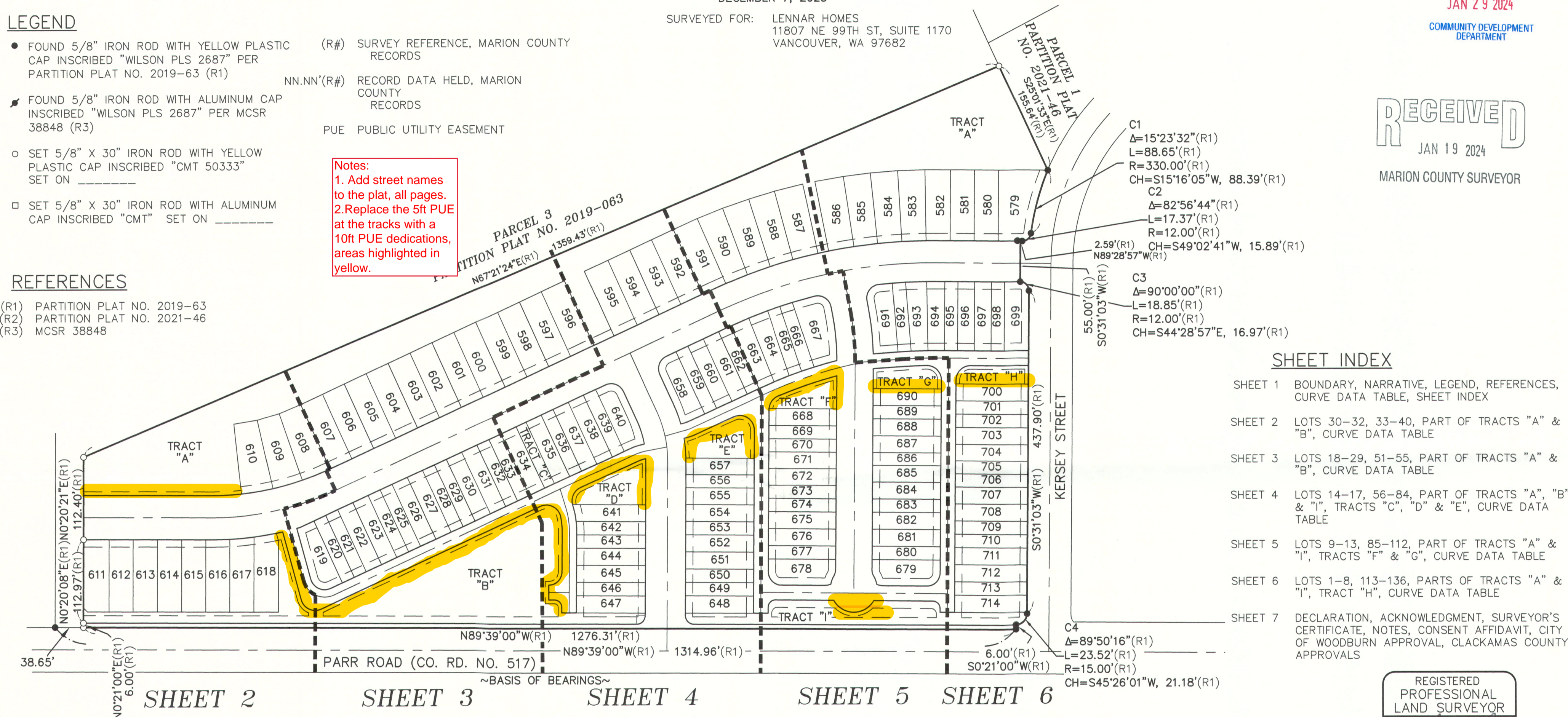
- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "WILSON PLS 2687" PER PARTITION PLAT NO. 2019-63 (R1)
 - FOUND 5/8" IRON ROD WITH ALUMINUM CAP INSCRIBED "WILSON PLS 2687" PER MCSR 38848 (R3)
 - SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "CMT 50333" SET ON _____
 - SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP INSCRIBED "CMT" SET ON _____
- (R#) SURVEY REFERENCE, MARION COUNTY RECORDS
- NN.NN'(R#) RECORD DATA HELD, MARION COUNTY RECORDS
- PUE PUBLIC UTILITY EASEMENT

Notes:
 1. Add street names to the plat, all pages.
 2. Replace the 5ft PUE at the tracks with a 10ft PUE dedications, areas highlighted in yellow.

REFERENCES

- (R1) PARTITION PLAT NO. 2019-63
- (R2) PARTITION PLAT NO. 2021-46
- (R3) MCSR 38848

SURVEYED FOR: LENNAR HOMES
 11807 NE 99TH ST, SUITE 1170
 VANCOUVER, WA 97682



SHEET INDEX

SHEET 1	BOUNDARY, NARRATIVE, LEGEND, REFERENCES, CURVE DATA TABLE, SHEET INDEX
SHEET 2	LOTS 30-32, 33-40, PART OF TRACTS "A" & "B", CURVE DATA TABLE
SHEET 3	LOTS 18-29, 51-55, PART OF TRACTS "A" & "B", CURVE DATA TABLE
SHEET 4	LOTS 14-17, 56-84, PART OF TRACTS "A", "B" & "I", TRACTS "C", "D" & "E", CURVE DATA TABLE
SHEET 5	LOTS 9-13, 85-112, PART OF TRACTS "A" & "I", TRACTS "F" & "G", CURVE DATA TABLE
SHEET 6	LOTS 1-8, 113-136, PARTS OF TRACTS "A" & "I", TRACT "H", CURVE DATA TABLE
SHEET 7	DECLARATION, ACKNOWLEDGMENT, SURVEYOR'S CERTIFICATE, NOTES, CONSENT AFFIDAVIT, CITY OF WOODBURN APPROVAL, CLACKAMAS COUNTY APPROVALS

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 12, 2005
 SHAUN P. FIDLER
 50333

EXPIRES DECEMBER 31, 2025

THIS SURVEY WAS PREPARED USING
 HEWLETT PACKARD PRODUCT NO. 4844A
 ON 4-MIL DOUBLE MATTE WATERPROOF
 ARCHIVAL MYLAR FILM

SHEET 1 OF 7



CMT SURVEYING AND CONSULTING
 20330 SE HIGHWAY 212
 DAMASCUS, OR 97089
 PHONE (503) 850-4672 FAX (503) 850-4590
 Y:\293-040\DWG\293040PH4-A.DWG --RLMC

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE PARCEL 2 OF PARTITION PLAT NO. 2019-063, MARION COUNTY PLAT RECORDS, AND TO MONUMENT THE SAME.

AS THE BASIS OF BEARINGS, I HELD THE RECORD BEARING OF NORTH 89°39'00" WEST, PER (R1), BETWEEN A FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "WILSON PLS 2687" AT THE SOUTHEAST CORNER OF SAID PARCEL 2, AND A FOUND 5/8" IRON ROD WITH ALUMINUM CAP INSCRIBED "WILSON PLS 2687" WHICH WAS SET IN MCSR 38848 (R3), AT THE SOUTHWEST CORNER OF PARCEL 3 OF SAID (R1).

I HELD ALL MONUMENTS, BEARINGS, DISTANCES AND CURVE DATA ALONG THE EASTERLY LINES OF SAID PARCEL 2 AS SHOWN.

I CALCULATED LOCATIONS USING RECORD DATA FROM EXISTING MONUMENTS PER (R1) FOR THE MOST NORTHERLY CORNER AND THE CORNERS ON THE WESTERLY LINES AS SHOWN.

I THEN MONUMENTED THE BOUNDARY AND LOT CORNERS OF THIS SUBDIVISION AS SHOWN.

CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	88.65'	330.00'	15°23'32"	S15°16'05"W 88.39'
C2	17.37'	12.00'	82°56'44"	S49°02'41"W 15.89'
C3	18.85'	12.00'	90°00'00"	S44°28'57"E 16.97'
C4	23.52'	15.00'	89°50'16"	S45°26'01"W 21.18'

